



REPUBLIC OF UGANDA

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

**INFORMATION ON THE NEED FOR WATER RESOURCES REGULATION IN
UGANDA**

We all have the right to good and adequate water, help us by staying on the right track

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1.0 What do we mean by water resources of Uganda?

Water resources of Uganda refer to surface water found in lakes and rivers and groundwater found underground in aquifers. Surface water resources of Uganda cover approximately 15% of the country's land area. Uganda is almost wholly within the Nile Basin and its water resources are transboundary in nature. This implies that these water resources have to be shared with the 9 Nile riparian countries.

2.0 What are the problems facing water resources of Uganda?

Although Uganda is considered well endowed with water resources these resources exhibit both seasonal and spatial variability with some places having too little water during certain period of the year resulting in droughts while others have too much water resulting in floods. Rapid population growth, increased agricultural production, urbanization and industrialization are also putting pressure on available water resources leading to depletion and degradation of available water resources. Water shortages, water quality deterioration, flood and droughts are some of the problems, which require enhanced attention in the country. The influence of climate variability and lack of awareness of the vulnerability of the resources by the general public worsens these problems.

There are two examples of the problems facing water resources of Uganda: Firstly, the falling water levels of Lake Victoria which has led to reduction in hydropower generation capacity, reduced fish catches, inadequate water for town water supplies, failure of ships to dock, drying of wetland and general environmental degradation.



Figure 1: Owen falls dam at Jinja where reduction in Lake Victoria water levels has affected hydropower generation



Figure 2: Conflict over water use due to reduced water levels of Lake Victoria.

Secondly, water resources are polluted due to poor land use practices, drainage of wetlands, uncontrolled solid and industrial waste discharge, poor sanitation practices etc. This combined with the reduction in water levels implies that the water resources of Uganda are highly threatened and may not continue to be available in adequate quantity and good quality for all socio-economic activities.



Figure 3: Discharge of untreated industrial waste into water bodies



Figure 4: Pollution of water resources by poor solid waste management

3.0 What is the role of water resources in socio-economic development of Uganda?

Water is life and provision of safe and adequate drinking water is a fundamental human right as enshrined in the Constitution of the Republic of Uganda. Water also contributes directly to socio-economic development of the country and is essential for hydropower production, irrigation, livestock, fishing, mining, wildlife, industries, water transport, maintaining the environment etc

4.0 Who is responsible for the management of water resources of Uganda?

Management of water resources in Uganda is a responsibility of the central government as provided for in the Constitution of the Republic of Uganda. The water resources management functions are performed by the Directorate of Water Development in the Ministry of Water and Environment through the Water Resources Management Department located at Entebbe, offshore Lake Victoria close to Imperial Resort Beach Hotel. The Ministry is thus responsible for sustainable and integrated management of the water resources of the country. The recently prepared Water Resources Management reform strategy has however proposed to decentralize management of water resources to a catchment to ensure that all stakeholders actively participate in management of the country's water resources. This is in line with the various Acts of Parliament such as the Water Act Cap 152, Local Government Act etc.

5.0 What is water resources regulation and how is it important in the socio-economic development of the country?

In order to address water resources problems facing the country a number of water resources management functions are carried out namely monitoring, assessment and regulation. Water resources regulation is a function carried out to control overexploitation and pollution of water resources so as to ensure availability of adequate water for all socio-economic activities now and in the future. Water resources regulation is provided for in the Water Act Cap 152, the National Water Policy, and the Water Action Plan and is carried out through the Water Permits System.

Regulation of water resources involves administration of water (surface and groundwater) abstraction permits, drilling permits, wastewater discharge permits, hydraulic works construction permits and easement certificates.

6.0 What are the benefits of the Water Permits System?

The benefits of the water permit system are:

- (i) Ensuring equitable sharing of available water resources among competing uses i.e. domestic, industrial, agricultural, energy production, animal husbandry etc.

- (ii) Protecting public health through control of pollution of water sources.
- (iii) Controlling over exploitation of water resources to ensure their availability for the present and future generation.
- (iv) Providing legal security to water users holding valid water permits
- (v) Minimizing costs of water treatment by water utility companies leading to low cost of water supply provision.
- (vi) Avoiding conflicts over water by competing uses
- (vii) Providing basic information for sound water resources planning and management
- (viii) Promoting economic growth and social development through water allocation for various uses based on national priorities.

