

6 July 2026

Dr Sean Phillips
Director-General
Department of Water and Sanitation

Via EMAIL: [REDACTED]

Dear DG,

REQUEST FOR CLARITY ON SCHEDULE 1 WATER USE AND BOREHOLE REGISTRATION REQUIREMENTS

1. OUTA writes to request clarification from the Department of Water and Sanitation on the current water-use registration process and how it applies to Schedule 1 water use, particularly by domestic borehole users.
2. We note the Department's recent public communication calling on water users to register or update their water-use information within the 90-day period that commenced on 24 April 2026.
3. We further note that the Department has indicated that failure to comply may result in penalties, including a late registration fee and possible criminal consequences.
4. OUTA supports the responsible management of South Africa's water resources. Groundwater is a vital public resource, and effective data collection, monitoring and oversight are essential for water security, fair allocation and the protection of aquifers.
5. OUTA has received requests from the public to intervene in this matter following the Department's recent communication in April and May, which appears to have created uncertainty among ordinary households, especially those using boreholes for reasonable domestic purposes.
6. Schedule 1 of the National Water Act permits certain limited water uses without the need for a water-use licence. These include reasonable domestic use, small gardening not for commercial purposes, watering animals within certain limits, emergency use and other low-impact uses.
7. The Department's previous groundwater guidance has stated that a person does not register a borehole as such, but rather the water use, and that registration is not required where the groundwater use falls within Schedule 1. The recent notice also appears to confirm that Schedule 1 water users are exempt from registration, while commercial groundwater use, including boreholes used for commercial purposes, must be registered.
8. In light of the above, OUTA requests that the Department provide clear written guidance on the following:
 - 8.1 Whether ordinary households using borehole water for reasonable domestic use are required to register with the Department;
 - 8.2 Whether households using borehole water for small, non-commercial gardening are exempt from registration as Schedule 1 users;

- 8.3 Whether the Department distinguishes between registering a borehole, registering a groundwater abstraction point and registering a water use;
 - 8.4 Whether any volume threshold applies to Schedule 1 groundwater use and, if so, where this threshold is prescribed in law;
 - 8.5 Whether the 90-day registration period applies only to water uses that require registration, such as water-use licences, existing lawful uses and general authorisations, or whether it also applies to Schedule 1 users;
 - 8.6 Whether domestic borehole users whose use falls within Schedule 1 may face any penalty, late registration fee or criminal consequence for not registering with the Department;
 - 8.7 Whether municipal borehole registration requirements under local by-laws are separate from the Department's water-use registration process;
 - 8.8 Whether the Department intends to publish a simplified public guideline or FAQ to help households, businesses, farmers, body corporates, estates, schools, churches, guesthouses and other users determine whether they are exempt, must register, require a general authorisation, or must apply for a water-use licence;
 - 8.9 Whether the Department intends to treat households that rely on boreholes because of municipal water failures differently from commercial, agricultural, industrial or high-volume abstractors;
 - 8.10 Whether the Department will extend or clarify the registration period if the current uncertainty has prevented affected users from understanding their obligations.
9. OUTA is concerned that, unless the Department communicates this distinction clearly, ordinary residents may believe that all borehole owners are automatically required to register with the Department, even where their use falls within Schedule 1. This could cause unnecessary anxiety, administrative burden and public distrust.
10. At the same time, OUTA recognises that commercial, agricultural, industrial and high-volume groundwater abstraction must be properly regulated, measured and monitored. This request is therefore not aimed at weakening water governance, but at ensuring that the public understands the law correctly and that enforcement is fair, lawful and proportionate.

Given the public interest in this matter and the 90-day registration period currently underway, we would appreciate a written response as soon as possible.

Yours sincerely,

Julius Kleynhans
Executive Manager
OUTA

