

GOVERNMENT NOTICE NO. 155 published on 20/04/2018

THE WATER RESOURCES MANAGEMENT ACT
(CAP.331)

REGULATIONS

(Made under section 111(1))

THE WATER RESOURCES MANAGEMENT (WATER WELL QUALITY
MONITORING) REGULATIONS, 2018

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(Made under section 111(1))

THE WATER RESOURCES MANAGEMENT (WATER WELL QUALITY
MONITORING) REGULATIONS, 2018

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Water Resources Management (Water Well Quality Monitoring) Regulations, 2018.
- Application 2. These Regulations shall apply in relation to water well quality monitoring.
- Interpretation 3. In these Regulations, unless the context otherwise requires:
- Cap 331 “Act” means the Water Resources Management Act;
 “Board” shall have the meaning as ascribed to it under the Act;
 “certificate of water quality test” means a legal verification for the compliance with Part II of these Regulations.
 “water well” means a hole which is dug, constructed or drilled for the purpose of abstracting groundwater;
 “water well owner” means a person who owns the well or a person who is in the actual occupation of a premises in which a well exist;
 “toxic chemicals” means any substance including heavy metals, pesticides, Polychlorinated Biphenyls and dioxin which can harm human being and environment by causing carcinogenic, mutagenic or death

PART II

WATER WELL QUALITY MONITORING

Shallow water well

4.-(1) A shallow water well constructed in the township areas may be considered not fit for human consumptions where circumstances permit.

(2) A shallow water well in village area shall not be deemed unfit for human consumption where it has not been so proved by the Board or local government authorities as the case may be.

(3) Nothing under sub-regulation (1), shall be construed as to waive an obligation to the well owner to ensure quality of such water.

(4) For the purpose of this regulation, a shallow water well means a well dug with a depth not exceeding fifteen meters.

Obligation to test water well quality

5.-(1) A water well owner shall not use or permit to be used well water for human consumption unless the quality of such water has been tested by the relevant authority.

(2) The Schedule to these Regulations specify water quality key parameters and frequency of testing.

(3) A water well owner shall be required to conduct a water quality test in accordance with the standards issued by the Tanzania Bureau Standards under the Standards Act.

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(4) The cost for sampling and water quality test shall be borne by water well owner.

(5) The cost for monitoring of water well quality shall be borne by the Board or local government authority as the case may be.

Water quality certification

6.-(1) There shall be issued a certificate of water quality test by a relevant authority upon being satisfied that the quality of such water is fit for human consumption.

(2) A water well owner shall display a certificate of water quality test in a conspicuous place at his premises for inspection.

(3) For the purpose of this regulation, a term “fit for human consumption” means quality of water which complies with latest version of drinking water standard issued by the Tanzania Bureau Standards under the Standards Act.

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Inspection of

7. The Board shall conduct an inspection of wells

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wells within its area of jurisdiction for the purposes of ascertaining quality of well water and validity of water quality certificate for the period of not more than six months or as may be determined by the Board.

Offence 8. A well owner who contravenes the provisions of this part commits an offence.

PART III
OBLIGATION OF THE PARTIES

Obligation to Register well 9.-(1). A well owner shall not use a well unless it is registered by the Board.

(2) Possession of the water use permit issued under the Act shall be evidence of the registration of the well under these Regulations.

Guidelines 10. The Minister may, for better carrying out of provisions of these Regulations, issue guidelines prescribing technical requirements of water well or any other matter as may be determined from time to time.

PART IV
WELL FOR WATER SUPPLY

Condition to supply well water to public 11.-(1). Where a person intends to construct a well for the purpose of supplying water to the public, the owner shall seek for approval the relevant authority.

(2) Where a person intends to change use of water use permit to supply water to public, he shall seek approval of relevant water authority.

(3) Nothing under this Part shall bar a water authority or Local Government Authority of its right to redeem an obligation to supply water to public where it has satisfied itself of its capacity to do so, by notifying the Board for cessation of permit issued to well owner.

PART V
GENERAL PROVISIONS

Unfitness of well 12. A water well shall be:

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- (a) sealed and abandoned where a water quality test result indicates unfitness due to the contents of toxic chemicals; or
- (b) permitted to be used where water quality test result indicates unfitness due to other factors than toxic chemicals, subject to proper treatment.

General
Penalty

13. A person who contravenes the provisions of these Regulations commits an offence and shall, upon conviction, be liable to a fine of not less than five hundred thousands shillings or imprisonment for a term not exceeding six months or both.

Transitional
provision

14. An existing well owner shall, within six months after coming into force of these Regulations, comply with the provisions of these Regulations.

SCHEDULE

(Made under regulation 5(2))

Water Quality Test Key Parameters

(1) Physical Examination

	Parameter	Unit
(a)	Colour	TCU
(b)	Turbidity	NTU
(c)	Total Dissolved Solids (TDS)	mg/l
(d)	pH	
(e)	Conductivity	micro simen
(f)	Temperature	Degree Centigrade

(2) Chemical Examination

S/N	Parameter	Unit
(a)	Salinity	mg/l
(b)	Hardness	mg/l
(c)	Iron	mg/l
(d)	Nitrate	mg/l
(e)	Manganese	mg/l
(f)	Sulphate	mg/l
(g)	Chloride	mg/l
(h)	Heavy metals	mg/l

(3) Microbiology Examination

	Parameter	Unit
(a)	Total Coliform	Coliform count per 100 ml at 37 ⁰
(b)	Fecal Coliform	Coliform count per 100 ml at 44 ⁰
(c)	Escherichia Coli	Ecoli count per 100 ml at 44 ⁰

Dodoma,
14th March, 2018

ISACK A. KAMWELWE,
Minister for Water and Irrigation