

STATUTORY INSTRUMENT NO. 2018

**The Water Resources Management Act
(Act No. 21 of 2011)**

**The Water Resources Management
(Licensing of Drillers and Constructors)
Regulations, 2018**

IN EXERCISE of the powers contained in sections 88 and 89 of the Water Resources Management Act, 2011, the following Regulations are made:

Title

1. These Regulations may be cited as the Water Resources Management (Licensing of Drillers and Constructors) Regulations, 2018.

Interpretation

2. In these Regulations unless context otherwise requires -

“borehole” has the meaning assigned to the word in the Act;

“constructor” has the meaning assigned to the word in the Act; and

“driller” has the meaning assigned to the word in the Act.

Licensing of drillers

3. (1) Subject to sub-regulation (2) a person who intends to engage in the trade or business of drilling a borehole shall apply for a licence, modification or renewal to the Authority in Form I set out in the First

Schedule, on payment of the prescribed fee.

(2) A successful applicant shall be issued with a licence in Form II set out in the First Schedule.

(3) A licence issued in accordance with sub-regulation (2) shall be issued in accordance with classes set out in the Second Schedule.

Refusal to grant licence

4. The Board shall, where it refuses to grant a licence, inform the applicant in Form III set out in the First Schedule.

Revocation of licence

5. (1) The Board shall, where a licensee violates the conditions of the licence, inform the licensee in writing of the Board's intention to revoke the licence and give the licensee an opportunity to be heard.

(2) The Board shall not revoke the licence if the licensee takes the remedial measures to the satisfaction of the Board within such period as the Board may specify.

(3) The Board shall revoke the licence where the licensee fails to show cause to the satisfaction of the Board or take any measures within the specified period.

(4) A licensee whose licence is revoked under this section shall not engage in the trade or business of constructing waterworks or drilling boreholes.

Register of constructors, drillers and engineers

6. (1) The Authority shall establish and maintain a register of constructors, drillers and engineers as set out in the Third Schedule.

(2) Subject to sub-regulation (1), a constructor, driller or engineer shall notify the Authority where there is a change of particulars of that constructor, driller or engineer within fourteen days of that change.

General offence and penalty

7. A person who contravenes these Regulations commits an offence and is liable, on conviction, to a fine not exceeding one hundred thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.