



**Water Wealth Protection Law**  
**Promulgated By Royal Decree**  
**No 29/2000**

**And The Two Executive**

**Regulations on Wells And Aflaj**  
**And The Use of Desalination Units On Wells**

## Royal Decree No. 29/2000

### Promulgating Water Wealth Protection Law

We, Qaboos bin Said, Sultan of Oman

After perusal of the State Basic Law issued by Royal Decree No. 101/96 and Royal Decree No. 82/88 declaring the Sultanate's water resources as national wealth, and

Royal Decree No 3/94 on Transfer of Responsibilities and Jurisdictions regarding Dams and Aflaj to the Ministry of Water Resources, and

In accordance with the requirements of public interest

#### HAVE DECREED THE FOLLOWING

- Article (1):** The attached law shall have effect on protection of water wealth
- Article (2):** The Minister of Water Resources shall issue the regulations and decisions necessary to implement this Law. Until then the current regulations and decisions shall remain applicable in such a manner that shall not conflict with the provisions of this Law.
- Article (3):** Royal Decree No 82/88 shall be annulled and all that contravenes this Decree or conflicts with its provisions shall be nullified.
- Article (4):** This Decree shall be published in the official Gazette and shall come into force with effect from its date of publication.

**Qaboos bin Said  
Sultan of Oman**

Issued on 10 Muharram 1421 A.H  
Corresponding to April 15, 2000

## Water Wealth Protection Law

**Article (1):** In application of the provisions of this Law the following words and expressions shall have the meaning assigned to each one of them unless the context otherwise requires:

**The Ministry :** The Ministry of Water Resources.

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**The Minister :** The Minister of Water Resources.

**Water :** Groundwater and surface water – save seawater- including water from wells, wadis, aflaj, dams, springs and rainwater in addition to water retained or produced in hydrological structures.

**Water pollution :** Any physical, chemical or organic change in water characteristics which renders it detrimental to public health.

**Protection zones:** Zones delineated by the Ministry in order to protect water sources and water supply well fields from pollution , over abstraction and salinity intrusion.

**Aquifer :** A geological strata composed of rocks or sediments saturated with water.

**Article (2):** Water in the Sultanate of Oman is considered a national wealth , the use of which is subject to controls set by the Ministry to regulate its optimum exploitation for the benefit of the overall development plans of the state.

Such controls shall include delineation of protection zones and determination of the activities prohibited in such zones without obtaining a permit, as well as the regulations governing digging and maintenance of wells and use of their water, as well as construction and maintenance of aflaj, in addition to water monitoring regulations and procedures set to detect water pollution.

**Article (3):** The Ministry shall take the necessary actions and measures to prevent water deterioration in terms of quality and quantity in all areas of the Sultanate and shall take remedial actions if such deterioration occurs.

**Article (4):** The governmental institutions shall provide the Ministry with available data on :

- A. Quantities of water consumed in the uses that fall within their jurisdiction
- B. Quantities of water required for implementation of their future plans and projects

**Article (5):** Activities that adversely affect aquifers shall be prohibited, regardless of who owns the land in which the aquifer lies.

It is not permissible to do any work which may alter aflaj routes or utilities without obtaining a permit from the Ministry.

**Article (6) :** The employees appointed by a Decision of the Minister shall have judicial powers as to the implementation of the provisions of this Law and its implementing regulations and decisions.

**Article (7):** The Minister shall issue a decision fixing the fees payable by companies and individuals who need to obtain permits for well digging or any other works related thereto, including maintenance, deepening and widening of wells as well as replacement or installation of pumps or desalination units on such wells. The Minister shall also issue a decision fixing fees payable against registration and inventory certificates as well as fees for registration and renewal of registration of contractors working in the field of well digging and works related thereto.

Any person who receives monthly benefits under the Social Security Law shall be exempted from such fees.

**Article (8):** Without prejudice to any severer penalty provided for in any other law, whoever violates the provisions of Article (2) and its implementing regulations and decisions and Article (5) of this Law shall be punished with imprisonment for a period not exceeding one year and with fine not exceeding RO 2000/- or by either of the two penalties. The penalty shall be doubled in case of repetition of violation.

