

THE DAR ES SALAAM WATER AND SEWERAGE
AUTHORITY ACT, 2001

ARRANGEMENT 01: SECTIONS

<i>Section</i>	<i>Title</i>
1.	Short title
2.	Amendment of section 3.
3.	Repeal and replacement of s.58.
4.	Repeal of sections 5C and 5D.
5.	Amendment of section 5E.
6.	Amendment of section 5F.
7.	Repeal of section 5H and 5G.
8.	Amendment of section 5 1.
9.	Repeal of sections 5J, 5K and 5L.
I 0.	Amendment of section 33
I 1.	Amendment of section 34
12.	Amendment of section 12.
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14.	Amendment of section 42.
15.	Amendment of section 43.
16.	Amendment of section 44.
17.	Amendment of section 45.
18.	Amendment of section 47.
19.	Revocation of the First Schedule.
20	Redesignation of Schedules and amendment of the redesignated First Schedule.



No. 12 OF 2001

I ASSENT,

President20th June, 2001

An Act to amend the Dar es Salaam Water and Sewerage Authority Act, 1981

ENACTED by the Parliament of the United Republic of Tanzania

I. This Act may be cited as the Dar es Salaam Water and Sewerage Authority (Amendment) Act, 2001 and shall be read as one with the Dar es Salaam Water and Sewerage Authority Act, 1981 hereinafter referred to as the "principal Act."

Short
title

2. Section 3 of the principal Act is amended by-

(a) deleting all references to the phrase "the Authority" and substituting for it the following

"Authority" means the Energy and Water Utilities Regulatory Authority established under the Energy and Water Utilities Regulatory Authority Act, 2001;

Amend -
ment of
section 3

3. Section 5 B of the principal Act is repealed and replaced as follows:

Repeal
and
replace-
ment of,
S.58

"Regulation by the Authority

5 B- (I) The Operator and DAWASA, in the exercise of their respective functions under this Act, shall be subject to regulation by the Authority.

(2) The Operator and DAWASA shall be required to obtain a licence issued for the purpose of performing their respective functions under this Act."

Repeal of
sections
5 C and
5 D

4. The principal Act is amended by repealing sections 5C and 5D.

Amend-
ment of
section
5E'

5. Section 5E of the principal Act is amended _

(a) in subsection (1) by deleting the whole of the passage "The functions of the Water Regulator in the DAWASA Designated Area shall be" which occurs at the beginning of that subsection and substituting for it the following:

"(1) Subject to the provisions of the Energy and Water Utilities Regulatory Authority Act, 2001, the functions of the Authority in relation to the regulation of the water supply and sewerage services in the DAWASA Designated Area shall be:-

(b) in paragraphs (I) and (n) of subsection (I) by deleting the words "Water Regulator" and substituting for them the words "the Energy and Water Utilities Regulatory Authority";

(c) in paragraph (q) of subsection (I) by deleting the words "to prescribe and publish" which occur at the beginning of that paragraph and substituting for them the words "to prescribe and cause to be published";

(d) in subsection (2) by deleting the words "Water Regulator" and substituting for it the word "Authority."

A m e n d -
ment of
section 5F

6. Section 5F of the principal Act is amended by deleting the words "Water Regulator" wherever it appears in that section and substituting for it the word "Authority"

Repeal of
section
5H and
5G

7. Sections 5I4 and 5G are repealed,

8. Section 51 is amended – (a) by deleting the whole of paragraph (1) and substituting for it the following: "(1) Subject to the provisions of the Energy and Water Utilities Regulatory Authority Act, 2001, the funds of the Authority in respect of its regulatory functions over the provisions of water supply and sewerage service in a DAWASA Designated area shall be derived from an annual levy on water and sewerage tariffs payable by customers to the operator but such levy shall not exceed one per cent of the Operator's revenue collections"; (b) in subsection (2) by deleting the words "Water Regulator" and substituting for them the word "Authority"; (c) in subsection (2) by deleting the words " shall publish" occurring in the 7 th and 8 th lines and substituting for them the words "shall cause to be published"; (d) by repealing subsection (3).	Amend- ment of section 51
9. Sections 5J, 5K and 5L are repealed.	Repeal of sections 5J.5K and 51,
10. Section 33 of the principal Act is amended in subsection (1) by deleting the words "Water Regulator" and substituting for them the word "Authority".	Amend- ment of section 33
11. Section 34 of the principal Act is amended in subsection (1) by deleting the words "Water Regulator" and substituting for them the word "Authority",	Amend- ment of section 34
12. The principal Act is amended in section 40 by deleting the word "fifteen" and substituting for it the word "hundred".	Amend- ment of section 12
13- The principal Act is amended in section 41 by deleting the word "one" and substituting for it the word "fifty".	Amend- ment of section 41
14. The principal Act is amended in section 42 by deleting the words "two thousand shillings" and substituting for them the words "fifty thousand shillings"	Amend- ment of section 42

- Amend-
ment of
section
43 15. The principal Act is amended in section 43 by deleting the word "three" and substituting for it the word "hundred".
- Amend-
ment OR
section 44 16. Section 44 of the principal Act is amended by deleting the words "one thousand shillings" and substituting for them the words "fifty thousand shillings"
- Amend-
ment of
section 45 17. Section 45 of the principal Act is amended in subsections (1) and (2) by deleting the words "twenty thousand Shillings" and the words "one hundred shillings" wherever they occur and substituting for them the words "two hundred thousand shillings" and the words "fifty thousand shillings" respectively;
- Amend-
ment of
section
47. 18. Section 47 of the principal Act is amended by deleting the words "five thousand shillings" and substituting for them the words "one hundred and fifty thousand shillings."
- Revoca-
tion of the
F i r s t
Schedule 19. The principal Act is amended -
(a) by revoking the First Schedule.
(b) by redesignating the Second and Third Schedules as the First and Second Schedules respectively.
- Redesigna-
tion of
Schedules
and
amenend-
ment OR
the rede-
signated
First
Schedule 20. The principal Act is amended by deleting paragraph (1) of the redesignated First Schedule and substituting for it the following:

"Compo-
sition of
the Board 1.-(I) The Board shall consist of -
(a) a Chairman who shall be appointed by the President;
(b) the Director - General;
(c) one member appointed by the Minister to represent the Ministry responsible for water;
(d) one member to represent the Ministry responsible for Finance;

- (e) six members appointed by the Minister-
 - (i) one from the Dar es Salaam City Council;
 - (ii) two representatives from large water consumers;
 - (iii) one representative of Community Water User Organization;
 - (iv) one representative from the Coast Region; within DAWASA designated area;
 - (v) one member from the body representing Private Sector.

Passed in the National Assembly on the 5th April, 2001.

Clerk of the National Assembly