

# **Central Water Authority (Census of Water Rights) Regulations 2013**

**GN No. 106 of 2013**

**Government Gazette of Mauritius No. 44 of 18 May 2013**

## **THE CENTRAL WATER AUTHORITY ACT**

### **Regulations made by the Central Water Board under section 49 of the Central Water Authority Act**

1. These regulations may be cited as the Central Water Authority (Census of Water Rights) Regulations 2013.
2. In these regulations —
  - “canal” has the same meaning as in the Rivers and Canals Act;
  - “rivers and streams” has the same meaning as in the Rivers and Canals Act;
  - “water right” means the right to draw water from any river; stream, canal or spring, under Part 1 or 11 of the Rivers and Canals Act.
3. Subject to regulation 4, every person who has or claims to have a water right shall, not later than 1 July 2013, fill in the form set out in the Schedule and submit to the Authority the completed form together with copies of all documents specified in the form.
4. (1) Any person who is unable to submit the form and documents by the date specified in regulation 3 shall make a written application to the Authority not later than 15 July 2013 for an extension of time, stating clearly the reasons for which the extension of time is required.  
  
(2) Upon receipt of an application under paragraph (1), the Authority may, where it is satisfied that there are valid reasons justifying an extension of time, grant to the applicant an extension of time not exceeding 4 weeks from the date the application is made.
5. (1) An officer may, for the purpose of verifying any information submitted in the form referred to in regulation 3, and upon giving 12 hours’ notice in writing to the water right holder or claimant, enter any property in relation to which a water right is being asserted, in order to carry out a physical inspection of any abstraction, use and discharge of water.  
  
(2) The person referred to in regulation 3, or any other person found on the property and under whose responsibility the property is at that time, shall —
  - (a) give to the officer all reasonable assistance which the latter may require; and
  - (b) so far as possible, provide to the officer such oral or written information as the latter may require.
6. No person shall knowingly submit to the Authority any information or document which is incorrect, false or misleading in any material particular.

**7.** Any person who contravenes these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding 200,000 rupees and to imprisonment for a term not exceeding 2 years.

**8.** The Central Water Authority (Census of Water Rights) Regulations 2011 are revoked.

**9.** These regulations shall be deemed to have come into operation on 1 January 2013.

Made by the Central Water Board on 17 April 2013 and approved by the Minister on 25 April 2013.

## SCHEDULE

[Regulation 3]

### WATER RIGHTS CENSUS FORM

**NOTE** – This form should be completed and submitted to the Authority, with copies of all relevant documents, by registered post. Any information submitted shall be kept strictly confidential by the Authority.

CENSUS REFERENCE NUMBER							
<b>PART I – NAME AND DETAILS OF WATER RIGHT HOLDER OR CLAIMANT</b>							
1.	<table border="1"><tr><td>Name of water right holder or claimant –</td><td>Is the water right holder or claimant– an individual ..... <input type="checkbox"/> a company ..... <input type="checkbox"/> Other (please specify) ..... .....</td></tr></table>	Name of water right holder or claimant –	Is the water right holder or claimant– an individual ..... <input type="checkbox"/> a company ..... <input type="checkbox"/> Other (please specify) ..... .....				
Name of water right holder or claimant –	Is the water right holder or claimant– an individual ..... <input type="checkbox"/> a company ..... <input type="checkbox"/> Other (please specify) ..... .....						
2.	<table border="1"><tr><td>Postal address –</td><td>Telephone no. – Residence –</td></tr><tr><td></td><td>Office –</td></tr><tr><td></td><td>Mobile –</td></tr></table>	Postal address –	Telephone no. – Residence –		Office –		Mobile –
Postal address –	Telephone no. – Residence –						
	Office –						
	Mobile –						
3.	Email address –						
<b>PART II – DETAILS OF WATER RIGHT/PERMITS</b>							
1.	<table border="1"><tr><td>Water right registration number (Supreme Court record and/or Land Court order or any other documents)–</td><td>Original registration date –</td></tr></table>	Water right registration number (Supreme Court record and/or Land Court order or any other documents)–	Original registration date –				
Water right registration number (Supreme Court record and/or Land Court order or any other documents)–	Original registration date –						
2.	Dates of amendment of water right (if any) –						
3.	Source of water –						
4.	Location of primary abstraction point(s) –						

5.	Purpose of the right –			
6.	Location of exercise of right <i>(please attach a copy of the drawings included in the water right)</i> –			
7.	Conditions attached to the water right –			
	(a).....			
	(b).....			
	(c).....			
	(d).....			
	<i>(please attach the list of conditions in case there are more than 4 conditions)</i>			
8.	Description of abstraction works <i>(please attach a copy of the drawings included in the water right)</i> –			
9.	Quantity of water defined in the water right –			
10.	If there is any agreement with any other party to share or lease the original water right, please provide the details specified below –			
	<b>Name(s) of party/ies</b>	<b>Quantity of water shared/leased</b>	<b>Purpose of use</b>	<b>Location of use</b>
1.				
2.				
3.				
4.				
5.				

**PART III – DETAILS OF CURRENT WATER USE**

Total volume in m<sup>3</sup> or mm<sup>3</sup>

	Year	Domestic	Agricultural	Industrial	Other	Total
1.	2010					
2.	2011					
3.	2012					

**PART IV – DETAILS OF RETURN FLOWS**

(water released after use)

	Year	Where is the flow released to?	Total volume in m <sup>3</sup> or mm <sup>3</sup>
1.	2010		
2.	2011		
3.	2012		

**PART V – FAILURE TO PROVIDE INFORMATION**

If unable to provide any information required in any Part of this Census Form, please state why –

- (a) .....
- (b) .....
- (c) .....
- (d) .....

**PART VI – ADDITIONAL DOCUMENTS TO BE ATTACHED**

- 1. Please attach a copy of the original grant and any subsequent amendments, including relevant drawings and site plan
- 2. Please attach a copy of any agreement with any other party to share or lease the water right

**PART VII – DETAILS OF THE PERSON COMPLETING THE FORM**

1.	Name –	Designation – Existing water right holder – Other (please specify) .....
2.	Postal Address –	Telephone No. – Residence – Office – Mobile –
3.	Email Address –	
Signature		Date –

<b>FOR OFFICE USE</b>	
1.	Date returned –
2.	Census Number –