**MINISTERIAL DECISION NO 264/2000 ISSUING THE  
REGULATIONS ON WELLS AND AFLAJ**

In accordance with Royal Decree No 100/ 89 establishing the Ministry of Water Resources and specifying its duties & responsibilities; and

Royal Decree No 3/94 on Transfer of Responsibilities and Jurisdictions Regarding Dams and Aflaj to the Ministry of Water Resources, and

Royal Decree No 29/2000 promulgating Water Wealth Protection Law, and

Ministerial Decision No 13/95 promulgating the Regulations on Wells and Aflaj; and

In accordance with the requirements of public interest,

**IT HAS BEEN DECIDED:**

**Article (1) :** The provisions of the attached Regulations on Wells and Aflaj, shall take effect.

**Article (2) :** Ministerial Decision No 13/95 referred to above shall be repealed.

**Article (3) :** This Decision shall be published in the Official Gazette and shall come into force from its date of publication.

Issued on 3 Jamadah 2 1421 A H.

Corresponding to September 2 2000.

Hamid bin Said bin Mohammed Al Aufi.

Minister of Water Resources.

# REGULATIONS ON WELLS AND AFLAJ

## Chapter One

- Article (1) :** In application of the provisions of these Regulations the following words and expressions shall have the meaning assigned to each of them unless the context otherwise requires:
- The Minister :** The Minister of Water Resources
- The Ministry :** The Ministry of Water Resources
- The Department :** Regional Water Resources Department .
- Well :** A hole excavated or drilled into the earth whether in the form of an open well or a borehole with the aim of discovering , monitoring or exploiting groundwater , regardless of its depth or diameter or the quantity or quality of water abstracted from it.
- Permit :** The approval issued for construction , development, maintenance , deepening of a water well or for increasing its capacity or installing a pump on it.
- The Applicant :** Any natural or juristic person who submits an application for inventory , registration, drilling , maintenance , deepening , development or increasing the capacity of a well or a falaj.
- Well development :** A technical process whereby the yield of the well is improved in terms of quantity or quality of abstracted water.
- Well inventory and registration certificate :** An official document issued by the Department, stating that the well is inventoried and registered.
- Well Registration Plate :** A plate issued by the Department containing inventory details.

<b>Water meter :</b>	A piece of equipment approved and sealed by the Ministry, used for measuring the rate or quantity of water pumped from a well .
<b>Aquifer :</b>	A geological strata composed of rocks or sediments saturated with water.
<b>Falaj :</b>	A channel dug into the earth or running along the earth's surface that is used to collect groundwater or natural spring water or to halt and collect flood water in order to be distributed and used for various purposes.
<b>Mother well :</b>	A point where water first begins to flow in the falaj.
<b>Falaj extension:</b>	Extension of the falaj channel to a direction upstream to the mother well.
<b>Contractor :</b>	A natural or juristic person registered with the Ministry whose job is to construct ,develop, maintain or increase the capacity of water wells , or install pumps thereon whether for himself or for others and whether with or without consideration, including persons who undertake other works related to water resources.
<b>Work Completion certificate :</b>	A document prepared by the Ministry for the contractor to record all actions and works performed during the period of construction, development , maintenance or test of the well or during the period in which a pump is installed on the well, including all hydro-geological data and other types of data specified in that document .
<b>Protection zones :</b>	Locations in which water supply well fields and aflaj protection areas lie.
<b>Deficit Areas :</b>	Areas in which groundwater abstraction rates exceed natural recharge to levels that adversely affect water quality or quantity.
<b>Open areas :</b>	Areas with surplus fresh or brackish water.
<b>Barren lands :</b>	Agricultural land not under cultivation.



## Chapter Two

### Well registration procedures

**Article (2):** Each new or substitute well constructed after the end of July 1990 should have a legal permit and should be inventoried and registered , otherwise it shall be considered illegal.

**Article (3):** Whoever acquires a legal well shall submit an application to the Department to register the well under his name . The Department shall visit the site and verify the validity of the well data. Then a certificate stating that the well is inventoried and registered shall be issued under the previous registration or inventory number , if any.

