
GUIDANCE NOTES FOR APPLICANTS COMPLETING THE APPLICATION FOR A LICENCE TO SUPPLY WATER BY WATER TANKER(S)

According to the Water Supply and Sewerage Services Regulations, 2004, (Legal Notice 525 of 2004), any water supplier who is providing or offering any service or operating any system mentioned in these regulations, and requiring a licence under these regulations, shall apply in writing to the Authority within three months of the coming into force of these regulations.

With effect from 1st September 2009 these regulations apply also to water suppliers who supply water to a customer by water tanker. **With effect from 15th January 2010, these regulations apply also to the supply of water for own use.**

Any person providing any services or operating any systems mentioned in these regulations, who contravenes or fails to comply with any of these Regulations shall be guilty of an offence against the provisions of these regulations, and shall, on conviction, be liable to penalties established by these Regulations.

These Guidance Notes have been prepared to assist applicants to complete the application form for a licence to supply water by water tanker.

1. An application form for a licence is required to be completed and submitted to the Malta Resources Authority by the applicant.
2. The application form consists of the following:

Part I

- i. Section A: General Information including applicant's details.
- ii. Section B: Technical information including details of :
 - a. the water tankers to be operated by the applicant;
 - b. the groundwater sources from which groundwater will be abstracted and eventually supplied by water tanker. Note: "*Groundwater source*" means any shaft, adit, opening, hole, spring outlet or well artificially dug in the ground or artificially enlarged, which has access to groundwater or from which groundwater is abstracted or can be abstracted or is vertically deeper than half the distance between the well head and the nearest water table at that point, but it does not include a water retaining cistern.
 - c. any rainwater collecting cisterns, wells, reservoirs from which water will be transferred for eventually supplied by water tanker.
- iii. Section C: Details of any regulatory approvals

Part II

- iv. Documents to be submitted with the application form.

Part III

- v. Declaration by the applicant
- vi. Declarations by the users of the groundwater sources and other sources.

Note: "User" of a groundwater source means the person who, solely or jointly with others, has the effective control of use over the property in which the groundwater source is situated.

"User" of any other source means the person who, solely or jointly with others, has the effective control of use over the property in which this source is situated.

- vii. Declarations by owners of the water tankers.

viii. Declaration by a Perit.

3. All relevant sections must be completed and documents specified in Part II are to be submitted together with the application. **An application for a licence shall be considered invalid if the information required is not submitted or if this is incomplete or incorrect.**
4. Supplementary information: Where insufficient space is provided in the application form, supplementary information must be submitted on separate sheets and attached to the application form. This information shall be considered as an integral part of the information submissions of the application.
5. Where the applicant is not:
 - i. **the owner of all the water tankers** indicated in Section B - No 28 of this application;
 - ii. **the sole user of all the groundwater sources** indicated in Section B - No. 29 of this application;
 - iii. **the sole user of all the other sources** indicated Section B - No. 30 of this application;

the applicant shall inform all the user(s) and/or owner(s), as applicable, of the application. Full details of these users and/or owners are to be submitted on separate sheet(s) and attached to the application. Separate declarations as required in Part III of this application form must be signed by all the users and owners.

6. **Section B – No. 26:** Applicant must indicate:
 - (a) the MRA Registration No. of each water tanker intended to be used for the supply of water and which registration was issued in accordance with the Water Tankers Registration Regulations, 1997 (LN 167 of 1997);
 - (b) Vehicle or Trailer Registration No. which is issued by ADT;
 - (c) Capacity in m³ of each water tanker;
 - (d) the intended use (potable water, non potable water or seawater) of the water tanker and in the case of tankers used for carrying potable water, applicants shall also indicate the Department of Health Registration No.;
 - (e) Details of the sources of water used;
 - (f) Location where tanker parked after working hours.
7. **Section B – No. 27:** Where applicant intends to use groundwater as a source to supply water by water tanker, applicant must indicate:
 - (a) the WSC Reference No. or MRA Receipt No. with respect to each groundwater source indicated in the application and which was issued in terms of the Registration of Groundwater Sources Regulations, 1997 (Legal Notice 120 of 1997) or the Notification of Groundwater Sources Regulations, 2008, (Legal Notice 255 of 2008);
 - (b) Details of the location of the groundwater sources;
 - (c) the estimated volume of groundwater that may be abstracted from each groundwater source.
8. **Section B – No. 28:** Where applicant is using rainwater collected in a well/cistern or reservoir as the source to supply water by water tanker, applicant must indicate:
 - (a) details of the location of the well/cistern or reservoir;
 - (b) the estimated volume of well/cistern or reservoir.

