

STATUTORY INSTRUMENT

Supplement to the Sierra Leone Gazette Vol. CXLXII, No. 66
dated 4th November, 2021

THE NATIONAL WATER RESOURCES MANAGEMENT AGENCY (DAM SAFETY) REGULATIONS, 2021

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SCHEDULE

STATUTORY INSTRUMENT No. 10 OF 2021

Published 4th November, 2021

THE NATIONAL WATER RESOURCES MANAGEMENT
AGENCY ACT
(ACT NO 5 OF 2017)

The National Water Resources Management Agency
(Dam Safety) Regulations, 2021

IN EXERCISE of the powers conferred upon him by section 36 of the National Water Resources Management Agency Act 2017, the Minister responsible for water resources hereby makes the following regulations—

PART I—PRELIMINARY

1. In these Regulations, unless the context otherwise Interpretation. requires—

"abandonment" means termination of—

- (a) operation of a dam;
- (b) maintenance of a dam; or
- (c) responsibility for a dam without de-commissioning and notifying the Agency

"Act" means the National Water Resources Management Agency Act No. 5 of (2017);

"Agency" means the National Water Resources Management Agency established under the National Water Resources Management Agency Act No. 5 of (2017);

"alter" in relation to dam safety means, to undertake a significant construction work that will substantially change the components of the dam in a manner that would affect the safety of the dam, but excludes routine work for purposes of maintaining the dam;

"appurtenant structures" means special purpose structures of significance which are built and maintained in connection with dams, such as spillways, water intake works, diversion works, hydraulic power generating works, water conduits such as tunnels, pipelines, penstocks and other ancillary works like roads;

"dam" means an artificial barrier to impound water;

"dam register" means the dam register referred to under regulation 11;

"decommissioning" in relation to a dam, means taking measures to remove the dam in a manner that would not make the remaining structure have an adverse impact on human life, property and the environment;

"emergency" means an urgent or a sudden event that poses an immediate risk to life, property or the environment, and which requires immediate action;

"emergency preparedness and response plan" the emergency preparedness response plan referred to under regulation 24;

"EPA" means Environment Protection Agency established under section 2 of the Environmental Protection Agency Act 2008;

"hazard potential" means an indication of a potential loss to life, property and the environment, that may be occasioned by a dam failure;

"licence" means a licence issued under these Regulations;

"maintain" or "maintenance" in relation to a dam, means the performance of a task required to keep a dam in good and safe operating condition;

"major repairs" means a—

- (a) change in the surface or cross-section of an existing dam and structures appurtenant to the dam;
- (b) change in the surface or cross-section of a structure appurtenant to an existing dam;
- (c) modification that leads to a complete overhaul or substantial replacement of parts of an existing dam;
- (d) modification that leads to a complete overhaul or substantial replacement of parts of structure appurtenant to an existing dam; or
- (e) modification that leads to a change in the functions of a dam.

"MDAs" means Ministries, Departments and Agencies;

"owner" in relation to a dam, means the person issued a licence under these Regulations to construct and own or operate a dam;

"safety" means relative freedom from danger, risk, threat of harm to personnel, injury to personnel, loss to personnel or loss to property, whether caused deliberately or by accident.

Application of Act.

2. These Regulations shall apply to all proposed and existing dams

PART II-PROCESSING OF LICENCE APPLICATIONS

Licence.

3. (1) No person shall-

- (a) operate a dam;
- (b) alter a dam;
- (c) conduct maintenance on a dam;
- (d) construct a dam; and
- (e) decommission a dam.

unless that person is in possession of a valid licence issued and registered by the Agency.

(2) An applicant for a licence shall complete the application form as set out in the First Schedule and shall submit the form to the Agency accompanied by the following documents or information.

- (a) the appropriate administrative and processing fees as set out in the fifth Schedule;
- (b) the geo-technical report;
- (c) the structural design reports;
- (d) the hydraulics design report;
- (e) registration documents;

- (f) environmental assessment certificate from EPA;
- (g) operations and maintenance plan;
- (h) any alteration made to the dam;
- (i) the hydrological components of the dam;
- (j) the water quality components; and
- (k) any other information and documents which may assist the Agency in taking a decision

4. The Agency shall acknowledge receipt of the application within 10 days of receipt of the completed application form.

Acknowledgement of application.