**Article (4):** Upon approval of the Minister or the person authorized by him, inventory and registration of wells which were not previously registered, may be carried out in the following cases:

- A. If the applicant proves that he was outside the country or he was admitted to hospital during the registration period or that the well was a subject matter of a dispute on which a judicial judgment has been awarded.
- B. Minors and widows
- C. Nomads and inhabitants of remote areas
- D. Governmental wells and aflaj support wells

**Article (5):**

Well registration shall be cancelled in the following cases :

- A. If the well is dug without obtaining a valid permit
- B. If the well depth has never reached the groundwater table in the area

The owner of the well and the Wali shall be notified of the registration cancellation and the reasons. The owner shall backfill the well within thirty days from the date of his notification by a registered letter. If he fails to do so within the prescribed period , legal procedures shall be taken against him.

## **Chapter Three**

### **Well permits**

**Article (6):**

No natural or juristic person shall perform one or more of the following works without obtaining a permit from the Ministry :

- A. Constructing a new well
- B. Increasing the capacity of an existing well through
- C. deepening of the well or widening its diameter
- D. Repairing or maintaining an existing well without
- E. increasing its depth or diameter
- F. Substituting an existing well for a new one
- G. Changing the permitted use of the well
- H. Installing a new pump on the well
- I. Transporting and selling water

Deepening a falaj mother well.

Replacing a pump installed on a well by another pump of a higher capacity

The Department shall decide on the application for pump replacement within a period not exceeding four days from the date of its submission.

**Article (7):** For approval of drilling permits, it is required that the applicant be the owner of the land. Exempted from this rule are the following cases :

- A. Governmental projects which require nearby and temporary water sources for the purpose of work completion
- B. Governmental establishments or public authorities which require temporary water sources for contingency purposes
- C. Wells constructed for exploration or monitoring purposes
- D. Wells constructed to support oil exploration
- E. Aflaj supporting wells constructed by the Ministry.

In such cases the Directorate General of Regional Affairs shall ask the concerned department to inspect the site.

**Article (8):** Before being issued a permit for undertaking any of the works stated in Article (6) the applicant shall make a deposit in the Department in accordance with the following :

1. RO 100 for a permit to dig a new or a substitute open well
2. RO 200 for a permit to drill a new or substitute borehole
3. RO 50 for a permit to deepen a falaj support well or to undertake deepening, widening or maintenance works on any well whatever its type.

Government units and persons who receive social security payments under the Social Security Law and persons whose monthly income is less than RO 100 shall be exempted from such deposit.

**Article (9):** The permit shall be for one well and shall be valid for one year. The permit holder shall notify the Department of the date of commencement and completion of Work.

**workArticle (10):** After completion of any of the works referred to in Article 6, the permit holder shall apply for registration of his well and shall submit the required information to the Department within a maximum period of fifteen days from the date of work completion. The Department shall, after verification of compliance with the conditions sated in the permit , pay back the deposit and issue the Inventory and Registration Certificate if the well is new.

If work is not completed within one year, the permit shall be cancelled and considered as if it never had been issued and the deposit shall be paid back.

**Article (11)** All concerned shall help the designated employees to inspect the well, take samples and collect required data.

**Article (12):** Subject to well spacing, an application for a substitute well may be approved in the following cases :

- A.** Deterioration of quality or quantity of water of the old well to the extent that it becomes unsuitable for its intended use or insufficient to supply the quantity of water required for the purposes specified in Appendix No (2)
- B.** If deepening becomes dangerous, impossible or ineffective because of the diameter or dimensions of the existing well or because of the bad condition of the well or its construction technique.
- C.** Failure of the well used wholly or partially to irrigate seasonal crops due to its collapse or erosion of the borehole casing to the extent that it becomes incapable of providing water for crops

In all cases mentioned above, one of the two wells shall be backfilled and water use shall be restricted to the well which proves to be the best whether the existing well or the substitute well.

**Article (13):**

Deepening of wells requires that wells should have been already inventoried, registered, under use and containing water, but such water is not sufficient for the purposes specified in Appendix No (2). Deepening may also be allowed in cases where well yield is low to the extent that the well needs to be pumped several times a day, a matter which causes troubles to the well owner. In such a case, suitability of the pump and its installation should be verified before approval of the permit for deepening.