7.0 Who is eligible for a water permit?

All major water users (either for abstraction or discharge of wastes) are required to apply for permits under the Water Act Cap. 152. Thus, the following categories of users require permits as follows:

- (i) Using a motorised or a powered pump to abstract (extract) water from any surface water body or a ground water well/borehole/spring.
- (ii) Constructing or operating any works for impounding, damming, diverting or conveying any surface water or draining any land.
- (iii) Causing or allowing any waste to come into contact with any water or piece of land without adequate treatment of the waste - as per the National Environment (Standards for Discharge of Effluent into water or into land) Regulations 1999
- (iv) Involvement in the business of drilling boreholes for water supply in Uganda.
- (v) Accessing a waste body for either abstraction or discharge of pre-treated waste through land of a disagreeing neighbor.

8.0 How does one apply for a water permit?

- (i) Applicant can obtain application forms from either Directorate of Water Development (DWD) in Luzira, Water Resources Management Department (WRMD) in Entebbe, DWD website or from district water officers in future.
- (ii) The applicant is issued with a Bank Payment Advice Form (BPAF) at the time of collecting the forms for use in payment of application fees
- (iii) The permit application form is completed in triplicate.
- (iv) Payment of application fees is made in any URA collection bank. Upon confirmation of payment by the bank, the URA office issues a URA receipt to the applicant.
- (v) The applicant then submits a URA receipt and its copy, PLUS two sets of a completed permit application forms to the Director, DWD or Commissioner, WRMD in Entebbe, for purposes of obtaining a water permit

9.0 What are the permit processing fees?

- (i) This is a flat rate that covers costs of evaluation and assessment of a water permit application.
- (ii) The fee depends on the permit applied for
- (iii) Application fees for various types of permits are defined in the Water (Resources) and (Waste Discharge) Regulations of 1998 as follows:

Surface Water Abstraction Permit	UGX 450,000=.
Ground Water Abstraction Permit	UGX 450,000=
Drilling Permit	UGX 500,000=
Construction Permit	UGX 500,000=
Easement Certificate	UGX 100,000=
Waste Water Discharge Permit	UGX 650,000=

- (iii) Renewal fees for various types of permits are defined in the Water (Resources) and (Waste Discharge) Regulations of 1998 as follows:

Surface Water Abstraction Permit	UGX 50,000=
Ground Water Abstraction Permit	UGX 50,000=

Waste Water Discharge Permit	UGX 650,000=
Drilling Permit	UGX 500,000=
Construction Permit	UGX 500,000=

10.0 What are the charges levied on water permit holders?

(i) Abstraction and wastewater discharge permit holders are charged annual fees for the duration of their permit.

(ii) The annual charge is aimed at :

- (a) Providing incentives for conservation and minimization of water wastage.
- (b) Influencing the user's habits regarding consumption and use of water.
- (c) Encouraging reduction of concentration of pollutants in waste water discharge and enhancing environmental conservation.
- (d) The annual fee breakdown depending on type of permit held are provided to the permit holder at the time of collection of the permit.

11.0 What is the status of water resources regulation and what is being done to improve the situation?

Water resources regulation activities were initiated in 1998 and the following permits have been issued as of June 2006.

Permit type	Estimated number of eligible applicants	Number of permits issued	Percentage permit coverage
Groundwater Abstraction	357	137	38%
Surface water Abstraction	183	100	55%
Drilling	74	66	92 %
Waste water discharge	400	56	14%
Hydraulic works	35	8	23%
Total	1049	367	35%

During the Joint Donor- Government of Uganda review of the water and sanitation sector held in September 2005, it was realized that the water permit coverage was still very low and hence water resources continue to be overexploited and polluted without any control.

It was agreed that this situation needs to be improved to ensure that at least 80% of water users and 25% of waste water dischargers are issued permits by September 2006. A strategy for improving this situation has been prepared and one of its main elements is to raise awareness among the various stakeholders such as the policy makers, politicians, media, private sector, government institutions, NGOs, local governments and the general public so that they can actively participate in regulation of water resources of the country. The prepared strategy is currently being used to implement the water resources regulation activities under the overall guidance of a multi-stakeholder thematic team.

12.0 What is the key message for the general public regarding water resources regulation?

All those involved in abstraction of water, diverting water, drilling boreholes, discharging waste into water bodies are required by law to apply for water permits failure of which legal action will be taken on them. The general public has a big role to play in ensuring that their water resources are not overexploited or polluted. They should therefore report any illegal water users and waste water dischargers to either the Directorate of Water Development, National Environment Management Authority, District Water Offices or to the Police for action.

