



Why do we need Compulsory Licensing here? There is water in my dam and in the river.

The National Water Act says water belongs to the nation, not to individual users. There are many demands on the water in your area, and we have to make sure water is shared out fairly, in the best interests of everyone, and also of the nation.

Why must I apply for a licence? I have registered my water use, and I have a certificate verifying how much water I can use lawfully.

The certificate is a temporary measure, and was intended to be used only until we could introduce Compulsory Licensing to share out water more fairly. Your existing water use will be considered unlawful if you carry on using water after the Final Allocation Schedule has been published, and you have not been granted a licence.

I already have a licence for water under the National Water Act. What must I do now?

If Compulsory Licensing is announced in your area you must re-apply for a water licence so that the water you use can be accounted for in the allocation process. Your water use will not be curtailed but your licence may be reviewed.

I applied for a water licence before Compulsory Licensing was announced. What must I do now?

You must submit a new application, so that DWAF can assess all the demands for water in the new process and when it is planning the new Framework for Allocation.

Are you going to take my water away overnight?

No. If water is to be reallocated, or shared out differently, the allocation process will be fair, reasonable and will be implemented gradually, as new users take up their water.

Will a new water user be able to use water to grow food and create jobs, like my farm does?

Yes, over time. We know many things must be in place for productive use of water, like markets, land and technical skills. The DWA and its government partners will work with historically disadvantaged individuals to address these factors. We hope that in time new users will become commercial users in their own right. This will be good for the whole country.

Can I appeal against the allocations?

Yes. Stakeholders can lodge a written objection to the Proposed Allocation Schedule, and, if needed, appeal to the Water Tribunal once the Preliminary Allocation Schedule is published. But the DWA hopes most concerns will be sorted out by discussion, as it is important to all of us to move ahead.



Will I need a licence for tap water or water for my garden?

No. You do not need a licence for water you use in your home. You may need a licence to use raw water the water in rivers, dams, and reservoirs for a business or project. In some areas your water use may also be Generally Authorised, but you will be told this and will not need to apply for a licence.

Why can't I have the water that is in the river?

The National Water Act says water belongs to the nation. There are many demands on the water in your area, and we have to make sure that the water is shared out fairly. You may use river water for your household cattle or your garden. But if you want it for a business or project, you must first ask the DWA.

What does productive use of water mean?

Productive use of water means creating jobs and incomes that last. The best chance to do this is when new users are enthusiastic about using water, and also have the right to use the land, money to start and run the business, technical skills, and markets which will buy their products.

Who can help me make productive use of water?

The DWA will help you get the support you need, by working with other government departments, such as Agriculture, Land, and Social Development, and also local government, NGOs, and development agencies. In many cases you will be able to get financial support to help start your business.

Are water licences only for businesses? What about my community vegetable project?

Anyone who wants to use large amounts of raw water from rivers or dams or boreholes might need a water licence – even some community projects. Contact your DWA Regional Office to find out if your community project will need a water licence, and what to do next.

For more information contact:

