

FOURTH SCHEDULE (Section 49 (3))

THE WATER RESOURCES REGULATIONS, 1995

PART I— Preliminary

- 1. These Regulations may be cited as the Water Resources Regula- Short title.
tions 1995.
- 2. In these Regulations "relevant fee" means such fee as may be Interpretation.
prescribed as being payable in relation to an application pursuant to
the Act for a licence or consent.

PART II—Licences to Abstract and Use Water

- 3. (1) An application for a licence required pursuant to section 19 Application for
of the Act shall be made to the Authority in the form set out as Form abstraction
A in the Schedule. licence.
- (2) An application made under paragraph (1) shall be in dupli- Form A.
cate and shall be accompanied by such maps, documents or informa- Schedule.
tion as the Authority may require and by the relevant fee.
- (3) On receipt of an application for a licence to abstract and use water the Authority shall act in accordance with the provisions of regulation 24.
- 4. In considering an application for a licence to abstract and use water the Authority shall have regard to— Matters to
be con-
sidered by
Authority.
 - (a) the provisions of the Master Plan, including any amendments made thereto;
 - (b) any recommendations or representation made pursuant to regulation 24 (2) and (3), respectively;
 - (c) the consideration that the satisfaction of the demands of public water supply is a matter of priority;
 - (d) the requirements of the applicant as specified in the applica-
tion and whether or not he has such financial and technical re-
sources as may be necessary for the enjoyment of the licence;
 - (e) the requirements of other persons who have subsisting licences
to abstract and use water;
 - (f) the safeguarding of public health and the environment;
 - (g) the requirements of in-stream uses of the water; and
 - (h) the requirements of land drainage.
- 5. (1) On consideration of an application the Authority may grant or refuse to grant a licence. Authority
may grant
or refuse
licence.
 - (2) If the Authority grants a licence it shall, in addition to notifying the applicant of its decision, inform in writing any person who pursuant

to regulation 24 (3) has made representations, and that person may require the Authority to furnish to him in writing the reasons for its decision.

(3) If the Authority refuses to grant a licence, it shall state in writing the reasons for its decision and inform the applicant of his right under the Act to appeal against the decision.

(4) A licence granted under this regulation—

Form B.
Schedule.

- (a) shall be in the form set out as Form B in the Schedule; and
- (b) shall be for such period as the Authority thinks fit.

(5) In addition to the implied term specified in section 23 of the Act, a licence may contain such terms and conditions as the Authority thinks appropriate, including—

- (a) the term that the amount of water authorized to be abstracted under the licence may vary according to the availability of excess water; or
- (b) the condition that certain works should be constructed within a specified time by the person to whom the licence is granted.

(6) A licence to which paragraph (1) refers may contain different provisions relating to—

- (a) the abstraction of water during different periods;
- (b) the abstraction of water from the same source of supply but at different points or by different means;
- (c) the abstraction of water for use for different purposes.

(7) Nothing in paragraph (6) shall be construed to preclude a grant by the Authority, if it thinks appropriate in any case, of two or more licences to the same person to be held concurrently in respect of the same source of supply, if the licences authorize the abstraction of water at different points of the source or by different means.

Provisions
as to certain
conditions
in licence.

6. (1) Where a licence is granted under regulation 5 subject to the condition that specified works should be constructed within a specified period, the Authority may, on the expiration of that period, extend the period for the construction of the works if the person to whom the licence was granted so requests.

(2) On the expiration of the specified period referred to in paragraph (1) or of such extended period as may be granted under that paragraph or on completion of the works, if that is earlier, the Authority shall cause the works to be inspected for the purpose of satisfying itself that the works have been properly constructed.

Licence not
transfer-
able.

7. Without prejudice to regulation 16, a licence granted under regulation 5 is not transferable.

8. (1) A licence granted under regulation 5 may, on its expiration, be renewed by the Authority if— Renewal of licence.

- (a) the person to whom it was granted applies to the Authority for renewal of the licence not later than six months before the date on which the licence expires; and
- (b) the Authority is satisfied that there has been no material change in the circumstances which existed at the time the licence was first granted that would justify dealing with the application in the manner specified in paragraph (2).

