

DWS requires the compulsory installation of water meters and monthly reporting of water used for commercial irrigation

On Friday the 17th of January, the Acting Director General of the Department of Human Settlements, Water and Sanitation published a notice in the *Government Gazette* requiring all irrigators to install water meters and report their monthly consumption. This notice specifically relates to those water users who do not form part of a Water User Association nor an Irrigation Board. Water users were given 30 working days to comply.

Section 22 (2), 26 (1) read with Item 4 of Schedule 3 to the National Water Act permits the authority, by declaration, to impose compulsory metering and reporting requirements on any lawful water user. Whilst other sectors have been required to measure and report on their consumption in the past, it is a relatively new requirement for water users in the primary agricultural sector who make use of water for commercial irrigation purposes. In 2017, a notice was published that required only those irrigators that formed part of a Water User Association or Irrigation Board to install meters and the obligation was imposed on the Association or Board itself to report the consumption of its members to the Department. Following Friday's publication however, this requirement will now extend to all commercial irrigators. These water users will be required to submit information directly to the Department using the email address applicable to the Water Management Area in which they operate.

The publication will certainly have a substantial impact on the sector. Aside from the administrative burden involved, water users are required to install the meters at their own cost and need to comply with the prescribed specifications. Those directly involved in irrigation will certainly be affected by this notice. Since the requirement is imposed on water users who are not part of an association, agribusinesses and financiers who finance clients that may be affected by the notice are encouraged to make the requirement known to their clients.

Since the notice was published in its final format and not as a draft for public comments, water users will be required to comply with the requirements within 30 working days calculated from the 17th of January. It has been mooted that the timeframe may not be realistic for 30 days is not a great deal of time. The notice is aimed at water users who are not part of associations so there may be a delay in communicating the notice to all affected parties. Furthermore, it remains to be seen whether sufficient meters that meet the requirements are available in this short time. For these reasons, Agbiz will be raising the issue of the timeframe with the Department through the various platforms available for engagement.

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