



PALESTINIAN WATER AUTHORITY

Decree No.(14)
for the year 2014
Relating to the Water Law

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**Decree No.(14)
for the year 2014
Relating to the Water Law**

**The President of the State of Palestine
Chairman of the Executive Committee of the Palestine
Liberation Organization**

Reference to the amended Basic Law for the year 2003
And its amendments in particular Article (43),

And after reviewing the Palestinian Local Government
Law of 1997 No (1) and its amendments And reviewing
the Environmental Law No (7) and its amendments,

And the Water Law No (3) of 2002, And the Agricultural
Law No (2) of 2003, And upon the recommendation of the
Cabinet of Ministers on (13/05/2014), And based on the
powers granted to us under the law, And in pursuit of the
public interest, and in the name of the Arab Palestinian
People,

We issued the following decree by a law:

Chapter One

Definitions & General Provisions

Article (1)

Definitions

The following terms and expressions shall have the meanings specified herein, unless the context indicates otherwise:

The Authority: The Palestinian Water Authority.

The Head: The Head of Palestinian Water Authority.

The Council: The Water Sector Regulatory Council established in accordance with provision of this decree by a law.

Board of Directors: The Board of Directors of the Water Sector Regulatory Council.

Chairman of the Board of Directors: Chairman of the Board of Directors of the Water Sector Regulatory Council.

Water Resources: All water resources located

within the territorial and maritime boundary of the State of Palestine, whether conventional (surface or ground waters) or non- conventional.

Integrated Water Resources Management: The development, improvement and protection of water resources, and planning their utilization in an integrated and sustainable manner.

General Water Policy: The Policy set by the Authority and adopted by the Cabinet of Ministers for the preservation of natural political, and sovereign rights in the Water Resources, their utilization and projects in Palestine.

License: Written authorization issued by the competent authority for specific purposes or for specific works related to water or waste water, in accordance with the regulations issued for this purpose.

Permit: An approval issued by the competent authority for a limited period of time and for a specific activity to carry out the various tasks and activities as set forth by the Authority.

Harvesting: Harvesting of rainwater from any surface and directing it by appropriate methods for collection in a suitable place either for direct use or for storage and later use for various purposes.

Facility: Any facilities or works intended for water utilization, whether by extraction, collection, storage, treatment, or redistribution.

Water Recharge: Directing water to the lower layers (ground layers) of any Water Resource including flood waters or wastewater treated in accordance to approved standards, whether directly by natural recharge or by artificial recharge.

Sanitation: A system for collecting, disposing and treating Wastewater.

Reuse: Use of treated wastewater and water produced from treatment plants in accordance with the approved standards, either directly or through reclaim from underground reservoirs.

Ground Water Aquifer: Formation or geological

layers composed of materials which permit the infiltration of water and its storage and underground flow, and which are exploitable.

Well: Any facility aimed to reach ground waters.

Spring: The place of exit of ground water from underground in a natural manner.

Ground Waters: Waters situated in a groundwater aquifer.

Surface Waters: Any running or static waters above the ground surface, including streams, rivers, valleys, springs, channels, or any aggregation of waste water, lakes, and seas.

Right of management: The Authority's right to manage, supervise, plan, and regulate all Water Resources in accordance with the approved water policies and strategies, and taking into consideration existing rights of others

Service Providers: The National Water Company, Regional Water Utilities, local authorities, Joint Councils, and Associations that provide water or wastewater service.

The Company: The National Water Company established pursuant to the provisions of this decree by a law, which is responsible for the production and supply of bulk water at a national level.

Company's Board of Directors: Board of Directors of the National Water Company.

Regional Water Utilities: Institutions and utilities which provide water and wastewater services directly to the consumer.

Local Authority: Local Government Unit (LGU) established in accordance with the Local Government Law within a certain geographical and administrative scope.

Water Users Associations: Non-profit organizations that are established to manage the supply of irrigation water.

Pollution: Any change that occurs to the characteristics and components of water and which causes harm to human health and the environment.

Pollutant: Any material that could result in a change to the characteristics and components of water which may cause harm to human health and to the environment.

Water Quality Standards: Standards which the Authority shall participate in setting in co-operation with the relevant official bodies, that are aimed at maintaining optimum water quality.

Water Tariff Regulation: A Regulation based on detailed, clear and adopted criteria aimed at setting the price of water service provision for various uses.