In addition, the rainwater catchment area of the well/cistern or reservoir should be indicated on the site plan. (Refer Part II – documents to be submitted with application).

9. Where applicant is abstracting groundwater and transferring this to a reservoir, only section B – No. 29 should be completed. However in the case where groundwater is blended with collected rainwater in a well/cistern/ reservoir then both Section B – No 27 and No 28 should be completed.
10. The following information shall be submitted together with the application:
 - (i) Copy(ies) of site plan(s): A4 extract from the latest Survey Sheets on a Scale of 1: 2500 and indicating:
 - location of each groundwater source indicated in Section B – No. 27 of this application;
 - location of each rainwater collection cistern, well and reservoir indicated in Section B – No. 28 of this application;
 - the rainwater collecting area(s) for each cistern, well and reservoir indicated in Section B – No. 28 of this application;

- the co-ordinates of each groundwater source and each rainwater collection cistern, well and reservoir, the north point and the distances from the nearest corner of an existing building for all sources indicated on all the site plans;
- positions from which the photographs were taken on the site plan.

These site plans shall be signed, dated, certified and attested by a Perit.

- (ii) For each source at least 2 colour photographs: one showing the location of the source (groundwater source or rainwater collection cistern/well/reservoir) and another showing the filling point for water tankers. The positions from which photographs were taken are to be clearly indicated on all the site plans. These photographs shall be signed, dated certified and attested by a Perit.
- (iii) Copy / copies of permits indicated in Section C – No. 32.
- (iv) At least 2 colour photographs of each water tanker registered for use by applicant showing registration plate.
- (v) Copies of vehicle/s, trailer/s log book/s
- (vi) Copies of insurance policy covering at least third party liability.
- (vii) Copies of driving licences of all drivers of the water tanker(s)
- (viii) Copy of trading permit
- (ix) Bank draft or personal cheque made payable to the Malta Resources Authority in respect of application fee of €58.23

In the case where the applicant is a company the following additional documentation should also be submitted with the application form:

- (x) Certified copies of the Memorandum and Articles of Association of the company or deed of partnership or other deed or authenticated agreement establishing the corporate body.
- (xi) Certified copy of the registration certificate of the company.
- (xii) Certificate of good standing issued by the Registry of Companies

11. **Section C – No 29 to 32** should be completed and additional details should be provided on separate sheets. With respect to **Section C No. 32**, copies of permits issued related to execution of commercial activity from the premises where the source is located and where filling operations of the water tanker(s) are carried out should be attached to the application form.

Section C is not required to be compiled when submitting an application for a licence to supply water for own use

12. **Regulation 5** establishes that:
- a. any water supplier who is supplying water to a customer by water tanker must apply for a licence to the Authority by **30th November 2009**
 - b. Any water supplier who is supplying water for own use by water tanker must apply for a licence to the Authority by **14th April 2010**.
13. According to **Regulation 7** of the Water Supply and Sewerage Services Regulations, 2004, a non-refundable application fee of **€58.23** is required to be paid together with the application. An application will be considered invalid if this payment is not submitted and received by the Malta Resources Authority together with the application to which it refers.
14. The application fee shall be paid by bank draft or personal cheque made payable to the Malta Resources Authority. No cash payments will be accepted.
15. The application for a licence to supply water by water tanker does not exonerate any applicant from obtaining any other permits or licences or other obligations required by law.
16. The completed application consisting in the application form, relevant payment, the documents specified in Part II of the application and any supplementary information attached to the application form shall be submitted by the applicant in a sealed envelope. The envelope should be clearly marked "**Application for a Licence to Supply Water by Water Tanker**" on the upper left hand side and preferably sent by post.
17. The opening hours to the public of the offices of the Malta Resources Authority are:

Summer: Monday - Friday: 8.00 am to 1.00 pm
Winter : Monday - Friday: 8.30 am to 12.30 pm and 12.45 pm to 4.00 pm

18. Any enquiry or query regarding the application for a licence to supply water by water tanker may be made by telephone on: **22955118** during office hours.

19. The completed application including all attachments and relevant payment are to be sent either by post to or deposited **in a sealed envelope** at the offices of the Malta Resources Authority and addressed:

**The Chief Executive Officer
Malta Resources Authority
Millennia
Aldo Moro Road
MARSA MRS 9065
MALTA**