



Appendix A: Water Act Chapter 14

(For the complete Act, see http://www.acts.co.za/ntl_water/index.htm)

CHAPTER 14

MONITORING, ASSESSMENT AND INFORMATION

Monitoring, recording, assessing and disseminating information on water resources is critically important for achieving the objects of the Act. Part 1 of this Chapter places a duty on the Minister, as soon as it is practicable to do so, to establish national monitoring systems. The purpose of the systems will be to facilitate the continued and co-ordinated monitoring of various aspects of water resources by collecting relevant information and data, through established procedures and mechanisms, from a variety of sources including organs of state, water management institutions and water users.

Part 1: National monitoring systems

Establishment of national monitoring systems

- 137.** (1) The Minister must establish national monitoring systems on water resources as soon as reasonably practicable.
 (2) The systems must provide for the collection of appropriate data and information necessary to assess, among other matters -
- (a) the quantity of water in the various water resources;
 - (b) the quality of water resources;
 - (c) the use of water resources;
 - (d) the rehabilitation of water resources;
 - (e) compliance with resource quality objectives;
 - (f) the health of aquatic ecosystems; and
 - (g) atmospheric conditions which may influence water resources.

Establishment of mechanisms to co-ordinate monitoring of water resources

- 138.** The Minister must, after consultation with relevant -
- (a) organs of state;
 - (b) water management institutions; and
 - (c) existing and potential users of water, establish mechanisms and procedures to co-ordinate the monitoring of water resources.

Part 2: National information systems on water resources

Part 2 requires the Minister, as soon as it is practicable to do so, to establish national information systems, each covering a different aspect of water resources, such as a national register of water use authorisations, or an information system on the quantity and quality of all water resources. The Minister may require any person to provide the Department with information prescribed by the Minister in regulations. In addition to its use by the Department and water management institutions, and subject to any limitations imposed by law, information in the national systems should be generally accessible for use by water users and the general public.

Establishment of national information systems

- 139.** (1) The Minister must, as soon as reasonably practicable, establish national information systems regarding water resources.
 (2) The information systems may include, among others -
- (a) a hydrological information system;
 - (b) a water resource quality information system;
 - (c) a groundwater information system; and
 - (d) a register of water use authorisations.

Objectives of national information systems

- 140.** The objectives of national information systems are -
- (a) to store and provide data and information for the protection, sustainable use and

- management of water resources;
- (b) to provide information for the development and implementation of the national water resource strategy;
- and
- (c) to provide information to water management institutions, water users and the public -
- (i) for research and development;
 - (ii) for planning and environment impact assessments;
 - (iii) for public safety and disaster management; and
 - (iv) on the status of water resources.

Provision of information

141. The Minister may require in writing that any person must, within a reasonable given time or on a regular basis, provide the Department with any data, information, documents, samples or materials reasonably required for -

- (a) the purposes of any national monitoring network or national information system; or
- (b) the management and protection of water resources.

Access to information

142. Information contained in any national information system established in terms of this Chapter must be made available by the Minister, subject to any limitations imposed by law, and the payment of a reasonable charge determined by the Minister.

Regulations for monitoring, assessment and information

143. The Minister may make regulations prescribing -

- (a) guidelines, procedures, standards and methods for monitoring; and
- (b) the nature, type, time period and format of data to be submitted in terms of this Chapter.

Part 3: Information on floodlines, floods and droughts

Part 3 requires certain information relating to floods, droughts and potential risks to be made available to the public. Township layout plans must indicate a specific floodline. Water management institutions must use the most appropriate means to inform the public about anticipated floods, droughts or risks posed by water quality, the failure of any dam or any other waterworks or any other related matter. The Minister may establish early warning systems to anticipate such events.

Floodlines on plans for establishment of townships

144. For the purposes of ensuring that all persons who might be affected have access to information regarding potential flood hazards, no person may establish a township unless the layout plan shows, in a form acceptable to the local authority concerned, lines indicating the maximum level likely to be reached by floodwaters on average once in every 100 years.

Duty to make information available to public

145. (1) A water management institution must, at its own expense, make information at its disposal available to the public in an appropriate manner, in respect of -

- (a) a flood which has occurred or which is likely to occur;
- (b) a drought which has occurred or which is likely to occur;
- (c) a waterwork which might fail or has failed, if the failure might endanger life or property;
- (d) any risk posed by any dam;
- (e) levels likely to be reached by floodwaters from time to time;
- (f) any risk posed by the quality of any water to life, health or property; and
- (g) any matter connected with water or water resources, which the public needs to know.

(2) The Minister may, where reasonably practicable, establish an early warning system in relation to the events contemplated in subsection (1).

Appendix A: Water Act Chapter 14 A-1