Full Cost Recovery: The recovery of full real costs for all operation and maintenance expenses, capital expenditures and debt service.

Nonconventional Water Systems: Any facilities or infrastructure required for the provision of desalinated water or treated wastewater or other non conventional water resources.

Network: The set of pipelines branched from the main pipeline to the end user.

Environment: The space that includes living resources, air, water, soil, built structures, and interactions between them.

The Water Zone: A specified area surrounding a water resource or a water facility aimed at their protection from any external activity or impact or any kind of pollution.

Exploration: All operations related to searching for, and investigating water resources, including drilling, testing, conducting analysis, and any other detailed studies.

Water Budget: The amount of water available from all Water Resources and its division among the various sectors and regions.

Quota: The share of a water using sector from the available water.

Article (2)

Objective of the Law

This law aims to develop and manage the Water Resources in Palestine, to increase their capacity, to improve their quality, to preserve and protect them from pollution and depletion, and to improve the level of water services through the implementation of integrated and sustainable water resources management principles.

Article (3)

Ownership of Water Resources

All Water Resources in Palestine shall be considered public property, and the Authority has the power to manage these resources in a manner that ensures justice and efficiency in distribution.

Article (4)

Determining the Zone of Water Resources and of Water and Wastewater Facilities

The zone of Water Resource, water and waste water facilities shall be determined in accordance with specific criteria pursuant to a regulation issued by the Cabinet of Ministers.

Article (5)

The Right to Water Access

1. Every person has the right to obtain his needs of suitable quality drinking water for utilization at specific prices set in accordance with the Tariff Regulation issued by the Cabinet of Ministers.
2. Water Service Providers shall take the necessary measures to ensure this right and prepare the plans required for the development of services in this regard, in accordance with the General Water Policy.

Article (6)

Water Uses

1. Water shall be used for the following purposes:
 - A. Domestic and residential
 - B. Agriculture and irrigation
 - C. Industrial
 - D. Tourism
 - E. Trade and commerce
 - F. Conservation of water-dependent ecosystems and aquatic habitats
2. The required license shall be obtained prior to shifting the right of use from one purpose to another.
3. The Authority shall determine, in cooperation with other official and relevant authorities, and within the framework of the annual water budget, the amounts and means of water utilization for the various sectors and regions, provided that domestic uses shall have absolute priority over all other uses in determining the the allocation of available water resources.

Chapter Two

The Water Authority

Article (7)

Legal Personality

1. The Water Authority is a public institution and enjoys a Legal personality. Its budget is part of the General Budget of the State of Palestine.
2. The Authority reports to the Cabinet of Ministries.
3. The main headquarter for the Authority shall be in Jerusalem, and its temporary headquarter shall be in any other place that is determined by the Authority. The Authority may open branches in any other location in Palestine.

Article (8)

Responsibilities of the Authority

In fulfillment of the objectives of this law the Authority shall exercise the following responsibilities:

1. The full responsibility for managing Water Resources in Palestine, applying principles of integrated and sustainable management of water resources.
2. Preparing general water policies, strategies and plans, seeking their approval, and ensuring their implementation in coordination and cooperation with relevant parties, as well as submitting periodic status reports on water to the Cabinet of Ministers.
3. Surveying the available Water Resources, proposing water allocations for various sectors, and their utilization priorities on the basis of integrated and sustainable management principles, ensuring effective water demand management.

4. Protection of Water Resources and their surrounding environment through the establishment of protection zones to prevent pollution, in cooperation and coordination with relevant authorities.
5. Licensing and development of Water Resources utilization, in cooperation and coordination with the relevant authorities.
6. Setting a general policy for the planning and evaluation of water and wastewater projects in terms of their economic and social feasibility, setting design and quality control standards, technical specifications, and monitoring their implementation.
7. Taking measures and developing plans as may be required for the establishment and development of the National Water Company and the Regional Water Utilities, in coordination with the relevant authorities.

8. Supervising the organization of awareness raising campaigns in the sphere of water and wastewater and promoting the use of water saving fixtures, in coordination and cooperation with the relevant authorities.
9. The development of plans and programs for capacity building, training and qualification of technical staff working in the water sector and supervising their implementation with the aim of improving the management of water resources, in cooperation and coordination with the relevant authorities.
10. Endeavouring to achieve an equitable distribution and optimal use of water to ensure the sustainability of ground and surface Water Resources, in cooperation and coordination with the relevant parties. In addition to developing solutions and suitable alternatives in cases of emergency and contingency to ensure the continuity of water provision services, in coordination with Service Providers and relevant parties.

