

# ACT

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SIGNED this 3rd day of August, 2017.

DR. ERNEST BAI KOROMA,  
*President.*



No. 5



2017

**Sierra Leone**

**THE NATIONAL WATER RESOURCES  
MANAGEMENT AGENCY ACT, 2017.**

Short title.

**Being an Act to provide for the equitable, beneficial, efficient, and sustainable use and management of the country's water resources; to establish a National Water Resources Management Agency; to provide a Water Basin Management Board and Water Catchment Area Management Committees for the management of the water resources and for other related matters.**

[ ] Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

**PART I – PRELIMINARY**

Interpretation. 1. In this Act, unless the context otherwise requires–

"Agency" means the National Water Resources Management Agency established by section 2;

"basin" means the land area formed by drainage boundaries of major river systems delineated by natural topographical features and international borders, which may be subdivided into a number of constituent parts and which includes both surface water and groundwater resources;

"basin strategy" means a water strategy adopted for a basin;

"Water Basin Management Board" means Water Basin Management Boards established by section 25;

"beneficial use" means the use of water including the method of diversion, storage, transportation and application of water resources which is reasonable and consistent with public interest, including domestic, energy, agriculture, commercial, industrial, navigational and recreational use;

"catchment area" means the area from which any rainfall will drain into the watercourse or watercourses or part of a watercourse through surface flow to a common point or common points;

"contained water" means underground streams, water upon the surface of the earth in bounds created naturally or artificially and the sub-flow of the water;

"court" means the High Court;

"existing right" means any right to water resources:

(a) which on the commencement of this Act has been lawfully acquired, is possessed by and is being beneficially used by any person; or

(b) lawfully acquired by any person before the commencement of this Act for the purpose of supplying water to the public

"fund" means the National Water Resources Management Fund established by section 20;

"groundwater" means water from aquifers or other underground sources;

"holder" means a person who has been granted water permit under this Act;

"Integrated Water Resources Management" means the subscribed principles of integrated water resources management which promote the coordinated development and management of water, land and related resources in order to maximize the resultant economic and social welfare in an equitable manner without compromising the sustainability of vital ecosystems;

"Minister" means the Minister responsible for Water Resources and Ministry shall be construed accordingly;

"National Water Basin" means a National Water Basin declared by the Agency under section 24;

"pollution" means any natural, man-made or man aided alteration of the chemical, physical or biological quality of the environment to the extent that it is detrimental to the environment or beyond acceptable limits and pollutants shall be construed accordingly;

"protected catchment area" means any area declared by the Minister to be preserved for the protection of water resources in or derived from the area;

"Water Catchment Area Management Committees" means the Water Catchment Area Management Committees established by section 27;

"reserve" in relation to water resources means that quantity of water required to-

- (a) satisfy basic human needs for all people who are or may be supplied from the water resources; and
- (b) maintain significant environmental services of the water resource including protection of aquatic ecosystems;

"surface water" means any natural or man-made body of water flowing or standing on the surface of the land including rivers, streams, lakes, reservoirs, lagoons, wetlands, swamps, creeks deltas and estuaries;

"waste" means any material that is suspended, dissolved or transported in water (including sediment) and which is spilled or deposited on land or into water resources in such volume, composition or manner as to cause or be reasonably likely to cause the water resource to be polluted;

"water bodies" means any ground water or surface water;

"watercourse" means any natural channel or depression in which water flows regularly or intermittently;

"water resources" means all water flowing over the surface of the ground or contained in or flowing from any river, spring, stream, natural or artificial lake, part of a swamp, beneath a water course and all underground water but excluding any pond or swamp wholly contained within the boundaries of any private land;

"water resources of Sierra Leone" means all water resources in any form, including atmosphere, surface and underground whether the water resources are in territorial waters, exclusive economic zone or any area under the jurisdiction of the Republic of Sierra Leone;

"works" means any construction or activity for or related to use of water;

## PART II-ESTABLISHMENT AND FUNCTIONS OF NATIONAL WATER RESOURCES MANAGEMENT AGENCY

2. (1) There is hereby established a body to be known as the National Water Resources Management Agency which shall be responsible to ensure that the water resources of the country are controlled in a sustainable manner taking into account:

Establishment of National Water Resources Management Agency.

- (a) adopting natural river basin and aquifer boundaries as the basic units of management of water resources;
- (b) protecting the water resources for sustainability of the resource and protection of aquatic systems and recognizing the polluter-pays principle;

- (c) providing for existing customary uses of water and avoidance of significant harm to other users;
- (d) promoting the efficient and beneficial use of water resources in the public interest;
- (e) promoting community participation and gender equity in the allocation of water resources;
- (f) promoting conservation and recognizing the economic value of water resources;
- (g) reducing and preventing pollution and degradation of water resources; and
- (h) meeting international obligations in protecting and managing transboundary water bodies.

(2) The Agency shall be a body corporate having perpetual succession and capable of acquiring, holding and disposing of any property, whether movable or immovable, and of suing and being sued in its corporate name and, subject to this Act, of performing all such acts as bodies corporate may by law perform.

(3) The Agency shall have a common seal, the use of which shall be authenticated by the signatures of -

- (a) the Chairman or other member of the Board authorised either generally or specially by the Board in that behalf; and
- (b) the Director-General or some other person authorised by the Board in that behalf.

(4) The Agency and other water institutions established by this Act shall in the performance of their duties be guided by the following principles:

- (a) consultation and participation of relevant state institutions, local communities, women and other relevant stakeholders
- (b) management of water resources at the lowest possible level
- (c) administrative efficiency transparency and accountability; and
- (d) promotion of integrated water resources management.

(5) In implementing the principles under subsections (1) and (2) of this section, the Agency established under this Act shall promote the integrated water resources management and the coordinated management of:

- (a) economic development, social welfare and environmental sustainability;
- (b) land and water resources
- (c) the river basin and its adjacent marine and coastal environment; and
- (d) upstream and downstream interests.

**3.** (1) The property in and control of all water resources is vested in the Government and people of Sierra Leone. Use of water resources.

(2) Notwithstanding anything to the contrary in this Act or any other enactment, no person shall:

- (a) divert, dam, store, dredge, abstract or use water resources; or
- (b) construct or maintain any works for the use of water resources, except in accordance with the provisions of this Act.

(3) Notwithstanding the provision in subsection (2) a person may, without a permit: