

Implications of Dam Ownership

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Abstract. The dam owners are responsible for the safety of their dams. The importance of dam owners to establish a dam safety management system is emphasized. By adopting a comprehensive set of guidelines which impose a strict standard of care in relation to safety procedures in the design, construction, commissioning and operation of dams will enable the owners to have some certainty in respect of their civil and criminal obligations in the event of dam failure. The owner of a dam may be civilly liable for damage caused by processes which arise as a natural consequence of the existence of the dam. Adverse natural processes occurring which is attributed to the damming of the river, require the owner, under a duty of care to take all reasonable steps to prevent it. This paper discusses the technical obligation and legal implications of dam owners. Those areas whereby both owners and operators can be held legally liable for damage or potential damage will be discussed.

Keywords: Dam Owners, Dam Safety, Hazard, Guidelines, MyDAMS