(2) Where the Authority—

- (a) after the time specified in paragraph (1) (a), receives an application for renewal of a licence; or
- (b) determines that a material change of circumstances has occurred since the licence was first granted.

it shall deal with the application as if it were a fresh application made under regulation 3 and accordingly, all the provisions of this Part relating to the application for a licence shall apply.

9. (1) On the application of a person to whom a licence was granted under regulation 5, the Authority may— Revocation etc. of licence on application of licensee.

- (a) revoke or suspend the licence, subject to such terms and conditions as the Authority may impose for the purpose of protecting waters, the environment or public health; or
- (b) subject to paragraph (2), vary the licence.

(2) In considering an application for the variation of a licence, the Authority shall have regard to the matters specified in paragraphs (a) to (h) of regulation 4, unless the variation applied for is restricted to reducing the quantity of water authorized to be extracted under a licence.

10. (1) Subject to paragraph (2), the Authority may, by notice addressed to the person to whom a licence was granted under regulation 5, revoke the licence or suspend it for such period as the Authority thinks appropriate if it is satisfied— Revocation, suspension of licence for breach of Act.

- (a) that a breach of any provision of the Act or of these Regulations or of any term or condition subject to which the licence was granted has been committed; or
- (b) that there has been waste or misuse of the water which may be abstracted under the licence.

(2) Except as provided in paragraph (3), the Authority shall, before revoking or suspending a licence, serve on the person to whom the licence was granted a notice in writing—

- (a) specifying the breach or default on which the Authority relies and requiring him to remedy it (if it is capable of remedy) within such time as may be specified in the notice; and

- (b) informing him that he may apply to the Authority to be heard on the matter within such time as may be specified in the notice.

(3) The Authority shall not be obliged to serve a notice pursuant to paragraph (2) in relation to any breach or default if an enforcement notice pursuant to section 43 of the Act is in effect in relation to such breach or default.

Revocation of licence granted for use of excess water.

11. (1) Where a licence has been granted under regulation 5 conditional on the availability of excess water, then such licence shall have effect only so long as excess water is available for abstraction and use in accordance with that licence; and accordingly, where it becomes apparent to the Authority that such excess water will become unavailable for abstraction and use under any licence granted as aforesaid, the Authority shall notify the holder of the licence in writing of the date (not being less than thirty days from the date of service of the notice) on which the revocation of the licence shall take effect.

(2) In paragraph (1) "excess water" means such of the flow of a river, stream or watercourse which, after satisfying the requirements of persons who are entitled under the Act to abstract and use the water of that river, stream or watercourse, would ordinarily run to waste.

Revocation, variation of licence for non-use.

12. (1) Where the Authority is of the opinion that the person to whom a licence was granted under regulation 5 has not made full use of the licence during the preceding eighteen months, it may by notice sent by registered mail to that person call upon him to show cause in writing within sixty days of the date of service of the notice why the licence should not be revoked or varied in the manner specified in the notice and informing him of his right to be heard in the matter within the period specified in paragraph (3).

(2) The Authority shall—

- (a) consider any statement submitted pursuant to paragraph (1);
- (b) if so required, give the person who made the statement an opportunity to be heard whether in person or by his legal representative; and
- (c) thereafter declare whether the licence is revoked, varied in such respects as may be specified, or whether it should be unchanged.

(3) If within sixty days of the date of service of the notice referred to in paragraph (1) the person to whom the notice was sent does not submit to the Authority a statement in writing of the reasons why the licence should not be revoked or suspended, the Authority may declare the licence revoked or varied, as the Authority thinks fit, and shall send to such person by registered mail a notice of that declaration.

13. (1) If the Authority is satisfied that a licence granted under regulation 5 should be revoked, suspended or varied so as to accommodate the needs of another user of the water to which that licence relates, it may revoke or vary the licence by notice in writing addressed to the holder, and thereupon the licence shall be revoked or shall have effect only as so varied, as the case may be.

Revocation, variation, suspension of licence to accommodate other user.

(2) A person whose licence has been revoked, suspended or varied pursuant to paragraph (1) is entitled to receive compensation from the user whose needs for the water have been accommodated and, in the absence of agreement between them, the amount of compensation shall be determined—

- (a) if the amount claimed does not exceed \$10,000 by a Resident Magistrate's Court; or
- (b) in any other case, by a Judge in Chambers.