5. (1) Where an applicant-

Incomplete application.

- (a) fails to pay the appropriate administrative and processing fees;
- (b) submits an incomplete application form; or
- (c) submits an application that has errors;

the Agency shall notify the applicant in writing to remedy the situation within fourteen (14) days after receipt of the notice.

(2) Where the applicant fails to rectify the situation within fourteen (14) days, the Agency shall refuse to process the application.

6. (1) In considering an application, the Agency shall conduct an investigation to ascertain whether the proposed dam construction, rehabilitation or maintenance work-

Processing of application.

- (a) is in accordance with the Act and these regulations;
- (b) will not cause irreparable damage to water resources, public health and the environment; and
- (c) will not affect other water users

(2) During the investigation , the Agency shall–

- (a) consider the technical, social and environmental aspects of the application, and
- (b) ensure public participation especially by the people in the area likely to be affected by the proposed use

Publication of application.

7. (1) The Agency may prior to granting the licence publish in the gazette and in at least one national newspaper with wide circulation a notification notifying the general public about the applicant's application and invite objection which shall be submitted to the Agency within 30 days from the date of the publication.

(2) Objections made in response to the notice under sub-regulation (1) shall be made in writing or in any other form as the Agency may specify in the notice.

Public hearing.

8. (1) The Agency shall hold a public hearing in respect of an application where–

- (a) there is adverse public reaction to the proposed dam construction or rehabilitation;
- (b) the construction and operations of the dam involves the dislocation, relocation, resettlement or in any manner causing the destruction of the natural water resources and water catchment if effected will adversely impact the community;

- (c) the Agency considers that construction and operations of the dam will have an adverse effect on the natural resources of the basin or downstream users; and
- (d) there is an involvement of civil society organizations and the community in respect of the application.

(2) For the purposes of conducting a public hearing, the Agency may collaborate with–

- (a) the relevant ministry , department or agency; and
- (b) the traditional authorities, local councils, and the community.

(3) The public hearing shall be properly recorded and documented by the Agency.

(4) The Agency shall produce a report on the recommendations made during the public hearing.

(5) When considering the application the Agency shall take into consideration the recommendations made during the public hearing

9. After considering the application and the Agency grants the application it shall notify the applicant of its decision in writing. Grant of a licence.

10. (1) The Agency shall refuse to grant a licence to an applicant on the following grounds– Refusal of application.

- (a) public safety;
- (b) where it is believed that the applicant is unable to make available all the required documents for the issuance of a licence; or

(c) any other reason that the Agency deems necessary not to grant the applicant a licence.

(2) The Agency shall notify the applicant of its decision to refuse the applicant in writing and shall stipulate the reasons for refusing to grant.

Dam register. 11. (1) The Agency shall maintain a register in which shall be recorded all licences issued by the Agency and any other details the Agency considers necessary.

(2) The register shall be open to the public during working hours.

(3) Extracts from the register may be obtained from the Agency on request.

Licence fees. 12. (1) A person who is granted a licence under regulation 9 shall pay the licence fees as set out in the Fifth Schedule

(2) Subject to Section 20 of the Act, the fees specified in the Fifth Schedule shall be used to defray the cost of dam safety measures.

Conditions of a licence. 13. Where a licence is granted to an applicant for the purpose for which the application was made, the licensee shall comply with all the conditions attached to the licence.

Duration and renewal of a licence. 14. (1) A licence issued under these Regulations shall be valid for a period of two years.

(2) A licensee who wishes to renew his licence shall submit a renewal application to the Agency not later than Ninety (90) days before expiration of the licence

(3) The renewal of a licence shall have the same requirements as a new application under these Regulations.

15. (1) A licence issued under these regulations shall not be transferred unless the Agency approves the transfer in writing. Transfer of licence.

(2) The Agency shall carry out background check on the proposed transferee before approving the transfer.

(3) The Agency shall consider the following in deciding whether or not to approve a transfer-

(a) the technical capacity and the financial capacity, of the prospective owner to operate and conduct periodic maintenance of the dam in an efficient manner;

(b) the age and condition of the dam,

(c) the intended use of the dam, and

(d) any other requirement that the Agency may consider appropriate.