13.0 For more information on water resources regulation please contact:

1. The Director

Directorate of Water Development (DWD)
P.O. Box 20026,
Luzira
Tel no. 505945 Fax: 505941
e-mail director@dwd.co.ug

2. The Commissioner,

Water Resources Management Department (WRMD)
P.O. Box 19,
Entebbe
Plot 12 Mpigi Road, Entebbe
Tel no. 321914 or 321342 Fax 321368
e-mail: wrmd@dwd.co.ug

3. The Assistant Commissioner,

Water Resources Regulation Division (WRD)
P.O. Box 19,
Entebbe
Plot 12 Mpigi Road, Entebbe
Tel no. 321342 Fax 321368
e-mail ctindi.wrmd@dwd.co.ug

INFORMATION SHEET NO.1

The role of Minister and Director in water resources regulation

Part II of the Water Act Cap. 152 of the Laws of Uganda 2000, sections 5 and 44 define broadly the roles and powers of the Minister (responsible for water) and the Director (of Water Development) as follows:

Section 5 of the Water Act (Rights in water vested in the Government)

All rights to

- (i) investigate
- (ii) control
- (iii) protect and
- (iv) manage water in Uganda for any use is vested in the Government and shall be exercised by the Minister and Director in accordance with part II of the Water Act.

Section 44 of the Water Act (Director's power to give direction)

Sub-section 1 states

"The Director may, by notice in writing served on any person, require that person, within the period specified in the notice, to do or not to do any thing or to take such measures or construct or remove works that may, in the opinion of the Director, be necessary or desirable for the investigation, use, control, protection, management or administration of water".

Sub-Section 2 states

"Where a person fails to comply with a notice served under sub-section 1, the Director may enter any land and take such measures, construct or remove such works as are necessary to ensure complete compliance with the notice and may recover reasonable costs of so doing from that person".

INFORMATION SHEET NO.2

Rationale and benefits of the Water Permits System

Aspirations of a rising population, the need for sustained economic growth, increased demand for wholesome water supply, safe disposal of industrial and municipal wastewater, the requirements for increased agricultural and hydro power production exert a lot of pressure on the water and the environment. There is therefore need to allocate water resources and regulate water demands and wastewater disposal. The water permits system therefore:

1. Ensures equitable sharing among competing uses i.e. Domestic, Industrial, Agricultural, Energy production, Animal husbandry, other riparian states in the Nile Basin
2. Protects public health through pollution control and protection of clean water sources from various forms of contamination
3. Avoids over exploitation of the resource. Thus Government by raising the price of raw water aims at efficient utilization of water used
4. Provides legal security for the user through continued use of water by a permit holders and avoidance of penalties
5. Minimizes costs of water treatment. Water utility companies will use less funds for chemicals required in the treatment of water coming out of a regulated discharge into water bodies
6. Avoids conflicts over water through water allocations which are made after considering the competing interests of users and what resource is available for allocation
7. Provides basic information for sound Water Resources Planning and Monitoring
8. Promotes economic growth and social development. Proper allocation principles, laws and regulations which promote social cohesion contribute to prevention of disputes or resolution of disputes once they arise in a fair manner.

INFORMATION SHEET NO.3

Who applies ... for which permit?

All major water users (either for abstraction or discharge of wastes) are required to apply for permits under the Water Act Cap. 152, of the Laws of Uganda 2000. Thus, the following categories of users require permits as follows:

- 1 Using a motorised or a powered pump to abstract (extract) water from any surface water body or a ground water well/spring requires either Surface Water or a Ground Water Abstraction permit.
- 2 Constructing or operating any works for impounding, damming, diverting or conveying any surface water or draining any land requires either a Surface water abstraction permit or a hydraulic Works construction permit.
- 3 Causing or allowing any waste to come into contact with any water or piece of land without adequate treatment of the waste - as per the National Environment (Standards for Discharge of Effluent into water or into land) Regulations 1999 - requires a Waste Water Discharge permit.
- 4 Involvement in the business of drilling for water supply in Uganda requires a drilling permit.
- 5 Accessing a waste body for either abstraction or discharge of pre-treated waste through land of a disagreeing neighbour requires an Easement Certificate.