14. (1) Subject to any powers exercisable under the Act in relation to an emergency area, if the Authority is of the opinion that it is in the best interests of the management, conservation, development and use of the water resources it may, in relation to any licence granted under regulation 5, substitute a supply or source of surface water for a supply or source of underground water, and *vice versa*.

Substitution of supply or source of water.

(2) If the substitution is made for the purposes of accommodating the needs of another user of water, the Authority in exercising its powers under paragraph (1) may stipulate that compensation be paid by that person to any person whose licence has been varied on account of the substitution and if there is no agreement as to the amount of compensation, the matter shall be determined in the manner specified in regulation 13.

15. If the Authority considers it necessary in the public interest, it may vary a licence to abstract and use water in respect of the points or methods of abstraction, or both, for the purpose of—

Variation of licence for certain other purposes.

- (a) protecting the source of water to which the licence relates from depletion or pollution;
- (b) ensuring the efficient allocation and use of water; or
- (c) protecting the rights of third parties.

and no liability shall attach to the Authority by reason of such variation nor shall the liability of the holder of the licence to pay any charge or fee be affected.

16. (1) Where any person succeeds to the interests of a holder of a licence granted under this Part (hereinafter referred to as "the original licensee") in circumstances, whether on the death of the original licensee, or otherwise, such that the continued operation of those interests involves the question of a grant of a licence under this Part in like terms as that held by the original licensee, then, subject to paragraph (2), that person may apply to the Authority for such a licence.

Effect of succession to interests of licensee.

(2) An application under paragraph (1) shall be made to the Authority within thirty days of the applicant's acquisition of the interest or such longer period, not exceeding ninety days as the Authority may in any case allow, and the Authority may, without going through the process required by regulation 3 (3) and regulation 4, grant the applicant a licence, if it thinks fit, on the terms applicable to the original licensee.

(3) Where a person to whom paragraph (1) refers fails to notify the Authority within the time allowed under paragraph (2) or the Authority does not grant him a licence pursuant to that paragraph, such person shall not continue to abstract and use water except under and in accordance with a licence granted under regulation 5.

17. (1) The owner of land over which an easement was constituted by agreement may not terminate the easement unless—

- (a) he serves a notice upon the person to whom the easement was granted requiring him within thirty days of the notice, to show cause to the Authority why the easement should not be terminated and such person fails to show any or sufficient cause; and
- (b) not later than the date of service of the notice referred to in paragraph (a) he notifies the Authority of his intention to terminate the easement and submits to the Authority a copy of such notice.

(2) An easement constituted under section 27 of the Act shall, if not earlier terminated, expire with the expiration of the licence in relation to which it was granted.

PART III — *Protection of Underground Water*

Consent for well-drilling. Form C. Schedule.

18. (1) An application for the consent of the Authority required under section 34 of the Act to sink, enlarge or otherwise alter a well—

- (a) shall be made to the Authority in the form set out as Form C in the Schedule; and
- (b) shall be accompanied by such maps, documents or information as the Authority may require and by the relevant fee.

(2) The Authority may grant its consent subject to such conditions as it thinks fit or withhold its consent and where the consent is granted, it shall be in the form set out as Form D in the Schedule.

(3) If the Authority withholds its consent, it shall state in writing the reasons for its decision and inform the applicant of his right under the Act to appeal against that decision.

(4) A consent granted pursuant to paragraph (2) may be suspended or revoked—

- (a) at the request in writing of the person to whom the consent was given; or

- (b) by the Authority by notice in writing addressed to that person, for breach of any requirements of the Act or these Regulations relating to the consent or for the breach of any of the conditions subject to which the consent was granted.

(5) Before suspending or revoking its consent under sub-paragraph (b) of paragraph (4) the Authority shall serve on the person to whom the consent was granted a notice in writing—

- (a) specifying the breach on which the Authority relies and requiring him to remedy it (if it is capable of remedy) within such time as may be specified in the notice; and
- (b) informing him that he may apply to the Authority to be heard on the matter within such time as may be specified in the notice.

19. (1) An application for a well-driller's licence required under section 35 of the Act may be made to the Authority in the form set out as Form E in the Schedule and shall be accompanied by such documents or information as the Authority may require and by the relevant fee. Well-driller's licence.
Form E.
Schedule.