No well deepening permit shall be given to establish a new farm or to increase the area of cultivated land, or if the farm owner uses another source of water sufficient to provide the existing trees and plants with their water requirements whether such source is inside or outside the farm. Instead, the well diameter or dimensions may be increased or the pump's depth or specifications may be changed in order to achieve the same objective if it is technically feasible.

**Article (14):**

For approval of permits to construct or deepen community wells in accordance with Article (13) in order to supply water to a group of people who have no individual wells or another water source, the following conditions shall be fulfilled:

- A. Approval of well construction should be obtained from the authorities concerned.
- B. The distance from the nearest water source should not be less than one kilometer.

- C. A written consent should be obtained from the agents of aflaj in the area if the well falls within the protection zones of such aflaj. If such consent is denied, the Ministry may grant the permit after ascertaining that the aflaj flows will not be adversely affected and that there are no other obstacles.
- D. Water uses shall be restricted to drinking and domestic use.
- E. Number of beneficial houses shall not be less than five.
- F. The group applying for the permit shall bear drilling, deepening, maintenance or extension costs.

**Article (15):** Public supplies shall include water supplies provided by the relevant governmental units to schools, hospitals, mosques, towns and villages. If the permit is required for a new well within a distance of 3.5 km from the mother well of a falaj, the applicant shall obtain a written consent from the falaj agent certified by the Wali. Should such consent be denied, the Ministry may grant the permit after ascertaining that the falaj flow will not be adversely affected, all legal conditions are complied with and that there are no other obstacles.

**Article (16):** Open areas shall be determined by a ministerial decision. Until then all regions of the Sultanate are deemed deficit areas. None of the works specified in Article (6) shall be undertaken on wells existing in barren lands, save those in open areas.

**Article (17) :** The following conditions shall be observed as to the open areas:

- A. Potential impacts of development on existing water users
- B. Non interaction between wells
- C. Depletion of water resources in the area

**Article (18) :** No water shall be transported by any means to irrigate crops newly cultivated in a barren land unless a permit is obtained from the Ministry.

**Article (19):** Permits for drilling of new wells or sale and transportation of water from existing wells may be given in case of non-availability of another source of water or insufficiency of the existing source, provided that it shall not lead to a deterioration in the quality or quantity of groundwater in the area. No permit shall be given to sell or donate water from any well if such sale or donation will lead to the depletion of water storage or cause harm to neighboring water sources .

**Article (20):** No farm shall be supplied with water through pipes or canals from adjacent wells without a prior permit in case of :

1. Pump breakdown
2. Well collapse
3. Occurrence of drought in the area
4. Deterioration of water quality of the well

Such permit shall be no longer valid when the reasons for its issue cease to exist. Extensions and connections made under the permit shall be removed at the expense of the permit holder.

**Article (21):** A. The Ministry shall determine the quantity of water to be taken from each well . In doing so the Ministry may compel the well owner to install a water meter according to specified conditions and specifications. Installation of water meter may be undertaken by the Ministry at the expense of the well owner. The well owner must stick to the amount of water determined by the Ministry . Meter reading shall constitute a sufficient evidence in regard to the amount of water abstracted from the well .

Each meter shall be sealed by the Ministry and change or removal or deactivation of the meter by the well owner without consulting the Department shall constitute a breach of the provisions of these Regulations.

- B. The well owner shall help to ease the job of the Ministry's employees in regard to installation, maintenance and taking readings of water meters and any other related works. In case of water meter breakdown the well owner shall inform the Department immediately.

## **Chapter Four**

### **Well permits Procedures**

**Article (22):** Well permit applications shall be submitted to The Department on the prescribed forms together with a document showing that the applicant owns the site of the well . In case of exiting wells a copy of the well inventory and registration certificate shall be attached to the application.

**Article (23):** If the application pertains to construction of a new or additional well that falls within a protection zone, the applicant shall be notified of the refusal of his application by a registered letter and there will be no need to visit the site. In areas other than protection zones the Department shall visit the site in the presence of the applicant and shall prepare a report showing the findings of the visit.



