



INFORMATION ALERT:

NATIONAL WATER ACT 36 OF 1998: NEW WATER USE REGISTRATION REQUIREMENTS

In terms of GN 519 of 6 May 2009, the Minister of Water Affairs and Forestry has requested the registration of a number of water uses. The Notice indicates that all persons who use water as set out below must register their water use:

- section 21(e) - engaging in a controlled activity
- section 21(f) - discharging waste or water containing waste
- section 21(g) - disposing of waste in a manner which may detrimentally impact on a water resource
- section 21(h) - disposing of water which contains waste from, or which has been heated in any industrial or power generation process
- section 21(j) - removing, discharging or disposing of water found underground if it is necessary for the efficient continuation of the activity or for the safety of people

According to the Notice, these water uses include a number of non-point sources of discharge:

- Disposal of effluent to land or to a facility (such as tailings dam, irrigated effluent, evaporation ponds treatments)
- Disposal of effluent to land or to a facility (such landfill, waste-rock dumps, fly ash disposal, solid waste disposal)
- Controlled land use activities (such as confined animal facilities, dirty water systems)

The requirement to register such water uses is subject to the following exceptions:

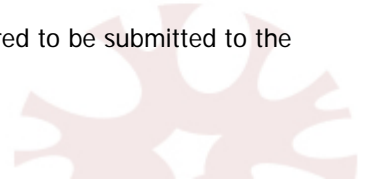
- Schedule 1 uses in terms of the National Water Act, 1998
- Water uses by members of the Irrigation Board, Water Use Association and Government Water Scheme in a distribution system



where they are supplied by the Board or Association or Scheme.

The Notice is applicable to all water users nationally and completed water use registration forms are required to be submitted to the relevant DWAF Regional Office by **30 August 2009**.

Failure to register the relevant water uses in accordance with the Notice is an offence.



Telephone: +27 11 325 4399 admin@warburtons.co.za | © [Warburton Attorneys](#) 2000-2009