11. Coordinate and supervise scientific research and studies related to water and wastewater and directing such research towards finding creative and innovative solutions to existing problems and following up on their recommendations with the specialized and relevant authorities.
12. Partake in the development of approved standards of water quality for various uses, in coordination and cooperation with the competent authorities, and ensure their implementation.
13. Development and coordination of effective participation in technical cooperation programs at the international, regional, bilateral and local levels, in the sphere of integrated and sustainable management of water resources, including through the organization of conferences, workshops, seminars and the representation of Palestine in international and regional fora and meetings in this sphere.

14. Proposing draft laws and draft regulations related to water, and submitting them to the competent authorities for their duly issuance.
15. Issuing and implementing directives and instructions related to Water Resources, and providing technical expert opinions in disputes related to Water Resources.
16. Cooperate with the relevant authorities in creating a climate that is stable and conducive to investments with the aim of encouraging private sector investment in the water sector, and implement required institutional, regulatory and economic reforms to encourage partnership with the private sector in accordance with a regulation issued for that purpose.
17. The establishment of advanced monitoring systems to monitor precipitation, surface flows, groundwater levels, utilization quantities, and water quality, as well as analysis of data to determine the safe

and sustainable yield of Water Resources and improve water resources planning.

18. Develop principles and frameworks of water demand management with the aim of improving the efficiency of water supply, usage, conservation, recycling and reuse.
19. Build institutional capacities for the management of shared water resource and deepen regional and international cooperation.

Article (9)

Recruitment of Experts

1. The Authority may enlist the assistance of advisors and experts from various sectors as it deems it appropriate and necessary for carrying out its responsibilities.

2. Any such expert or advisor, or their relatives up to a second degree, are prohibited from having an interest in any matter presented to them for the provision of their expert opinion.

Article (10)

Maintaining Confidentiality of Information

The employees and advisors of the Authority shall maintain the confidentiality of information and are prevented from disclosing any information in the sphere of water, or any other sphere under their responsibility, in any manner contradicting the provision of this law.

Article (11)

Conflict of Interests

1. An employee of the Authority shall not be a party to any contract, including procurement of supplies or work bids which is concluded by the Authority.

2. An employee of the Authority shall not be employed in any of the projects or works implemented by the Authority and shall not receive any direct or indirect payment or material benefit from such projects and works, except for the salaries and bonuses received from his employment with the Authority or in consideration for carrying out responsibilities under the provisions of this Law and the regulations issued pursuant thereto.
3. A violation of the provisions of Paragraphs (1 , 2) of this Article by an employee of the Authority shall be subject to prosecution and penalties as stipulated under the applicable law.

Article (12)

Financial Resources of the Authority

1. The Financial resources of the Authority shall consist of:
 - A. The amounts allocated to it in the general national budget.
 - B. Grants, donations, assistance, loans and any other resources which are made available to the Authority in accordance with the relevant laws and regulations.
 - C. Fees collected in consideration to the issuance, amendment and renewal of licences and permits issued pursuant to this law, in addition to fines levied under this law and the regulations issued pursuant thereto.
2. The financial resources as per Paragraph 1(b) of this Article shall be placed in a dedicated account for the benefit of the

Authority, in accordance with internal regulations.

3. The Authority's funds are public funds and shall be collected in accordance with the Law on the Collection of Public Monies in force.

Article (13)

Revenues and Accounts of the Authority

1. All revenues collected by the Authority shall be deposited in the account of the Public Treasury.
2. The accounts of the Authority and its records and all its financial affairs shall be regulated and audited by the Ministry of Finance, in accordance with the applicable laws and regulations.
3. The Authority shall enjoy the exemptions and easing measures available for government departments and ministries.

Article (14)

Prohibition on Exemption from Fees and Charges

No government department, official institution civil society organization, or any natural or legal person shall be exempted from the fees, charges, and utilization fees which are levied in consideration for services provided by the Authority in accordance with the provisions of this Law, unless otherwise provided in a legal document pursuant to applicable laws.

Chapter Three

Head of the Authority and His Responsibilities

Article (15)

Appointment of the Head of the Authority and His Deputy

1. The Head shall be appointed by a Presidential Decree upon the recommendation of the

Cabinet of Ministers. The Head shall be experienced, competent and proficient in this field. The decree shall determine his employment rank.