**Article (24):<sub>x</sub>** If the applicant fails to attend at the time specified for the visit, his application shall be placed in a waiting list . If he fails to attend for the second time without an acceptable excuse his application shall be deemed void.

**Article (25):** If the permit application is rejected, the applicant shall be notified by a registered letter showing reasons for rejection according to Appendix No (1) . He may appeal to the Minister against the rejection within a period of thirty days from the date of notification.

**Article (26):** The permit shall be issued on the prescribed form and shall be handed over to the applicant with a copy to the contractor, if any.

**Article (27):**

- A.** Each person issued with a well permit shall apply to the Department for inventory and registration of the well in the prescribed form. Work completion certificate shall be attached to the form.
- B.** The Department shall issue the well inventory and registration certificate on the prescribed form after inspecting the site and ascertaining that all conditions are complied with by the well owner and the contractor, in which case the deposit shall be paid back.
- C.** If the site inspection establishes non-compliance of the permit holder or the contractor with the conditions stated in the permit, the permit holder or the contractor shall be notified of the procedures to be followed in order to redress the state of non-compliance within thirty days from the date of notification.
- D.** If the permit holder does not perform any work during the validity period of the permit the deposit shall be paid back to him upon return of the original permit.

**Article (28):**

The permit form shall include the following details:

- Name, address and designation of the permit holder
- Permitted work
- Permitted uses
- Well site
- Well type (open well or borehole)
- Well depth
- Well diameter and dimensions
- Diameter of discharge pipe
- Pump size
- Daily yield

### **Chapter five Procedures for Aflaj permits.**

**Article (29):**

Aflaj owners and agents shall obtain permits from the Department before making any extensions or repairs or maintenance in their aflaj ( from the shari'a to the mother well). Exempted from that are the necessary urgent repairs provided that the Department shall be notified of the same.

**Article (30):**

If it is proved that extension or maintenance of the falaj is taking place without a permit, the falaj agent and the contractor shall be notified to suspend work until a permit is obtained .

In all cases the Wali shall be notified of all works performed on aflaj and the Wali should inform the Department of any work being carried out.

### **Chapter six Registration and duties of contractors.**

**Article (31):**

Each contractor who works in the field of construction, development, maintenance or test of wells or installation of pumps thereon or any other related works, shall register with the Ministry in accordance with the form designed for this purpose.

The Ministry shall classify the contractors into categories according to their financial and technical capabilities.

**Article (32):** The Ministry may refuse to register or to re-register any contractor. In such a case the reason for refusal shall be explained and the contractor whose application is rejected may submit a new application after making good the points of rejection .

The registration shall be valid for a period of two years and may be renewed for further periods.

**Article (33):** Works provided for in Article (6) shall be carried out by the registered contractors after payment of the deposit provided for in Article (36). The contractor shall also pay the deposit provided for in Article (8) if the permitted work shall be carried out for the contractor himself.

The Ministry may allow individuals or groups to carry out such works by themselves after payment of the deposit provided for in Article (8) if they so require.

**Article (34):** The contractor shall seek to ascertain the existence of a valid permit before commencement of any of the works provided for in Article (6) . He shall also display a copy of his registration certificate and a copy of the permit at the work site.

**Article (35):** The contractor shall perform the work in accordance with work specifications set by the Ministry and in line with the principles of sound professional practices . If it is impossible to carry out any of the works stated in the permit, the permit holder shall apply to the Department for a permit to carry out a suitable alternative work.

**Article (36):** The contractor shall pay the following deposit to the Department or provide an unconditional bank guarantee equal to the amount of the deposit:

1. RO 100 for digging of a new or a substitute open well
2. RO 500 for drilling of a new or a substitute borehole.

3. RO 100 for maintenance, deepening or widening of any well

The deposit shall be paid back to the contractor after fulfillment of the requirements provided for in Articles 34 and 35.

## **Chapter Seven Violations**

**Article (37):** In case of violation of these Regulations, the Department employees shall record the registration numbers of the equipment found in the site and fill in the well permits violations form. They shall also ask ROP to impound any equipment in the site belonging to any contractor who is not registered or any contractor who performs any work on a well without a valid permit . Necessary legal procedures shall be taken against such contractors.

