

LAWS OF THE GAMBIA

NATIONAL WATER RESOURCES COUNCIL

CHAPTER 66:02

Act
22 of 1979

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Note
on
Subsidiary Legislation

This Chapter contains no subsidiary legislation

CHAPTER 66:02

NATIONAL WATER RESOURCES COUNCIL

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CHAPTER 66:02

NATIONAL WATER RESOURCES COUNCIL

An Act to establish a National Water Resources Council to formulate a water policy for the nation and for matters incidental thereto. 22 of 1979.

[22ND FEBRUARY, 1980.]

1. This Act may be cited as the National Water Resources Council Act, and shall come into force on such date as the Minister may, by Notice published in the *Gazette* appoint. Short title and commencement.

*This section incorporates what has hitherto been section 15 of the Act dealing with its commencement.

Interpretation.

2. In this Act, unless the context otherwise requires—
- “Committee” means the National Water Resources Committee established under section 6 of this Act;
- “Council” means the National Water Resources Council established under section 3 of this Act;
- “Department” means the Department of Water Resources established under section 9 of this Act;
- “Minister” means the Minister responsible for Agriculture;
- “water” includes atmospheric, surface, underground and all other forms of water resources in The Gambia.

Establishment of the Council.

3. There is hereby established a National Water Resources Council.

Composition of the Council.

4. (1) The Council shall consist of the following persons:
- (a) the Minister of Agriculture or his representative;
 - (b) the Minister of Local Government & Lands or his representative;
 - (c) the Minister of Health, Labour & Social Welfare or his representative;
 - (d) the Minister of Works and Communications or his representative;
 - (e) the Minister of Economic Planning & Industrial Development or his representative.
- (2) The Chairman of the Council shall be the Minister of Agriculture.
- (3) The Permanent Secretary, Ministry of Agriculture shall be the Secretary of the Council.

Meetings of the Council.

5. (1) The Council shall meet at least once every three months at such times and places as it deems expedient for the conduct of its business.
- (2) The Chairman shall preside at all meetings of the Council and in his absence such member of the Council as the members present may appoint, shall preside.
- (3) The decisions of the Council shall be by majority vote and, in

the event of an equality of votes, the Chairman shall have a casting vote.

(4) At every meeting of the Council three members shall constitute a quorum.

6. The Council shall, at the beginning of every financial year, submit a full report of its activities during the previous year to the House of Representatives. Annual Report.

7. The functions of the Council shall be— Functions of the Council.

- (a) to formulate the overall water resources policy of the nation; and to serve as Government's high level policy making body in the field of water resources development and water utilization and conservation;
- (b) to approve plans submitted to it by the National Water Resources Committee established under section 8 of this Act;
- (c) to approve funds for executing such projects as are submitted to it by the Committee; and
- (d) to do any other thing incidental to the development and utilization of water resources.

8. (1) There is hereby established a National Water Resources Committee, consisting of— Establishment of Committee.

- (a) the Permanent Secretary, Ministry of Agriculture, who shall be the Chairman;
- (b) the Chief Physical Planning Officer;
- (c) the Director of Health Services;
- (d) the Director of the Department of Water Resources;
- (e) the Director of Agricultural Services;
- (f) the Director of Livestock Services;
- (g) the Director of Fisheries;
- (h) the Director of Planning, Ministry of Economic Planning and Industrial Development;
- (i) the Managing Director of The Gambia Utilities Corporation or his representative; and
- (j) the Managing Director, The Gambia Ports Authority or his representatives.

(2) The Permanent Secretary, Ministry of Agriculture shall appoint one of his officers to be the Secretary to the Committee.

Meetings
of the
Committee.

9. (1) The Committee shall meet at such times and places as it deems expedient for the transaction of its business.

(2) Special meetings of the Committee may be summoned—

(a) at the request of the Council;

(b) at the request of any five members of the Committee on any matter of urgency.

(3) The Secretary of the Committee shall, in consultation with the Chairman, prepare an agenda which shall be distributed to all members of the Committee at least seven days prior to each meeting.

(4) The Chairman of the Committee may invite any person to attend and participate in the discussions of the Committee if in his opinion that person possesses expert knowledge which could be useful to the Committee.

(5) The Committee shall submit a quarterly report of the activities to the Council.

Functions
and powers
of the
Committee.

10. (1) The functions of the National Water Resources Committee shall be—

(a) to promote the centralized inventory and management of all water resources in the country;

(b) to co-ordinate and approve any project or scheme relating to the use, development and conservation of water resources both in regard to quantity and quality of water utilized;

(c) to appoint the responsible executing Ministry or agency for any water project or scheme;

(d) to promote the most rational use of available water resources including the abatement of its harmful effects such as flooding, soil erosion, siltation and salinization;

(e) to promote the consolidation of existing water legislation in view of preparing a national water act and any other required legislation;

(f) to promote the preparation of sectoral water plans, sub-basin plans, basin and master water plans to serve as terms of reference for allocating sectoral uses of water;

- (g) to establish a licensing system for all users and uses of water;
- (h) to submit to the Council for decision, any questions which it has not been able to resolve

(2) The Committee may initiate studies or enquiries concerned with the exploration, use and management of water resources and may recommend measures including expenditure of funds in support of such work to the Council.

11. The Committee may set up working groups entrusted with specific duties with respect to the Committee's considerations and performance of its functions. Working group.

12. (1) There is hereby established a Department of Water Resources which shall be responsible for carrying out the functions assigned to it by this Act and by the National Water Resources Council. Establishment of Department of Water Resources.

(2) The Department of Water Resources shall take over the functions and duties of the Department of Hydrometeorological Services.

13. The duties of the Department of Water Resources shall include the following— Duties of the Department.

- (a) to provide and train technical personnel for the water resources services of The Gambia;
- (b) to prepare an inventory of water resources of the nation;
- (c) to co-ordinate the planning of the technical requirements of the water resources services;
- (d) to initiate a system of water rights administration and regulate the development and use of water resources;
- (e) to monitor and safeguard the quality of water resources;
- (f) to prepare plans for investigating the rational management, use, control and protection to water resources;
- (g) to measure regularly and record, water levels and flow of streams;
- (h) to collect other hydrological and hydrometeorological data;
- (i) to explore the existence, location and behaviour of underground water, and to ascertain the quantity and quality of such underground water;

- (j) to disseminate the results obtained to interested parties;
- (k) to execute and enforce the laws and regulations affecting water;
- (l) to advise and instruct any person or Authority concerning the investigation, use, control, protection, management or administration of water.

Regulations. **14.** The Council may make regulations for the purposes of carrying into effect the provisions of this Act.