(2) The Authority may, subject to such terms and conditions as it thinks fit, grant a well-driller's licence or refuse to grant it but shall grant such a licence if it is satisfied that the applicant has the requisite professional qualification.

(3) A licence granted under paragraph (2) shall be in the form set out as Form F in the Schedule. Form F.

(4) If the Authority refuses to grant a well-driller's licence, it shall state in writing the reasons for its decision and inform the applicant of his right under the Act to appeal against the decision.

20. (1) A well-driller's licence may be suspended or revoked—

- (a) at the request of the holder of the licence; or
- (b) by the Authority by notice in writing addressed to that person on account of a breach of any provisions of the Act or these Regulations relating to the sinking of wells or of any of the terms and conditions subject to which the licence was granted. Revocation of well-driller's licence.

(2) Before suspending or revoking the licence of a well-driller under sub-paragraph (b) of paragraph (1), the Authority shall serve on him a notice in writing—

- (a) specifying the breach on which the Authority relies and requiring him to remedy it (if it is capable of remedy) within such time as may be specified in the notice; and
- (b) informing him that he may apply to the Authority to be heard on the matter within such time as may be specified in the notice.

21. The provisions of regulation 8 shall apply, *mutatis mutandis*, in respect of the renewal of a well-driller's licence as they apply in respect of the renewal of a licence to abstract and use water. Renewal of well-driller's licence.

PART IV—*Miscellaneous Powers of Authority*

Power to require installation of measuring devices, information.

22. (1) The Authority may, by notice in writing, require any person who—

- (a) is the holder of a licence issued under regulation 5 to abstract and use water; or
- (b) is entitled to abstract and use water without a licence in pursuance of the provisions of section 19 (2) of the Act,

to install and maintain such measuring devices, to keep such records, and to furnish in such form and manner and within such time as may be specified in the notice, such periodical or other returns or information as may be specified in the notice.

(2) Any person on whom a notice is served under paragraph (1) and who considers that the directions contained in the notice are unreasonable or unduly onerous may make representations to the Minister with respect to them; and the Minister after consultation with the Authority may, if he thinks fit, direct the Authority to revoke or modify them.

(3) Any person who fails to comply with a notice under this regulation shall be liable to the penalties specified in section 44 (2) of the Act.

Powers of entry, inspection, taking of samples.

23. (1) Any person duly authorized in writing by the Authority may at any reasonable time enter upon any land for the purpose of—

- (a) monitoring compliance with the provisions of the Act or these Regulations, or with any of the terms or conditions subject to which a licence, easement or consent has been granted;
- (b) inspecting and investigating conditions relating to the occurrence and quality of surface and underground waters, including, in particular—
 - (i) installing, maintaining and reading equipment and apparatus for the recording of hydrological and hydrogeological data; and
 - (ii) searching for the purpose of ascertaining the occurrence and quality of underground water;
- (c) reading or testing any meter or other measuring device installed for the purpose of ascertaining the amount or rate of water abstracted in pursuance of a licence granted under these Regulations;
- (d) taking measures to ascertain the quantity of water abstracted or capable of being abstracted by means of any works; and
- (e) examining records which are required to be kept under the Act or these Regulations

(2) A person authorized under this regulation to enter upon any land shall, if so required, produce evidence of his authority before so entering.

(3) Any person who wilfully obstructs a person acting in the exercise of his powers under this regulation shall be liable to the penalties specified in section 44 (2) of the Act.

(4) If a person discloses any information obtained by him in the exercise of powers conferred on him by this regulation as to any manufacturing process or trade secret he shall, unless the disclosure is made in the course of performing his duty, be liable to the penalties specified in section 44 (2) of the Act.

(5) The Authority shall, on demand being made by the owner or any other person having an interest over any land, live or dead stock, crops, trees, buildings or works that are damaged by the Authority in the exercise of any functions under the Act or these Regulations, pay to the owner or other person fair and reasonable compensation in respect of such damage.

PART VI — General

24. (1) On receipt of an application for a licence to abstract and use water the Authority shall cause a notice of the application—

Procedure on receipt of application for licence.