**Article (38):** The Ministry may engage a contractor according to the adopted financial regulations to remedy the effects of any violation at the contractor's expense if the violator can not be identified or if he refuses to effect the required corrective measure himself. In doing so the Ministry may impose administrative seizure.

## **Chapter Eight Penalties**

**Article (39):** Whoever digs a new or a substitute well without a valid permit shall be punished with imprisonment for a period of not less than two weeks and a fine not exceeding RO 1000 or by either of the two penalties. He shall be compelled to backfill the well at his own expense.

**Article (40):** Whoever performs any of the works provided for in paragraphs B, C, E, ,F,G, H or I, of Article (6) shall be punished with imprisonment for a period of not less than one week and a fine not exceeding RO 500 or by either of the two penalties. He shall be compelled to restore the situation to its former state at his own expense.

**Article (41):** Whoever breaches any of the conditions of the permit, shall be punished with imprisonment for a period of not less than one week and with a fine not exceeding RO 500 or by either of the two penalties. He shall be compelled to restore the situation to its former state at his own expense .

**Article (42):** Any contractor who performs any of the works provided for in Article (6) without being registered with the Ministry, shall be punished with imprisonment for a term not less than two weeks and with fine not exceeding RO 1000 or with either of the two penalties. He shall be compelled to restore the situation to its former state at his own expense .

**Article (43):** Each registered contractor who performs any of the works provided for in paragraphs B, C, D E, ,F,G, H or I, of Article (6) without obtaining a valid permit, shall be punished with imprisonment for a term not less than three weeks and a fine not exceeding RO 1500 or with either of the two penalties. He shall be compelled to restore the situation to its former state at his own expense .

**Article (44):** Each registered contractor who digs a new or a substitute well without a valid permit, shall be punished with imprisonment for a term not less than two months and a fine not exceeding RO 2000 or with either of the two penalties. He shall be compelled to backfill the well at his own expense .

**Article (45):** Whoever violates a provision in these Regulations shall be punished with a fine not less than RO 50 and not more than RO 500 if no specific punishment is prescribed for such provision. He shall also be compelled to restore the situation to its former state at his own expense .

**Article (46):** The penalties provided for in the preceding articles shall be doubled in case of repetition of the same violation.

## Appendix No (1)

### Reasons for rejection of applications for well permits

1. The location falls within protection zones.
2. The location falls within deficit areas.
3. Increased water abstraction will lead to intrusion of saline water.
4. Water abstraction at the site will be detrimental to adjacent wells.
5. The well is not registered
6. Water supplies available from the existing well are sufficient to satisfy the current demand for water.
7. Water supplies available from the existing well are sufficient for existing trees and cultivated plants
8. Availability of another source of water supply at the same location
9. The farm has a share in falaj water
10. Water quality in the location is not suitable for the intended purpose
11. Failure to prove ownership of the location
12. No existing well.
13. The well is dry

## Appendix No (2)

### Guidelines for well permits policy

No	Permit purpose	Falaj protection zones/3.5 km			Deficit areas			Open areas		
		New well	Substitute well	Well deepening	New well	Substitute well	Well deepening	New well	Substitute well	Well deepening
1	To increase the area of the agricultural land or to cultivate a barren land	No	No	No	No	No	No	Yes	Yes	Yes
2	To maintain existing farms (fruit trees and date palm)	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
3	To maintain existing farms (other crops)	No	No (save cases of constructional failure)	No	No	No (save cases of constructional failure)	No			
4	To support a falaj within its own protection zone	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
5	To support a falaj within the protection zone of another falaj	Yes (after obtaining the consent of the agent of the other falaj)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
6	Public water supplies (MEW) for mosques, schools & hospitals	To apply Article 15 of these Regulations	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
7	Private water supplies for domestic purposes and animal consumption within towns and villages where other water sources are available	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes



8	Private water supplies for domestic purposes and animal consumption (outside towns and villages and several kilometers away from the nearest water source)	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
9	Manufacturing (other than fodder production)	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
10	Tree planting & Landscaping	No	Yes for tree planing only	Yes for tree planing only	No	Yes for tree planing only	Yes for tree planing only	Yes	Yes	Yes	
11	Industrial estates	To be dealt with by the DG Water Resources Management									
12	Individual industries	No	No	No	No	Yes	No	Yes	Yes	Yes	
13	Exploration and Monitoring	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
14	Sale of water	No	No	No unless no other water source is available for consumers	No	No	No unless no other water source is available for consumers	Yes	Yes	Yes	

#### Important Notice

Currently there are no open areas. When such areas do exist they shall be declared by a Ministerial Decision. Until then all areas are considered deficit areas.

