

V/4a – WATER LAWS IN GENERAL

SAUDI ARABIA – Royal Decree No. M 34: Regulations for preservation of Water Resources. – 7 July 1980. – Separate publication.

1. Without prejudice to legally established rights, water resources shall be considered a public property to be utilized in accordance with these Regulations and other rules in force.
2. Preservation of water resources and organization of methods of utilization thereof shall be the responsibility of the Ministry of Agriculture and Water and for this purpose it shall:
 - (a) Lay down the rules and procedures necessary for safeguarding water resources and protecting them against pollution.
 - (b) Organize the ways for water resources exploitation in a manner that ensures their availability and equitable distribution.
 - (c) Draw up the regulations for well drilling, dam construction and other water installations.
 - (d) Specify the capabilities which well drilling contractors should possess and classify them in categories according to their technical, managerial and financial capabilities.
 - (e) Carry out inspection and supervision to ensure that these Regulations and rules are enforced.
3. Priority in utilization of water shall be as follows:
 - (1) Basic human needs.
 - (2) Animal watering.
 - (3) Agricultural, industrial and urbanization requirements and other purposes.

Priorities in this case shall be defined by a resolution of the Minister of Agriculture and Water.

4. In emergencies or at the time of water shortage, the Minister of Agriculture and Water shall take necessary technical and administrative measures to ensure equality of distribution among beneficiaries in accordance with the priority scale provided for in the previous article. For this purpose, the Ministry may ban well drilling for a specific or unlimited period and define the amount of water for consumers, the ways and means for water consumption and uses and other necessary procedures to preserve available water and distribute it equitably.

5. The Ministry of Agriculture and Water shall repair or close wells that cause squandering of water wealth or lead to soil damage or water pollution at its own expense if such wells were drilled in accordance with a licence from the Ministry and its own instructions.

If wells were drilled otherwise, the Ministry shall repair or close them at the owner's expense if he fails to repair them within the period specified by the Ministry of Agriculture and Water.

6. No well may be drilled, dam built or any other water installations erected except after getting a licence from the Ministry of Agriculture and Water accompanied with the instructions to be followed as to execution.

7. (a) Well drilling contractors must obtain a licence from the Ministry of Agriculture and Water for exercising their activity and no permit is given save after the contractor has been classified.

(b) Contractors in the well drilling business before these Regulations were issued shall file applications for licence within a period of not more than one year after issuance thereof.

8. Well drilling contractors must not drill any well whose owner is not in possession of a licence provided for in the above Article 6. In case there is a licence, the contractor must abide by the instructions thereof and shall be required to repair a well which he drilled in violation of such instructions.

9. Anyone who violates the provisions of these Regulations and the by-laws thereof shall be penalized with a fine of not more than SR 100 000.

10. The Ministry of Agriculture and Water may revoke the licence in case the violation is repeated and a grievance against such a penalty may be lodged with the Grievances Diwan within one month after the penalty resolution has been issued.

11. Imposition of penalties provided for in these Regulations shall be incorporated in a resolution by the Minister of Agriculture and Water. Violations ascertainment, investigation and penalties enforcement of these

Regulations shall be in accordance with the procedures to be defined by the Interior Minister and the Minister of Agriculture and Water.

12. The Minister of Agriculture and Water shall issue the rules for implementation of these Regulations and they shall become effective from the date of publication.

13. These Regulations shall supersede and cancel anything contradictory to their provisions and shall enter into force three months after they were published in the official gazette published on 20.9.1400 (August 1, 1980).