- (a) to be published in the *Gazette* and once in each of two successive weeks in a daily newspaper circulating in Jamaica; and
- (b) to be served on any person or body who, in the opinion of the Authority, may be affected by the proposed abstraction and use of water.

(2) The Authority shall also submit an application referred to in paragraph (1) to any agency or department of Government exercising functions in relation to water and such agency or department may, within the specified period, make such recommendations as it thinks fit respecting the application.

(3) A notice under paragraph (1) shall—

- (a) indicate the place at which the application and all documents submitted with it may be inspected by the public, free of charge, at all reasonable hours during the specified period; and
- (b) state that any person may, within the specified period, make representations to the Authority with respect to the application.

(4) In this regulation “specified period” means a period of thirty days or such further period as the Authority may allow from the date on which a notice of the application was, pursuant to paragraph (1) (a), first published in such daily newspaper or, from the date of submission of the application to such department or agency, as the case may be.

Register.

25. (1) The Authority shall keep, in such manner as it thinks fit, a register or registers in which shall be kept a record of—

- (a) every licence granted to abstract and use water;
- (b) any consent granted for well-drilling; and
- (c) every well-driller's licence.

and all actions taken under the Act or these Regulations in respect of any such licence or consent shall be entered in the appropriate register.

(2) Every register to which paragraph (1) refers shall be open for inspection by the public at the offices of the Authority at all reasonable hours, free of charge, and the Authority shall arrange for copies of any entry in any such register as aforesaid to be provided to any person on his request if he pays such fee as may be prescribed.

Registration or recording of easement.

26. An easement constituted under the Act by agreement shall—

- (a) where the land over or in favour of which the easement was created is under the operation of the Registration of Titles Act, be registered by the Registrar of Titles; and
- (b) where such land as aforesaid is not under the operation of the Registration of Titles Act, be recorded by the Deputy Keeper of the Records,

on production of the agreement or, as the case may be, order relating to the easement or a copy of such agreement and a diagram prepared by the Director of Surveys or any commissioned land surveyor showing the position of the easement.

Information as to underground water.

27. (1) Any person who, pursuant to a licence granted under this Act to abstract and use water, is authorized to sink a well and to abstract underground water or who, in pursuance of the provisions of section 19 (2), intends to sink a well and to abstract underground water shall, upon the commencement of such work, keep a journal of the progress of the work which shall include measurements of the strata passed through and of the levels at which water is struck and subsequently rests and shall, when so required by the Authority, keep specimens of the material excavated from the well, and shall allow any person authorized in writing by the Authority for the purpose at all reasonable times—

- (a) to have free access to any such well;
- (b) to inspect the well and the material excavated therefrom;
- (c) to take specimens of such material and of water abstracted from the well; and
- (d) to inspect and take copies of or extracts from the journal required to be kept under this subsection.

(2) The person sinking any such well shall, within thirty days after completion or abandonment of the work, send a complete copy of

the journal kept under subsection (1) to the Authority and shall also send to the Authority particulars of any test made of the flow of water before such completion or abandonment, specifying the rate of flow throughout the test and the duration of the test and also, where practicable, specifying the water levels during the test and thereafter until the water has returned to its natural level.

(3) Where any such well is sunk in connection with an existing pumping station, the particulars of any test to be supplied to the Authority shall also include the rate of pumping at the existing works during the test.

(4) Where the person sinking a well on any land is not the occupier of the land, the obligation to allow a person authorized by the Authority to exercise the rights specified in sub-paragraphs (a) to (d) of paragraph (1) shall be the obligation of the occupier as well as of the person sinking the well.

(5) The Authority may waive any or all the requirements prescribed in paragraphs (1) to (3) in respect of the sinking of any well for purposes of abstracting underground water—

- (a) if such well does not reach a depth of fifty feet; or
- (b) where the Authority is satisfied that in all the circumstances, compliance with any requirements of those paragraphs is impracticable or undue expense would be thereby incurred.

28. (1) Every appeal to the Minister pursuant to section 43 of the Act against a decision of the Authority—

- (a) shall be commenced by a notice of appeal which shall be addressed to and served upon the Permanent Secretary; and
- (b) shall be served within fourteen days of the date of notification of the decision in respect of which the appeal is made.