## **MINISTERIAL DECISION NO. ( 243/97)**

**On**

### **Issuing Regulations for Organizing the Use of Water Desalination Units in Wells (1). (2).**

In accordance with Royal Decree No .(82/88) on considering water Supplies as national wealth,

And Royal Decree No. (100/98) on establishing the Ministry of Water Resources and defining its specialities,

And Ministerial Decision No. 13/95 on issuing Regulations for Organizing Wells and Aflaj,

And in accordance with the requirements of Public interest,

#### **It is Decided**

**Article (1) :** The Provisions of the attached Regulations shall be Put into effect in organizing the use of water desalination units in wells.

**Artice (2) :** The Decision shall be published in the Official Gazette and become effective as of its publishing date.

**Hamid bin Said bin Mohammed Al-Aufi  
Minister of Water Resources**

**Issued on: 23/6/1418 A.H.**

**Corresponding to: 25/10/1997**

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(1) Amended by Ministerial Decision No. 263/2000, issued in the Official Gazette (Volume 679), issued on 17 Jamada Al-Thania 1421, corresponding to 16 September 2000.

(2) Article one of Decision No. 263/2000 stipulates that: the terms "permit" and "permits" shall be replaced by the terms "license" and "licenses" wherever they occur in the above mentioned Regulations for Organizing the Use of Water Desalination Units in Wells.

# REGULATIONS ON THE USE OF WATER DESALINIZATION UNITS ON WELLS

## Chapter one

### General Provisions

- Article (1):** Unless the context otherwise requires, the following expressions shall have the meanings assigned to each one of them:
- The Minister :** The Minister of Water Resources
- The Ministry :** The Ministry of Water Resources
- The Department :** The Regional Water Resources Department
- Water Desalination Units :** The apparatus through which dissolved salts are separated from water in order to render it suitable for the intended uses.
- Waste brine :** Substances resulting from desalination process which are harmful to water resources.
- The Permit :** The permit granted under these regulations for operation, replacement or installation of a desalination unit on a new or existing well or for drilling of a new well to dispose of waste brine.
- The Applicant :** Any individual, group, institution, company, or governmental or non-governmental organization who submits an application for operation, replacement or installation of a desalination unit on a well or for drilling of a new well to dispose of waste brine.

- Registration Certificate :** A document showing the registration of a new or existing desalination unit or waste brine disposal well, issued by the Department to the owner of such unit or well.
- Registration Plate :** The plate issued by the Department, which carries the registration number and any other information.
- Article (2):** As from the effective date of these Regulations, no desalination unit shall be operated, maintained or installed on a well and no well shall be drilled for disposal of waste brine, without obtaining the necessary permit from the Department.
- Article (3):** Registration of existing and new desalination units, pursuant to the provisions of these Regulations, shall only be made on wells inventoried and registered in accordance with the Regulations on Wells and Aflaj.
- Article (4):** Any person who acquires a water desalination unit or a well for disposal of waste brine registered according to the provisions of these Regulations shall ask the Department to register the same under his name within a period of three months.
- Article (5):** The Department shall have the right to specify the productive capacity and the uses of the licensed desalination unit. In order to do so, the Department may compel the owner to install a water meter on the outlet of the unit.

(1) Amended by The Ministerial Decision No 263/2000

## **Chapter Two**

### **Registration of existing desalination units installed on wells**

**Article (6):** The application for registration of existing desalination units installed on wells shall be submitted to the Department in the prescribed form within six months of the effective date of these Regulations. The application shall specify the methods of disposal of waste brine and the storage of chemicals used in desalination process.

**Article (7):** After conducting the necessary examination and verifying that disposal of waste brine and storage of chemicals used in desalination process are in conformity with the prescribed requirements, the Department shall issue the Registration Certificate and the Registration Plate of the unit.