16. (1) The Agency may suspend or revoke a licence if the licensee fails to comply with the conditions attached to the licence. Suspension and revocation of a licence.

(2) A licensee whose licence is suspended shall remedy the breach that led to the suspension within the period specified in the notice of suspension.

(3) The Agency may restore the licence provided-

(a) it has assessed and satisfied with the remedy; and

(b) the licensee signs an undertaking of maintaining the safety of the dam.

PART III–DAM CLASSIFICATION AND SAFETY PROCEDURES

Dam
classification.

17. (1) The Agency shall classify a dam after determining its risk potential through inspection.

(2) In determining the risk potential of a dam, the Agency shall consider the following–

- (a) the type of dam;
- (b) the name of the dam;
- (c) the purpose for which the dam;
 - (i) has been constructed, or
 - (ii) is to be constructed.
- (d) the dam's location (GPS Coordinates), including–
 - (i) the description as contained in the title deed of the land
 - (ii) the district in which the dam is located, and
 - (iii) the nearest community(s),
- (e) the maximum height of the dam or the proposed maximum height of the dam;
- (f) the maximum depth of water at full capacity;
- (g) in the case of a repair or an alteration of an existing dam, a description of the nature and the extent of the repair or alteration;
- (h) the storage capacity and surface area of the reservoir when completely filled; and

- (i) any other relevant or necessary information as may be determined by the Agency.

(3) Dam classification shall be as set out in the Second Schedule.

18. (1) The Agency shall reclassify a dam if it receives a valid information from a dam owner or operator, officer of the Agency or any third party monitor who confirms that during construction or rehabilitation there has been changes to the following–

- (a) the proposed foundation of the dam;
- (b) the proposed type of materials used for the construction or rehabilitation of the dam; or
- (c) the original dam design that was submitted to the Agency.

(2) The Agency may recommend reclassification of a dam if after an inspection the dam is found to be in a hazardous condition

19. A licensee shall prepare a dam safety procedure document and guidelines and submit to the Agency for approval within–

- (a) thirty (30) days after the construction of a new dam, and
- (b) thirty (30) days after the granting of licence to an existing dam owner.

20. (1) A licensee shall not operate, alter, construct or cause the maintenance of a dam except in accordance with–

- (a) the Act;
- (b) regulations made under the Act;

Reclassification
a dam.Dam safety
procedures
and guidelines.Construction,
operation and
maintenance
of dams.

- (c) the terms and conditions of the licence;
- (d) the operations and maintenance manual;
- (e) an emergency preparedness and response plan prepared by the licensee and approved by the Agency; and
- (f) directives and technical guidelines given by the Agency.

(2) A licensee shall submit to the Agency a work schedule detailing- the following-

- (a) the various phases of work to be undertaken;
- (b) division of roles, responsibilities and tasks;
- (c) the duration for each phase of work; and
- (d) a method statement showing how quality control and quality assurance measures would be adhered to during the various phases of constructing, altering or maintaining the dam.

(3) A licensee shall ensure that the dam is secured in order to prevent unauthorized operation of the dam.

(4) A licensee shall assign to an employee the responsibility of conducting routine inspection of the dam.

Operation and maintenance manual.

21. (1) A licensee shall prepare an operation and maintenance manual and submit to the Agency for approval prior to commencement of the operation of the dam.

(2) A licensee shall specify the following details in the operation and maintenance manual-

- (a) the name , address and telephone number of the person responsible for monitoring devices at the dam;
- (b) the person responsible for routine inspection of the dam;
- (c) the site plan showing the dam, reservoir, access routes to the dam and any other relevant device;
- (d) the warning and evacuation methods provided by the dam for the communities living downstream of the dam in a timely manner for emergencies arising at the dam;
- (e) instructions for the maintenance of the civil engineered components of the dam, including drainage systems, slope protection hydraulic structures and other parts that require maintenance;
- (f) set of design drawings of the general layout of the dam and basic details of outlet works and spillway gates where applicable;
- (g) particulars of a regular inspection programme to check the condition and serviceability of the various components of the dam including an item list to serve as a guide for the Agency's inspection purpose;
- (h) instructions for the operation and maintenance of the electromechanical components of the dam used for the control of floodwaters or used in an emergency to lower the level of water in the reservoir; and
- (i) any other particulars that may be requested by the Agency

Suspension of operations of maintenance.