Department of Water Affairs

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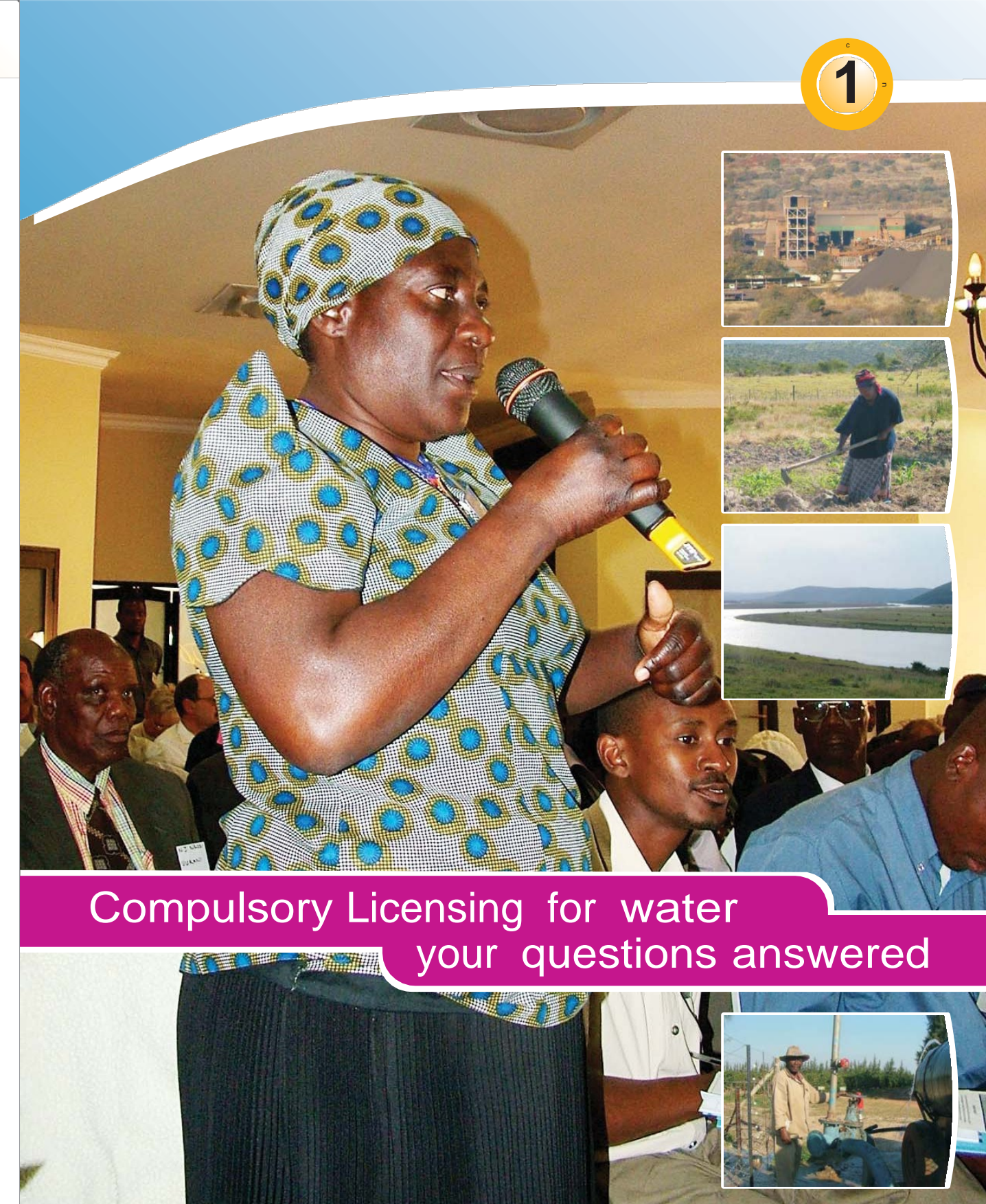
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We're waiting to help you.



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Compulsory Licensing for water your questions answered



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Your questions answered



What is Compulsory Licensing for water?

Compulsory Licensing is one of the most important tools in Water Allocation Reform (WAR). It is a mechanism created in the National Water Act to allow the DWA to review all water use in a catchment and, if necessary, to change how water is shared out (allocated).

What is WAR?

The Water Allocation Reform (WAR) programme is a way to manage and share our limited water resources in the best interests of the country, so that we:

- Address poverty
- Address gender and race imbalances in the way water is used, and who it benefits
- Promote sustainable development, and meet our growing needs into the future
- Better protect our water resources, so that we do not damage the environment.

Why is Compulsory Licensing being introduced?