## **Chapter Three**

### **Permits for installation of new desalination units**

**Article (8):** The application for operation, replacement or installation of a new desalination unit shall be submitted to the Department in the prescribed form.

**Article (9):** Upon being granted a permit to operate, replace or install a new desalination unit, the applicant shall deposit a sum of R.O 250/= with the Department to guarantee implementation of the works according to the requirements of the permit. Government establishments shall be exempted from such deposit.

**Article (10):** The permit holder shall, within 15 days of the completion of the permitted works, apply to the Department for registration of the desalination unit. After verification of the completion of the works according to the specifications in the permit, the Department shall refund the deposit and issue the Registration Certificate and the Registration Plate of the unit.

**Article (11):** No permit shall be granted for operation, replacement or installation of desalination units on wells lying within public water supply well fields and aflaj and dam protection zones.

**Article (12):** The permit shall contain details of the location, type and technical specifications of the unit as well as the validity period of the permit.

## **Chapter Four**

### **Permits for Waste brine Disposal Wells**

**Article (13):** The application for construction of a well for disposal of waste brine shall be submitted to the Department in the prescribed form.

**Article (14):** Upon being granted a permit to construct a well for disposal of waste brine, the applicant shall deposit a sum of R.O 250/= with the Department to guarantee implementation of the works according to the requirements and specifications of the permit. Government establishments shall be exempted from such deposit.

**Article (15):** A - The permit holder shall, within 15 days of the completion of the permitted works, apply to the Department for registration of the Waste Brine Disposal Well. After verification of the completion of the works according to the terms and specifications provided in the permit, the Department shall refund the deposit and issue the Registration Certificate and the Registration Plate of the well.

B - Waste Brine Disposal Well shall not be used unless the registration certificate has been issued.

**Article (16):** The permit shall include the terms and specifications set by the Department for Waste Brine Disposal Wells as well as the validity period of the permit.

## **Chapter Five**

### **Penalties**

**Article (17):** Notwithstanding any severer penalty stipulated by any other law, whoever violates the provisions of Articles 2, 4, 5 and 15-B of these Regulations shall be punished with the penalties provided for in Article (8) of the Water Wealth Protection Law promulgated by Royal Decree No.( 29/2000). In case of an offender refusing to comply with a judgment ordering the rectification of a violation, the Ministry shall rectify the violation at the expense of the offender (1).

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(1) Amended by the Ministerial Decision No 263/2000

**MINISTERIAL DECISION NO 263/2000**  
**AMENDING THE REGULATIONS ON THE USE OF**  
**DESALINATION UNITS ON WELLS**

In accordance with Royal Decree No 29/2000 on Water Wealth Protection law, and

Ministerial Decision No 342/97 issuing the Regulations on the Use of Water Desalination Units on Wells, and

In accordance with the requirements of public interest

**IT HAS BEEN DECIDED**

**Article (1)** The words "license" and " licenses" shall be replaced by the words "permit" and "permits" wherever they are mentioned in the Regulations on the Use of Water Desalination Units on Wells and the expression "inventoried and registered wells" mentioned in Article (3) of the same Regulations shall be replaced by the expression "registered wells"

**Article (2)** The provision of Article (17) of the above mentioned Regulations shall be replaced by the following provision:

"Notwithstanding any severer penalty stipulated by any other law, whoever violates the provisions of Articles 2,4,5 and 15-B of these Regulations shall be punished with the penalties provided for in Article (8) of the Water

**Article (3)** This Decision shall be published in the Official Gazette and shall come into force from its date of publication.

Issued on 3 Jamadah 2 1421 A H

Hamid bin Said bin Mohammed Al Afi  
Minister of Water Resources

Corresponding to 2 September 2000

1. Amended by Ministerial Decision No. 263/2000 published in The Official Gazette No. (679) issued on 17 Jamadah 2 1421 A-H corresponding to September 16, 2000.
2. Article (1) of the Ministerial Decision No. 263/2000 stipulated that the words "License" and "Licence" shall be replaced by "permit" and "permits" wherever they are mentioned in the Regulations on The use of Desalination units on Wells.