22. (1) Where suspension of an operation is to last for more than thirty(30) days the licensee shall notify the Agency at least thirty(30) days prior to suspension of the operation of the dam.

(2) The licensee shall before suspending operations submit to the Agency for approval, an activity schedule at least fourteen (14) days prior to the start of implementation of works.

Inspection.

23. (1) The Agency shall inspect any dam in accordance with the Act and these Regulations.

(2) The Agency shall give the licensee ten (10) days notice before entering the operational area of the dam to conduct an inspection.

(3) The Agency may enquire into the condition of the dam and the structural, hydrological, geological and any other appurtenant to the dam.

(4) The Agency may, for the purposes of this Regulation—

- (a) direct the owner to—
 - (i) inspect the dam or install monitoring instruments on the dam;
 - (ii) supply it with information on matters that affect the safety of the dam or the protection of lives, properties or natural resources;
 - (iii) carry out maintenance work considered by it to be necessary for improving the safety of the dam
- (b) take samples of water and other materials from the dam for purposes of testing or for use as evidence in connection with an offence committed under these regulations;

(c) order an investigation into potential defects found with respect to the dam, after conducting a safety evaluation of the dam;

(d) record a statement obtained from a witness regarding accidents and dangerous occurrences at the dam and conduct inquiries into those accidents and dangerous occurrences;

(e) receive complaints regarding any non-compliance with these regulations; and

(f) take measures reasonably necessary to ensure an effective inspection of the dam

24. (1) The Agency shall prepare technical guidelines on emergency preparedness and response procedure. Emergency preparedness and response procedure.

(2) The Agency shall publish the emergency preparedness and response procedure in the Gazette and a newspaper of nation circulation.

(3) A licensee shall comply with the technical guidelines referred to under this regulation.

25. (1) A licensee shall undertake a dam safety review after every two years of operations. Safety review.

(2) The licensee shall notify the Agency within ten days prior to the commencement of the review referred to under sub-regulation (1).

(3) The licensee shall submit a report on the review to the Agency within twenty-one (21) days after the completion of the review.

(4) A person shall not undertake a dam safety review or prepare a report on dam safety review unless the person possesses the qualification and experience specified in the Third Schedule.

Emergency preparedness and response plan.

26. (1) A licensee shall not construct, alter, operate or maintain a dam unless he prepares an emergency preparedness and response plan based on the Agency's guidelines referred to under Regulation 24.

(2) The licensee shall specify the following in the emergency preparedness and response plan-

- (a) a description of circumstances at the dam considered by the licensee as conditions that affect the safety of the dam;
- (b) a detailed technical description, the catchment area and the human activities downstream of the dam;
- (c) particulars of persons and organisations to be notified in the event of an emergency;
- (d) guidelines for evaluating the conditions referred to in paragraph A and the procedure to be followed in the conduct of the evaluation;
- (e) methodology or actions to be taken to limit or mitigate the effect of a dam failure; and
- (f) any other relevant information or particulars determined by the Agency in consultation with other relevant MDAs.

(3) The licensee shall-

- (a) promptly notify the Agency of-
 - (i) the nature of an existing condition at the dam;

- (ii) any anticipated condition at the dam ; and

- (iii) any remedial measures taken by the licensee

- (b) modify the operations of the dam or any part of it in order to conform with the emergency preparedness and response plan;

- (c) take any hazard response action as directed by the Agency or other relevant MDA where a condition at the dam-

- (i) is hazardous to the dam or is likely to be hazardous to the dam;, or

- (ii) may reasonably be anticipated to cause a dam or a part of the dam to be potentially hazardous to public safety, properties or the environment.

(4) Where a dam fails, the Agency and relevant MDA shall provide leadership and technical assistance based on the emergency preparedness and response plan prepared by the licensee

PART IV-DECOMMISSION

27. (1) A licensee who wishes to decommission a dam shall submit to the Agency an application form in the format as set out in the Fourth Schedule. Decommission licence.

