

Water Resources Authority Rules & Regulations

The Water Resources Authority (WRA) is the government agency that governs our industry. The following information was abstracted from their website and may be read in its entirety by visiting www.wra.gov.jm

Before any new well may be established on the island, an application for a permit to drill must be submitted. A permit is also required in order to alter an existing well (e.g. deepen or widen).

Abstraction and use of water from all surface or ground water sources requires a licence. The Water Resources Authority (WRA) should also be notified prior to changing the pump on any existing works; a new licence is required if this results in a change of the abstraction volume.

Applications are processed, and approved or refused within 60 days by the WRA Board at its monthly meeting. Applications are evaluated based on the following:

- The ability of the source to meet the demand reliably.
- The quality of the source to meet the demand standard.
- Existence of prior users with rights to the water.
- Impact of the disposal of any wastewater that may be generated.

The response of the WRA Board is communicated in writing to the applicant.

The granting of a permit for well drilling is valid for one (1) year from the date of issue. A permit fee of J\$30,000.00 is required. The Authority must be notified once drilling starts to monitor and ensure work is in keeping with permit or licence granted.

The grant of a licence to abstract and use water is valid for five (5) years from the date of issue. However if no water is abstracted within 1 year of grant the licence becomes null and void.

The Authority must be notified of the installation of flow meters for inspection. Granting of a permit/licence for a new surface or ground water source is made pending an advertisement of intention in a daily newspaper. The format of

the advertisement is set out by the WRA and must be posted at the applicant's expense. The advertisement must be placed twice, seven (7) days apart in a local newspaper. The local Post Office closest to the proposed site is asked to display documents related to the advertisement (site map and copy of the application).

The public has 21 days from the date of the first newspaper advertisement to submit objections to the WRA on the granting of a permit/licence. If no objections are received the applicant is advised of the grant of the permit/licence.

A formal permit/licence document is prepared and sent to the applicant. Well drillers have been advised not to proceed to drill wells without having seen this document.

Objections are addressed by the WRA in consultation with the applicant. There remains the option of appeals to the Minister with portfolio responsibility. The WRA may attach conditions to the permit/licence in order to protect the water resources and prior users of the resource.

Officers of the WRA under the law must have access to all works related to the drilling and testing of the licensed well. The well construction, yield and water quality test data must be submitted to the WRA for review in support of the application to abstract and use water. Well/yield tests are of a format prescribed by the WRA.

Where a small diameter core hole is required to ascertain lithology or to explore for groundwater, no permit to drill is required. The WRA requires formal notification of the intent to drill and reserves the right to refuse permission to drill an exploratory borehole. The WRA may stipulate the drilling of an exploratory hole to determine lithology and guide well design for wells to be completed in sand and gravel aquifers.

Where there is likely to be a discharge of effluent generated by the use of the water, evidence of an application to the National Environment and Planning Agency for a permit to discharge the effluent is a prerequisite for granting a licence to abstract and use water under Section 21 of the Water Resources Act 1995.

WATER RESOURCES ACT (1995)

The Water Resources Act (1995) provides for the management, protection and controlled allocation and use of Jamaica's water resources. It states the following in relation to the drilling of wells and the abstraction and use of water:

Part III, Section 17

Notwithstanding anything to the contrary in any existing enactment, the abstraction and use of water in Jamaica and the construction of any works for such abstraction and use shall be governed by the provisions of this Act, and accordingly nothing in any existing enactment shall be construed as derogating from any provision made by or pursuant to this act.

Part III, Section 19

No person shall abstract and use water; or construct or alter or cause to be constructed or altered any works for the abstraction and use of water except under and in accordance with a licence for the purpose granted to him by the Authority under this Act.

A person may abstract and use water without a licence if he has a right of access to the source of water; and the water is required only for domestic use which is defined as - (drinking, washing, cooking, and sanitary purposes in connection with a residence; or farming, gardening, watering of stock or pen keeping in connection with a household where the entire area of land does not exceed 0.5 hectares).

Part III, Section 34 (1)

No person shall sink, construct, enlarge or otherwise alter a well for the purpose of searching for underground water or for any other purpose unless, in accordance with this section, he has obtained the Authority's consent to do so.

Compliance with all the directives of the Water Resources Act (1995) is required by law.

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