

# THE WILDLIFE CONSERVATION AND MANAGEMENT ACT

(No. 47 of 2013)

IN EXERCISE of the powers conferred by section 116 (2) (g) of the Wildlife Conservation and Management Act, 2013, the Cabinet Secretary for Environment and Natural Resources, makes the following Regulations:-

## WILDLIFE CONSERVATION AND MANAGEMENT (JOINT MANAGEMENT OF PROTECTED WATER TOWERS) REGULATIONS, 2016

### PART 1- PRELIMINARY

#### Citation and commencement

1. (1) These Regulations may be cited as the Wildlife Conservation and Management (Joint Management of Protected Water Towers) Regulations, 2016.  
  
(2) These Regulations shall come into force on the date of their publication in the Kenya Gazette.

#### Interpretation

2. In these Regulations, unless the context otherwise requires—

“Act” means the Wildlife Conservation and Management Act, No. 47 of 2013;

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to wildlife;

“Committee” means a committee formed under Regulation 4;

“lead agency” means bodies involved in management of water towers, including: Kenya Water Towers Agency; Kenya Forest Service; National Environment Management Authority; Water Resource Management Authority; Agriculture, Fisheries and Food Authority; County Government;

“protected area” means a clearly defined geographical space, recognized, dedicated and managed through legal or other effective means, to achieve long term conservation of nature with associated ecosystem services and cultural values;

“Service” means the Kenya Wildlife Service established under section 6 of the Act; and

“protected water tower” means a water tower inside a national park, national reserve, or national sanctuary, including a water tower outside a protected area managed by the Service in collaboration with another government agency and

“water tower” means an area that acts as a receptacle for rain water and that stores water in the aquifers underneath it and gradually releases the water to the rivers and springs emanating from it.

### **Objectives**

3. The objectives of these Regulations include-

- (1) conservation of protected water towers; and
- (2) enhance cooperation between the Service and the lead agencies in management of protected water towers;

## **PART II- PROTECTED WATER TOWERS MANAGEMENT**

### **Joint water towers management**

4. (1) The Service shall in consultation with the lead agencies spearhead the management of protected water towers.
- (2) The Service may utilise protected water towers for commercial purposes.
- (3) The Service shall-
  - (a) undertake all measures necessary to conserve protected water towers;
  - (b) in consultation with other decentralized wildlife management entities, promote the development and implementation of water management legal instruments with the lead agencies;
  - (c) collaborate with the lead agencies to create a joint monitoring and evaluation system for optimal use and conservation of protected water towers;
  - (d) in consultation with other lead agencies formulate through public consultation a management strategy for each protected water tower; and
  - (e) recommend to the Cabinet Secretary any other measures necessary for the management of protected water towers.

### **Advisory committee on Joint water towers management**

5. (1) The Service shall spearhead the formation of an Advisory Committee with representation from the lead agencies, to facilitate joint management of protected water towers.
- (2) The Committee shall:
  - (a) review the status of the protected water towers every two years and make recommendations to the lead agencies on their proper management; and
  - (b) on authorization of the Service assist the Service in carrying out the functions under Regulation 4(2).

(3) The Service and the lead agencies shall take up and implement the recommendations of the Committee progressively.

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