(2) The application shall be accompanied with the following-

- (a) general details of the decommissioning project;

- (b) design drawing indicating-

- (i) the location of the dam;
 - (ii) the contour plan of the reservoir;
 - (iii) the proposed changes to the hydraulic components of the dam to release water that could be dammed up by the remaining structure;
 - (iv) the proposed structural changes to the dam;
 - (v) works required dealing with sediments deposited in the reservoir;
 - (vi) disposal sites for materials removed from the dam during the decommissioning
- (c) any other information determined by the Agency

(3) The dam owner shall in addition to the information submitted under sub - regulation (2), submit to the Agency, a social and environmental impact assessment report.

(4) The Agency shall acknowledge receipt of an application within fourteen (14) days from the date of receipt of the application.

Grant or refusal of a decommission licence.

28. (1) The Agency may grant or refuse to grant a decommissioning licence a decommission after reviewing an application and shall communicate its decision in writing to licence the applicant within 30 days from the date of receipt of the application

(2) Where an application is refused the Agency shall stipulate in writing the reasons for refusing the application .

29. (1) A licensee shall employ the services of an engineer ^{Alterations.} to design the alterations necessary for the decommissioning of the dam before commencement of decommissioning.

(2) A person shall not be employed under this regulation unless that person possesses the qualifications specified in the Third Schedule.

30. A licensee shall not abandon a dam unless he ^{Abandonment a dam.} decommissions the dam in accordance with these regulations.

PART V-COMPLAINTS

31. (1) Pursuant to subsection (1) of section 9 of the Act the ^{Complaints Committee.} Agency shall establish a committee to be known as Complaints Committee.

(2) The Complaints Committee shall comprise the following members–

- (a) Chairman of the Board
- (b) a Board member; and
- (c) a technical employee of the Agency

(3) The Complaints Committee shall be responsible for reviewing the application of an applicant who is aggrieved with the decision of the Agency.

32. (1) An applicant who is aggrieved with the decision of ^{Appeals.} the Agency may appeal to the Complaints Committee.

(2) The aggrieved applicant shall submit a letter to the Complaints Committee indicating his wish to appeal against the decision and the reasons for appealing.

(3) The aggrieved applicant shall attach to the letter referred to under sub-regulation (2) the following—

- (a) a copy of the Agency's letter notifying the applicant of the refusal of the application; and
- (b) all relevant documents that would assist the Complaint Committee in determining the matter.

(4) The aggrieved applicant shall submit the letter to the Complaints Committee within 30 days of the Agency's decision .

(5) Where an applicant is dissatisfied with the decision of the Complaints Committee he may appeal to the Minister.

(6) An applicant dissatisfied with the decision of the Minister may appeal to the High Court and the decision of the High Court shall be final.

PART VI—MISCELLANEOUS PROVISIONS

Dispute. 33. (1) The Agency shall settle any dispute by mediating between the people of the community and the dam owner.

(2) Where the parties to a dispute are unable to reach a settlement, the Minister shall intervene in order to resolve the dispute.

Breach of Regulations. 34. Without prejudice to the Act and these regulations the Agency may—

- (a) seal off any premises of operations of a licensee who fails to comply with these regulations; and
- (b) impose an administrative fine as specified in the Fifth Schedule

35. (1) A person who constructs, alters, conducts, decommissions or operates an unlicensed dam contrary to these regulations commits an offence and is liable on summary conviction to a fine of not less than Le5,000,000.00 (five million Leones) for every day the offence continues or a term of imprisonment not less than one year or to both the fine and imprisonment ^{Offences and Penalties.}

(2) A licensee who transfers his licence without the Agency's approval commits an offence and is liable on summary conviction to a fine of not less than Le5,000,000.00 (five million Leones) or a term of imprisonment not less than one year or to both the fine and imprisonment.

