

Government Notice No. 71 of 2015

THE GROUND WATER ACT

Regulations made by the Central Water Board, with the approval of the Minister, under section 16 of the Ground Water Act

1. These regulations may be cited as the Ground Water (Amendment) Regulations 2015.
2. In these regulations –
“principal regulations” means the Ground Water Regulations 2011.
3. Regulation 2 of the principal regulations is amended –
 - (a) in the definition of “agricultural purpose” –
 - (i) by adding the word “or” at the end of paragraph (a);
 - (ii) in paragraph (b), by deleting the words “; or” and replacing them by a comma;
 - (iii) by revoking paragraph (c);
 - (b) by inserting, in the appropriate alphabetical order, the following new definitions –

“aquaculture” means farming aquatic organisms, including fish and aquatic plants, for commercial purposes;

“penalty” means the amount payable where a licensee abstracts, over an aggregate period of 3 consecutive months, ground water in excess of thrice the monthly quantity he is authorised to abstract, and shall be calculated in accordance with Part C of the First Schedule;

“penalty bill” means the bill issued, on a quarterly basis, to a licensee who abstracts, over an aggregate period of 3 consecutive months, ground water in excess of thrice the monthly quantity he is authorised to abstract;

4. Regulation 15 of the principal regulations is revoked and replaced by the following regulation –

15. (1) The licensee shall pay –

- (a) the appropriate monthly water charges specified in Part B of the First Schedule; and
- (b) where he abstracts, over an aggregate period of 3 consecutive months, ground water in excess of thrice the monthly quantity that he is authorised to abstract, the appropriate penalty which shall be calculated in accordance with Part C of the First Schedule.

(2) (a) The penalty referred to in paragraph (1)(b) shall be –

- (i) calculated for an aggregate period of 3 consecutive months; and
- (ii) set out in a penalty bill.

(b) (i) A licensee who is required to pay the penalty referred to in paragraph (1)(b) shall pay that penalty within 21 days of the date of delivery of the penalty bill.

(ii) Any payment made after that date shall be subject to a surcharge of 10 per cent.

(c) In this regulation –

“daily quantity” means, subject to the conditions set out in a ground water licence, the volume of ground water specified in that licence that a licensee is authorised to abstract on a daily basis;

“monthly quantity” means the daily quantity multiplied by 30.

5. The First Schedule to the principal regulations is amended –
- (a) by deleting the heading and replacing it by the following heading –
- FEES, WATER CHARGES AND PENALTY**
- (b) in Part A, in item 5, in paragraphs (a), (b) and (c), by adding the words “and aquaculture”;
- (c) in Part B, in paragraphs (a) and (b), by adding the words “and aquaculture”;
- (d) by adding Part C set out in the Schedule to these regulations.
6. These regulations shall come into operation on 1 May 2015.

Made by the Central Water Board on 31 October 2013, and approved by the Minister on 16 April 2015.

SCHEDULE

[Regulation 5]

Part C - Penalty

	Excess amount of water abstracted (m ³)	Per cubic metre (Rs)
1. Use of ground water for agricultural purposes and aquaculture	between 1 - 25	1
2. Use of brackish water for aquaculture and desalination purposes	between 26 - 50	6
3. Use of brackish water for purposes other than desalination and aquaculture	between 51 - 100	10
4. Use of ground water for domestic purposes	above 100	34
5. Use of ground water for the purposes of producing drinks	between 1 - 25	15
	between 26 - 50	20
	between 51 - 100	30
	above 100	40
6. Use of ground water for non-domestic purposes other than aquaculture, desalination, producing drinks and agricultural	between 1 - 25	10
	between 26 - 50	15
	between 51 - 100	25
	above 100	35