(2) The notice of appeal may be in the form of a letter and shall set forth clearly the grounds of the appeal, and the date upon which the subject matter of the appeal arose, and there shall be attached to such notice copies of any correspondence or other documents or statements verified by statutory declaration of facts relating to the subject matter of the appeal.

(3) The appellant shall send a copy of the notice of appeal to the Authority and shall also serve a copy thereof, together with copies of any documents attached thereto, upon the respondent within the same time as a notice of appeal is required under paragraph (1) to be served, and an affidavit verifying such service shall be delivered to the Permanent Secretary.

(4) Within seven days of the receipt of such affidavit, the Permanent Secretary may request the Authority to furnish a statement in writing setting out the reasons for the decisions complained of, and the Authority shall comply therewith as soon as practicable after the request is made.

Provisions relating to appeal.

(5) The Minister may order that any books, papers or other documents, relating to the subject matter of the appeal which are in the possession of either party shall be produced by the party in possession thereof.

PART VII — Transitional Provisions

Interpretation of Part VII.

29. In this Part "prescribed enactment" means—

- (a) section 19(1) of the Irrigation Act;
- (b) section 3, 6 or 7 of the Kingston and St. Andrew Water Supply Act;
- (c) section 19(1)(e), 35(e) or 50 of the Mining Act;
- (d) section 23 of the Petroleum Act;
- (e) section 11 (1) or 11 (2) of the Underground Water Control Act.

Licences of right.

30. (1) A licence of right referred to in section 54 (1) of the Act shall be in the same form as that set out for a licence granted pursuant to regulation 5 and shall also be subject to the implied term specified in section 23.

(2) In determining the quantity of water that it should authorize to be abstracted and used under a licence of right, the Authority—

- (a) shall consider whether or not the applicant is entitled to abstract and use water in the exercise of any right existing immediately before the appointed day under or pursuant to a prescribed enactment; and
- (b) shall have regard to the requirements of the applicant as indicated by—
 - (i) works, machinery or apparatus which were constructed or installed before the appointed day or which were in the course of being constructed or installed before that day; or
 - (ii) such other evidence as the Authority thinks reasonable and appropriate.

(3) In making provision as to the purpose for which water may be abstracted under the licence of right, the Authority—

- (a) shall take into account the purpose for which the water was abstracted and used in exercise of the right existing immediately before the appointed day under or pursuant to a prescribed enactment; and
- (b) shall have regard to the requirements of the applicant as determined by such evidence as the Authority thinks reasonable and appropriate.

Licence based on long use.

31. (1) A licence to abstract and use water granted pursuant to section 54 (2) shall be in the same form as that set out for a licence granted pursuant to regulation 5 and shall also be subject to the implied term specified in section 23.

(2) In determining the quantity of water that it should authorize to be abstracted and used under such licence the Authority—

- (a) shall take into account the quantities of water used during the period referred to in section 54 (2) of the Act;
- (b) shall have regard to the requirements of the applicant as mentioned in sub-paragraph (b) of paragraph (2) of regulation 30.

(3) In making provision as to the purpose for which water may be abstracted under a licence to which this section refers, the Authority—

- (a) shall have regard to the purpose for which the water was abstracted and used during the period referred to in section 54 (2); and
- (b) shall take into account the requirements of the applicant as determined by such evidence as the Authority thinks reasonable and appropriate.

32. The provisions of these Regulations relating to the revocation, suspension and variation of a licence granted under Part II to abstract and use water and to all the procedures to be followed by an applicant and the Authority with respect to an application therefor shall apply *mutatis mutandis* to a licence granted pursuant to this Part.

Application of certain provisions.

33. The Authority shall state in writing the reasons for any decision made pursuant to this Part which has the effect of varying the use of water in respect of which a licence to which this Part refers may be granted.

Reasons for varying use of water to be in writing.

SCHEDULE (Regulations 3 (1), 5 (4), 18 (1), (2), 19 (1), (3), 30 (1))

FORM A (Regulation 3 (1))

(To be completed in duplicate)

Application No.....

THE WATER RESOURCES ACT

APPLICATION FOR A LICENCE TO ABSTRACT AND USE WATER

- 1. Name of Applicant.....
- 2. Address of Applicant.....
- 3. Location of proposed work or of existing work in respect of which alteration or extension is proposed.....
- 4. Name of Contractor.....
- 5. Address of Contractor.....
- 6. Source of water for which licence is desired.....