(3) A person who—

- (a) assaults;
- (b) threatens;
- (c) obstructs;
- (d) hinders; or
- (e) delays

an authorised officer in the performance of his duties under these regulations commits an offence and is liable on conviction to a fine of not less than Le5,000,000.00 (five million Leones) or a term of imprisonment not less than one year or to both the fine and imprisonment and in addition shall be liable to pay compensation sufficient to cover any damage which the authorized officer or other person may have suffered as a result of the offence.

(4) Any person who during the application of a licence wilfully makes any statement, knowing the same to be false in any material particular and not having any reason to believe that it is true, commits an offence and is liable on on conviction to a fine not less than Le5,000,000.00(five million Leones) or a term of imprisonment not less than one year or to both the fine and imprisonment.

SCHEDULE

FIRST SCHEDULE

DAM SAFETY APPLICATION FORM

Reg 3(2)

Application for Registration, classification and reclassification of a dam

1 REGISTRATION OF A DAM

Details of Dam Owner

Name of Dam Owner:
.....

Name of contact person:
.....

Dam owner's address:
.....

Contact person's address:
.....

Owner's email address:
.....

Telephone number of owner:
.....

Tel. no. of Contact Person:
.....

Contact Person's E-mail Address:

Name and Postal Address of operator (if applicable):
.....

Telephone number of operator:
.....

E-mail address of operator:
.....

Name of Designer:
.....

Telephone number of designer(s):
.....

Designer's email address:
.....

Name of contractor:
.....

Contractor's address:
.....

Contractor's email address:
.....

2. LOCATION OF DAM

River Basin

.....

Name of River:

.....

Tributary of :

.....

Village/town:

.....

Chiefdom:

.....

District:

.....

Region:

.....

Coordinates (UTM):

Eastings:

Northings:.....

Name of communities up and down stream:

.....

3. GENERAL INFORMATION

Type of Name:

.....

Type of structure: Earth Dam Reinforced concrete other

Purpose of dam

Industrial Use Municipal water supply Fisheries

Fisheries Hydro power Pollution control

Flood control Industrial Mining

Agriculture Domestic water supply Others (pls specify)

4. Date of completion:

.....

5. Dam Parameters

(i) Length/perimeter of dam:.....Perimeter of dam:

Dam width: Width of crest:

Maximum storage Capacity:.....Downstream angle:

Upstream Angle:..... Height of crest:.....

No of Gates:.....Size of gate(s):

Land area utilized: Size of dam:
.....

6. Particulars of development downstream

Describe with the aid of a 1:50 000 scale map the nature and situation of development downstream of a dam that would be affected by the failure of the dam. Development means any houses, settlement, other buildings, roads, bridges and farmlands

Development downstream of a dam (Houses and other similar existing structures)

No	Type of development	Distance Downstream (km)	Distance from river	Number of inhabitants /use

Development downstream of a dam (No of villages, learning institutions, farm land etc)

No	Name of community and area	Distance from the dam	Distance from river	Population

7.0 Declaration of Applicant

I declare that the information given by me for the Registration and Classification of the above dam is true and correct to the best of my knowledge

Signature:

Date:

NB! Remember to attach a clear copy of the relevant topographical map and other documents

7.0

Official use section

Dam Classification (Please state reason)

Class A

Class B

Class C

Class D

I hereby certify that.....be issued with class

dam safety licence provided the abide by all conditions related to a safe operation and maintenance of a dam

Signature:

Date:

SECOND SCHEDULE

DAM CLASSIFICATION

Reg 16(3)

Second Schedule: Dam Classification

Class A	Dam with high risk to human and property if failure takes place
Class B	Dam with medium risk to human and property if failure takes place
Class C	Dam with low risk to human and property if failure takes place
Class D	Dam with no risk to human and property if failure takes place

Third schedule

Qualification and experience of staff

Regulations 24(4), 28(2)

Class	Education	Experience
A	Post graduate qualification in the relevant field and or Bachelor Degree in Civil Engineering within the relevant professional discipline	A minimum of eight years relevant work experience for a post graduate qualification a minimum of ten years for a B.Eng in civil Engineering holder
B	Post graduate qualification in the relevant field and or Bachelor Degree in Civil Engineering within the relevant professional discipline	A minimum of five years relevant work experience for a post graduate qualification and a minimum of eight years relevant experience for a B. Eng in Civil Engineering holder
C	B.Eng in Civil Engineering and or HND in Civil Engineering and or HND in Civil Engineering within the relevant professional discipline	A minimum of five years' relevant work experience for a B.Eng in Civil Engineering qualification and a minimum of eight years relevant experience for an HND holder
D	B.Eng in civil Engineering relevant work experience for a engineering within the relevant professional discipline	A minimum of three years' and or HND in Civil Engineering B.Eng in Civil Engineering qualification and a minimum of five years relevant experience for a HND holder