INFORMATION SHEET NO. 4

The permit processing fees

1. This is a flat rate that covers costs of evaluation and assessment of a water permit application.
2. The fee depends on the permit applied for
3. Application fees for various types of permits are defined in the Water (Resources) and (Waste Discharge) Regulations of 1998 as follows:

Surface Water Abstraction Permit	UGX 450,000=
Ground Water Abstraction Permit	UGX 450,000=
Drilling Permit	UGX 500,000=
Construction Permit	UGX 500,000=
Easement Certificate	UGX 100,000=
Waste Water Discharge Permit	UGX 650,000=

4. Renewal fees for various types of permits are defined in the Water (Resources) and (Waste Discharge) Regulations of 1998 as follows:

Surface Water Abstraction Permit	UGX 50,000=
Ground Water Abstraction Permit	UGX 50,000=
Waste Water Discharge Permit	UGX 650,000=
Drilling Permit	UGX 500,000=
Construction Permit	UGX 500,000=

INFORMATION SHEET NO. 5

Annual charges levied on water permit holders for the duration of their permits

1. Abstraction and wastewater discharge permit holders are charged annual fees for the duration of their permit.
2. The annual charge is aimed at :
 - (a) Providing incentives for conservation and minimisation of water wastage.
 - (b) Influencing the user's habits regarding consumption and use of water.
 - (c) Encouraging reduction of concentration of pollutants in waste water discharge and enhancing environmental conservation.
3. The annual fee breakdown depending on type of permit held is as follows:

Taking and using water in the range of 1 and 400 m³/day - **UGX 200,000=**

Taking and using water in the range of 400 and 1,000 m³/day - **UGX 1,000,000=**

Taking and using water above 1000 m³/day - **UGX 3,000,000=**

Operating any works which impound water for non-consumptive use. E.g. Hydro Power in the range of 10-50 Mega Watts - **UGX 1,000,000=**

Operating any works which impound water for non-consumptive use e.g. Hydro Power in the range of 50-100 Mega Watts - **UGX 5,000,000=**

Operating any works which impound water for non-consumptive use. e.g. Hydropower of over 100 Mega Watts
- **20,000,000=**

BOD₅ loading (in 1000Kg Oxygen per a year) of between 100 and 400 – **UGX 500,000=**

BOD₅ loading (in 1000 Kg Oxygen per year) of between 400 and 600 – **UGX 1,000,000=**

BOD₅ loading (in 1000 Kg Oxygen per year) of between 600 and 1800 – **UGX 2,500,000=**

BOD₅ loading (in 1000 Kg Oxygen per year) of between 1800 and 3000 – **UGX 5,000,000=**

BOD₅ loading (in 1000 Kg Oxygen per year) of between 3000 and 3800 – **UGX 7,500,000=**

BOD₅ loading (in 1000 Kg Oxygen per year) of between 3800 and 5200 – **UGX 10,000,000=**

BOD₅ loading (in 1000 Kg Oxygen per year) of 5200 and over – **UGX 13,000,000=**

INFORMATION SHEET NO. 6

Submitting a permit application

1. Applicant requests for application forms. Applications forms can be obtained from DWD in Luzira or Entebbe (WRMD), DWD website and from district water officers in future.
2. The permit application form is completed in triplicate.
3. The Applicant issued with a Bank Payment Advice Form (BPAF).
4. Upon confirmation of payment by the bank, the URA office issues a URA receipt to the applicant.
5. The Applicant then submits a URA receipt and its copy, PLUS two sets of a completed permit application forms to the Director's representative the Commissioner, WRMD in Entebbe, for purposes of obtaining a water permit

INFORMATION SHEET NO. 7

Guiding principles used in handling permit applications

Following the need to have a fair and consistent system of handling permit applications, WRMD with the support of Danida, developed the Guidelines and procedures for processing abstraction Permits under the Water Resources Regulations 1998. So a number of guiding principles were developed for Water Resources Management staff to follow. The guiding principles are as follows:

1. First priority will be given to providing water to meet domestic needs, the needs of irrigation, livestock, industry and other demands will be made considering economic, social and environmental factors
2. The planning of water use will be based on sustainable yields of sources
3. In major water resource projects, consideration will be given to all economic, social and environmental costs and benefits, the results of the Environmental Impact Statement (EIS) shall be used in assessing such projects
4. The allocation of water within Uganda shall take into account international obligations
5. The Water Resources Management Department (WRMD) shall uphold the law at all times
6. Given the above the protection of existing users rights and the environment shall be paramount in determining the suitability of an application
7. Where WRMD is unsure of the impact of the application on users or the environment the applicant shall be given the benefit of doubt
8. Applications of national strategic importance shall only be considered if appropriate remedial measures are included to protect existing users