

WATER USE PERMIT

DO WE NEED TO REGULATE WATER USE AND RELATED ACTIVITIES?

- Ghana is well endowed with water resources, but the amount of water available changes markedly from season to season and year to year.
- Distribution is far from uniform with the south-western part better watered than the coastal and northern regions.
- Availability of water is also decreasing owing to rainfall variability, rapid population growth, increasing environmental degradation, pollution of water bodies, and draining of wetlands.
- There is growing demand and competition for the use of water resources among the various uses – agriculture, hydropower production, water supply, and ecosystem sustainability.
- With the growing demand for water, there is a need for allocation of water for competing uses to ensure availability of adequate and good quality water for all and for socio-economic development for now and future.
- Rational management and development of Ghana's raw water resources is therefore necessary to promote sustainable economic growth and protection of life sustaining ecosystems.

ARE THERE LAWS THAT REGULATE WATER USE?

The laws that guide the regulation and management of water resources in Ghana are the:

- Water Resources Commission (WRC) Act, (Act 522 of 1996)
- Water Use Regulations, Legislative Instrument (LI 1692 of 2001) for the administration and issuance of Water Use Permits to regulate water abstraction and control pollution
- Drilling Licence and Groundwater Development Regulations (LI 1827 of 2006) to licence water drilling companies and regulate the development of groundwater resources.
- Dam Safety Regulations (LI 2236 of 2016) for regulating dam design, construction, operations, maintenance, and decommissioning to ensure uniform and adequate level of safety for all dams.

WHO OWNERSHIP OF WATER RESOURCES OF GHANA?

- Section 12 of Act 522 stipulates that *“the property in and control of all water resources are vested in the President for and on behalf of, and in trust for the people of Ghana”*.
- There is therefore no private ownership of water in Ghana. However, the President, or anyone so authorized, may grant rights for water use.
- The WRC is the agency authorised under section 13 and 16 of Act 522 to regulate and control the use of water resources, through granting of water rights and water use permits.

- Act 522 recognises all existing uses of water prior to the enactment of the Act. However, all existing claims to water uses not submitted to the Commission within twelve months after the Act came into force are now extinguished.

WHICH PERMITS EXIST UNDER THE LAW?

Individuals, agencies and authorities may obtain a permit for:

- Surface water and groundwater abstraction for domestic/municipal water supply, commercial, mining, industrial, irrigation, livestock watering, and construction.
- Hydraulic works involving stream channel alteration, diversion, damming, etc.
- Aquaculture (pond and cage)
- Recreation
- Navigation
- Hydropower generation
- Dewatering
- Underwater wood harvesting.

WHAT ARE THE BENEFITS OF REGULATING WATER USE?

The benefits of regulating water use activities include:

- Safeguarding the health of downstream water users
- Ensuring availability of water in adequate quantities and quality to sustain nature, biodiversity and the aquatic ecosystem,
- Minimizing water treatment costs,
- Providing legal security to the licensed water users,
- Providing basic information required for efficient water resources planning and management, and
- Encouraging sustained socioeconomic development through conflict avoidance and/or resolution over water use.

WHO SHOULD APPLY FOR A WATER USE PERMIT/WATER RIGHTS?

Individuals, institutions, companies, NGO's and agencies who are required to apply for a Water Use Permit/Water Rights include those who:

- Own their water supply such as mineral water producers, breweries, fruit juice and soft drink factories, textile and paper factories, hospitals, security agencies, schools, faith based organisations and farmers;
- Use motorized water pumps, which temporarily or permanently, pumps from a river/stream or underground (well and borehole);
- Construct weirs, dams, tanks or other works capable of diverting or impounding water inflow or more than 5 liters per second (432 cubic meters in any period of 24 hours)

WHO IS EXEMPTED FROM APPLYING FOR A PERMIT?

The following categories of water uses are exempt from acquiring a permit:

- Use of water for preventing or fighting fire
- Any water abstraction by manual means
- Water abstracted by mechanical means where the abstraction level does not exceed 5 liters per second
- Subsistence agriculture not exceeding one (1) hectare

HOW TO APPLYING FOR A WATER USE PERMIT AND BE REGISTERED

- Individuals, Institutions, NGO's, agencies and authorities that required to apply for water Use Permits may do so by visiting the online application portal www.wrcapp.org
Create an account by clicking on the *Create An Account* Button.
Complete the form that opens then login with the company's registration number and password.
- The manual application forms can also be downloaded from the Commission's website that is www.wrc-gh.org or obtained at a nominal fee from the office of the Water Resources Commission and submitted to the same office.

For more information on the Water Permit System and how to apply or register.
Please contact

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