FOURTH SCHEDULE

APPLICATION FOR DAM DECOMMISSIONING

Regulation 26(1)

1. DECOMMISSIONING OF A DAM

Details of the Dam Owner

Name of Dam Owner:

.....

Name of contact person:

.....

Dam owner's address:

.....

Contact person's address:

.....

Owner's email address:

.....

Telephone number of owners:

.....

Tel. No. of Contact Person:

.....

Contact Person's E-mail Address:

.....

Name and Postal Address of operator (if applicable):

.....

Telephone number of operator:

.....

E-mail address of operator:

.....

Name of Designer:

.....

Telephone number of designers:

.....

Designer's email address:

.....

Name of contractor:

.....

Contractor's address:

.....

contractor's email address:

.....

2

LOCATION OF DAM

River Basin:

.....

Name of River:

.....

Tributary of :

.....

Village/town:

.....

Chiefdom:

.....

District:

.....

Region:

.....

coordinates (UTM):

.....

Northings

Name of communities
up and down stream:

.....

.....

.....

3 General Information

Type of Name:

Type of structure: Earth Dam concrete Reinforced concrete Types other

Industrial use... municipal water supply.... flood control.....

Purpose of dam (pls tick): Fisheries..... Hydro power..... pollution control...

Industrial.... Mining.....

Agriculture.... Domestic water supply.... others (pls specify)

4. Date of decommissioning:

5.0 Dam Parameters

Length/perimeter of dam:..... Perimeter of dam:

Dam width: Width of crest:

Maximum storage Capacity: Downstream angle:

Up stream Angle:

Height of Crest:

No of Gates:

Size of gate(s):

Total area of land utilised:

Size of dam:

6.0 Discharge parameters

Quantity of water to be discharged

Discharge rate

Method of discharged

Quality of water to be

Discharged

Describe with the aid of a 1:500 000 scale map the nature and situation of development downstream of a dam that would be affected by the decommissioning. Development means any house, settlement, other buildings, roads, bridges, farmlands

6.1 Development downstream of a dam (Houses and other similar existing structures)

Type of development	Distance Downstream (km)	Distance From river	Number of Inhabitant/users

Development downstream of a dam (No of villages, learning institutions, farmland etc.)

Name of community And area	Distance From the dam	Distance From river	Population

NB! Remember to attach a clear copy of the relevant topographical map

7.0 Declaration of Applicant

I declare that the information given by me for the decommissioning of the above dam is true and correct to the best of my knowledge.

Signature:..... Date:.....

NB! Remember to attach a clear copy of the relevant topographical map and other documents

8.0 Official use section

I hereby certify that..... be issued

With Dam decommissioning licence provided they abide by all conditions related to the decommissioning safety procedure

FIFTH SCHEDULE

CHARGES ASSOCIATED WITH ACQUIRING OF A DAM SAFETY LICENCES
Regulations -3(2), 10, 33

No	Description of Charges	Amount (Le)	
1	Purchasing of Application form	200,000.00	
2	Administrative fee (Technical inspection and processing of Licences)	Western Area	1,000,000.00
		Provincial	6,500,000.00
3	Licences Fee	Class A (above 5000m3)	250,000,000.00
		Class B (2500 to 5000m3)	150,000,000.00
		Class C (1000 to 2500m3)	50,000,000
		Class D (50 to 1000m3)	2,500,000
4	Administrative Fines (Seal off, impoundment etc.),	The severity duration prevalence, circumstances, antecedent, degree of harm to lives and property, cost of remedies etc.	To be determined by the Agency

Made this *28th day of September, 2021.*

ENG. PHILIP KARIMU LANSANA,
Minister of Water Resources.