



The Republic of Uganda

**MINISTRY OF WATER AND ENVIRONMENT
DIRECTORATE OF WATER RESOURCES MANAGEMENT**

REGULATING USE OF WATER RESOURCES IN UGANDA

Did you know that anybody abstracting water from a lake, river or underground using a motorized pump; discharging wastewater into the environment; involved in drilling for water; or construction of dams and other structures on water bodies is required to apply for a water permit according to the Water Act? If not then read on.

Background

Depletion, wastage and pollution of water resources of Uganda is on the increase and is attributed mainly to rapid population growth, poor land use/ management, growing urbanization, growing industrialization, poor environmental sanitation, and poor solid and liquid waste management. Emerging economic activities such as floriculture, horticulture, fish farming and oil exploration are exerting extra strain on the country's water resources. While activities in the catchments are depleting and degrading the water resources thereby reducing the amount of water available for use, there is a growing demand for water of adequate quantity and suitable quality for social-economic activities such as drinking, agriculture, industry, recreation and ecotourism. This comes against the backdrop of climate change that is leading to disasters in form of droughts and floods. The frequency of these extreme weather events is increasingly becoming more regular.

In order to control water depletion and pollution as well as mitigation of climate change impacts, government put in place an enabling legal framework in form of The Water Act, Cap 152, and the accompanying regulations: Water Resources Regulations (1998), Waste Discharge Regulations (1998). In addition the Environment Act, with its accompanying Regulations: Environmental Impact Assessment Regulations 1998; The National Environment (Standards for Discharge of Effluent into Water or on Land) Regulations 1999, and the National Environment (Waste Management) Regulations of 1999 were put in place to ensure sustainable use of environment and natural resources across the country. The Water Act has been under implementation by the Ministry of Water and Environment since 1998 when the various laws and regulations were operationalised.

The Directorate of Water Resources Management of the Ministry of Water and Environment is responsible for implementing the provisions of the Water Act related to regulating water abstraction and discharge of waste water into the environment. It does this through water use allocation (abstraction and waste water discharge), water service regulation (drilling, construction, dam safety, easement), compliance monitoring and enforcement of water laws,

review of Environmental Impacts Assessment reports related to water and awareness raising and information dissemination.

The directorate processes permits to regulate abstraction of water using motorized pumps and canals; discharging wastewater in the environment; drilling for water; construction of dams and also reviews EIAs reports related to water resources.

Before a permit for any use is issued the applicant must provide some specific information on their planned operations. This ensures sustainable allocation of the available water resources for the different uses; and collection and storage of knowledge on the available water resources for the present and future use. The permits are issued for periods not exceeding 5 years with standard and site specific conditions and these must be strictly adhered to by the permit holder.

Annual fees for use of water resources and discharge of wastewater have to be paid and these are documented in schedules to the Water Resources Regulations 1998 and Wastewater discharge Regulations 1998 published in the Uganda gazette.

Water Abstraction Licensing

As of October 2010, 366 water users have been issued with water abstraction permits out of which 232 have valid permits. However, many of these permit holders are not fully complying with some permits conditions such as installing facilities for measuring and recording of water levels and water abstraction volumes, submitting water use data on a quarterly basis, payment of annual fees etc. The permit holders with and without valid permits as well as those who are using water illegally are being followed up to ensure that they comply with the provisions of the law.

Waste Water Discharge Licensing

As of October 2010, 89 Companies, Institutions and Organisations have been issued with waste water discharge permits out of which 39 have valid permits. Although these companies are operating within the law many are not fully complying with some permit conditions such as measuring and recording waste water discharges, installing waste water treatment facilities, payment of annual fees etc. These together with those whose permits have expired are being followed up to ensure that they fully comply with the law.

Borehole Drilling Licensing

As of October 2010, 36 drilling companies have valid drilling permits and are therefore allowed to undertake drilling for water across the country.

The public is informed that starting Financial Year (2010/11) all Drilling Permits will run for one year from 1st July to 30th June of the following year. At the beginning of every Financial Year the Ministry of Water and Environment will publish the list of valid drilling permit holders as a way of inform the general public about those companies authorised to drill for water.

Procurement and Disposal Entities all over the country are reminded that it is a statutory requirement to engage holders of valid drilling permits when issuing out water well drilling contracts.

Licensing of mineral water bottling companies abstracting groundwater

The Ministry also wishes to draw the attention of the general public that Mineral Water brands or bottling companies extracting water from underground for mineral water bottling are required to apply for Groundwater Abstraction Permits. All the brands or bottling companies that are extracting underground water for mineral water bottling without permits are doing so illegally in contravention of the Water Act.

Strategies for improving compliance to Water Act and permit conditions.

Over the years, the Ministry has employed a number of strategies to improve compliance to the Water Act and permit conditions. These include awareness raising programs (workshops, news paper adverts, year planners, flyers and other awareness materials), compliance monitoring and assistance visits, piloting of catchment based water resources management and building of legal capacity.

To consolidate the above efforts the Ministry has recently developed Enforcement and Compliance Monitoring Strategy that will guide all efforts related to water resources regulation. In addition, the Ministry has developed a framework for deconcentrating its water resources management functions to lower levels (Water Management Zones, Catchments and districts) as a way of involving stakeholders in water resources management as well as responding better and faster to water resources challenges. All these efforts are expected to improve compliance to water laws and permit conditions and hence protect water resources from pollution and overexploitation.

Concluding message

The Directorate of Water Resources Management of the Ministry of Water and Environment will regularly publish the names of Companies, Organisations and Institutions that have valid permits for abstraction of surface and groundwater, waste water discharge, and borehole drilling.

It is important to realise that extracting water, drilling for water, and discharging waste water in the environment without a valid relevant permit contravenes the Water Act Cap 152. All those involved in the above activities are hereby requested to regularise their operations by applying for the relevant permit(s) before the law catches up with them. The Water Act empowers the Minister for Water and the Director for Water Resources to prosecute any one found contravening the law.

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