7. Purpose for which water is to be used.....

8. If water is required for irrigation, state—
 (a) area and crop type to be irrigated.....

 (b) system of irrigation.....

9. Means of disposal of excess or waste water.....

10. Technical details:
 (i) Estimated depth of borehole or well.....metres
 (ii) Diameter of borehole or well.....centimetres
 (iii) In the case of artesian supplies, the method proposed for
 controlling the flow from the borehole and for preventing
 leakage around the borehole lining.....

 (iv) Geological strata from which water is to be drawn, e.g.
 limestone, gravel, etc.....
 (v) State the method of abstracting water.....

 (vi) Maximum daily quantity of water to be abstracted in
 cubic metres.....
 (vii) Type of apparatus proposed for measuring and recording
 the rate of abstraction.....
 (viii) Other relevant technical information.....

11. State whether any request for a supply of water has been made to
 the National Water Commission or National Irrigation Commis-
 sion Ltd. and, if so, with what result.....

12. Any further information which the Authority may take into
 account in considering the application.....

Note:

Completed forms must be accompanied by:

- (1) two copies of a map on a scale of 1:50,000 showing location of works;
- (2) such other documents as the Authority may require; and
- (3) the relevant fee.

I hereby apply for a licence under the Water Resources Act and declare that to the best of my knowledge and belief the particulars set out in this application are true and correct.

.....
Signature of Applicant

.....
Date

To be completed by the Secretary of the Authority

Indicate whether licence granted or refused.....

Date of grant or refusal of licence.....

If application refused, reason for refusal.....

.....
.....

.....
Secretary,
Water Resources Authority.

.....
Date

FORM B (Regulation 5 (4))

Licence No.....

THE WATER RESOURCES ACT
LICENCE TO ABSTRACT AND USE WATER

.....of
Name of Licensee

.....
Address of Licensee

is hereby granted a licence to abstract and use water, subject to the provisions of the Water Resources Act and Regulations made thereunder and to the terms and conditions herein specified.

Terms and Conditions of Licence

1. Water may be abstracted pursuant to this licence only from.....
(source)

.....located at.....

such abstraction to be at a rate not exceeding.....cubic metres per day.

2. Water abstracted pursuant to this licence may be used for the following purposes only:

.....
.....
.....

3. Water may be abstracted pursuant to this licence in the following manner only:.....

.....
.....

4. Within thirty (30) days of the installation of the pump by which water is to be abstracted the licensee shall install on the supply line leading from such pump, a full flow meter (of a type approved by the Authority) for the purpose of measuring the water abstracted.

5. The licensee shall make a monthly return to the Authority of the amount of water abstracted.

6. The licence becomes null and void if within twelve months from the date of the issue thereof, no water is abstracted or used from the approved source pursuant to such licence.

7. The licence shall be valid from a period of.....from the date of the issue thereof, subject to the provisions of the Act and Regulations made thereunder relating to its revocation, suspension and variation.

Dated this day of , 19

Seal

.....
Secretary.
Water Resources Authority.

(To be completed in duplicate)

Application No.....

THE WATER RESOURCES ACT

APPLICATION FOR CONSENT OF AUTHORITY TO WELL-DRILLING

- 1. Name of Applicant.....
- 2. Address of Applicant.....
.....
- 3. Location of proposed work or of existing work.....
.....
- 4. Indicate the nature of your interest in the land on which well-drilling is to take place (i.e. whether you are owner, lessee, tenant, etc.)
- 5. Name of Drilling Contractor.....
- 6. Address of Drilling Contractor.....
- 7. Purpose of drilling.....
.....
- 8. Technical details :
 - (i) Estimated depth of borehole or well.....metres
 - (ii) Diameter of borehole or well.....centimetres
 - (iii) Method of drilling.....
 - (iv) Method of construction.....
 - (v) **In the case of artesian supplies, the method proposed for controlling the flow from the borehole and for preventing leakage around the borehole lining.....**
.....
 - (vi) Other technical information.....
.....
.....
- 9 Any further matters which the Authority should take into account in considering the application.....
.....
.....