Compulsory Licensing is being introduced so that the DWA can balance how water resources are shared out and used, and ensure that:

- Water is shared out fairly
- Everyone, especially historically disadvantaged individuals and women, has a fair chance to benefit from using water
- Water is used in the best way possible, to benefit the public and the nation
- Our natural water resources are protected, and kept clean and healthy.

When and where will Compulsory Licensing be implemented?

Compulsory Licensing will be prioritised in areas with the worst water shortages. It will first be introduced in the:

- Mhlathuze catchment in KwaZulu-Natal
- Tosca catchment in the Northern Cape
- Nkomati Water Management Area in Mpumalanga
- Jan Dissel Catchment in Western Cape

Over time Compulsory Licensing may be introduced in all 9 Water Management Areas in the country.

Who will implement Compulsory Licensing?

The DWA regional offices will carry out Compulsory Licensing in these three areas, but will work closely with the Catchment Management Agency where these have been established. Each Regional Office has trained a WAR Champion to help with the process.

How will Compulsory Licensing be put in place?

Compulsory Licensing is a two-phase process, which will give stakeholders a chance to make their voices heard about how water resources are allocated (shared out) in their area.

We get ready for Compulsory Licensing by ...

- Preparing and planning
- Verifying (confirming) that existing water use is lawful
- Looking at ways to make the best of the water we have, and also at how much water is needed and used
- Consulting with water users and stakeholders
- Working with other government departments, local government, NGOs and development agents to identify opportunities for new and productive use of water by previously disadvantaged individuals, especially women.
- Supporting new users
- Developing a plan to share out water, called the Framework for Allocation, for everyone to discuss
- Communicating with everyone in the catchment to prepare them for Compulsory Licensing.



We implement Compulsory Licensing by ...

- Publishing a Call for Licence Applications under Section 43 (3) of the National Water Act.
- Publishing a Proposed Allocation Schedule under Section 45 of the Act. The DWA will then consider objections to the schedule.
- Publishing a Preliminary Allocation Schedule under Section 46 of the Act. The Water Tribunal will then consider appeals to the schedule.
- Publishing a Final Allocation Schedule under Sections 47 and 48 of the Act.



When will the licences be issued?

Licences will be issued as soon as possible after the Final Allocation Schedule is published. The time taken to get ready and implement Compulsory Licensing will be different in every catchment.

How long is this licence valid?

The period for which the licence is valid is linked to the type of water use. Licences issued under Compulsory Licensing can be valid for a maximum of 40 years, but can be issued for shorter periods if necessary. Licences may be reviewed every five years

What are the “rules” for the Compulsory Licensing process?

The Compulsory Licensing process should:

- Address historic imbalances in the way water has been allocated and promote access for historically disadvantaged individuals to the nation's water resources and the benefits of water use.
- Build the capacity of all water users, especially historically disadvantaged individuals and poor people, to use water productively and efficiently.
- Promote Broad-Based Black Economic Empowerment (BBBEE) and the empowerment of women, by facilitating access to water for businesses or projects owned and managed by these groups.
- Support local, provincial, national, regional and international development processes (including Integrated Development Plans and Water Service Development Plans), and encourage development that has smaller impacts on scarce water resources.
- Ensure the water allocation process is fair, reasonable and consistent. Existing lawful uses that deliver greater benefits in the public interest, have smaller impacts on the water resource and use their water most efficiently will be curtailed last and to the least extent.
- Balance economic development and long term protection of our water resources and the environment.

What water uses will be affected?

The National Water Act says there are 11 different ways water can be used. At this first stage, Compulsory Licensing will only be applied to three of these:

- Taking water from underground, rivers and dams (abstraction)
- Storing water, for example in farm dams or reservoirs (storage)
- Commercial forests (stream flow reduction).

How will Compulsory Licensing impact on the regional economy?

We want to grow the economy in a sustainable way, so we will allocate our water in a way that will sustain and grow the "first economy" while allowing the "second economy" users to develop into the first economy.