2. The Deputy shall be appointed by a decision of the Cabinet of Ministers upon a recommendation from the President.
3. The Deputy Head shall carry out the tasks and responsibilities delegated to the Head during his absence or in case of vacancy in office until the appointment of a new Head.

Article (16)

Responsibilities of the Head of the Authority

The Head of Authority shall have the following responsibilities:

1. Organization and management of the Authority and supervision of all of its employees and directorates.

2. Preparation of the budget and financial reports and their submission to the Cabinet of Ministers for approval.
3. Signing local and international water agreements on behalf of the Government upon prior authorization from the competent and relevant authorities.
4. Participation in activities aimed at improving regional and international cooperation in the sphere of water and wastewater.
5. Preparation of periodic reports to the Cabinet of Ministers concerning the activities of the Authority and quality of performance, and the proposal of solutions for overcoming obstacles that hinder the progress of work.
6. Any responsibilities and tasks assigned to him by the Cabinet of Ministers.

Chapter Four

The Water Sector Regulatory Council

Article (17)

Establishment of the Council

1. A Council named “The Water Sector Regulatory Council” shall be established by a decision of the Cabinet of Ministers and shall be regulated pursuant to this decree by a law. The Council enjoys a legal personality and is financially and administratively independent.
2. The main headquarter of the Council shall be in Jerusalem, and its temporary headquarter in any other place in Palestine. The Council’s Board of Directors may decide to open branches in all governorates.

Article (18)

Objective of the Council

The objective of the Council is to monitor all matters related to the operation of water Service Providers including production, transportation distribution, consumption and wastewater management, with the aim of ensuring water and waste water service quality and efficiency to consumers in Palestine at affordable prices.

Article (19)

Exemptions and Privileges of the Council

The Council shall enjoy the same exemptions and privileges applicable to ministries and governmental departments.

Article (20)

Reports by the Council

The Council shall submit the following reports to the Cabinet of Ministers:

1. A semi-annual report with respect to the management performance of water and wastewater services.
2. A semi-annual report on its activities and the quality of its performance.

Article (21)

The Council's Board of Directors

1. The Board of Directors consists of a Chairperson and six competent, integrant and specialized members representing the public, private, and civil society sectors whom shall be appointed by a decree of the President upon the recommendation of the Cabinet of Ministers.

2. Members of the Board of Directors shall elect a Deputy Chairperson from among them.
3. Any members of the Board of Directors shall be:
 - A. A Palestinian national or of Palestinian origin.
 - B. Enjoy full legal capacity.
 - C. Not convicted of a felony, or misdemeanor breaching honor and integrity.
4. Benefits and financial rights of the Chairperson and members of the Board of Directors shall be determined in a regulation issued by the Cabinet of Ministers.
5. Chairperson and Members of the Board are appointed for a term of four years, renewable only once. Membership shall be terminated due to the following:
 - A. The membership term has ended.
 - B. Resignation or death.

- C. Dismissal by a decision of the Cabinet of Ministers.
- D. Destitution of legal capacity.

Article (22)

Conflict of Interests

1. The Chairperson and members of the Board of Directors, and their relatives up to a second degree, shall not be a party to any contracts, including the procurement of supplies or works bids, which are concluded by the Council.
2. The Chairperson and members of the Board of Directors, and their relatives up to a second degree shall not work in such projects or works or earn any direct or indirect profit or benefit, excluding salaries and bonuses received from employment in the Council or in consideration for responsibilities entrusted to them under the provisions of this law and regulations issued pursuant thereto.

3. The Chairperson or members of the Board of Directors shall be subject to prosecution and penalties under the law for violations of the provisions of Paragraphs (1, 2) of this Article.

Article (23)

Meetings of the Council

1. The Board of Directors shall hold a regular meeting at least once every month.
2. The Board of Directors shall hold emergency meetings upon the invitation of the Chairperson or two of its members.
3. The quorum for the Board of Directors meetings is a minimum of five of its members including the Chairperson or his Deputy.
4. Decisions of the Board of Directors are taken by a vote of the majority of members present in the meeting. In case of equal

vote the Chairperson shall have a casting vote.

5. The Deputy Chairperson of the Board of Directors shall have the powers of the Chairman during his absence.
6. A member of the Board of Directors who fails to attend three Board meetings within a year, without a reasonable cause, shall be deemed as resigned from membership in the Board of Directors.

Article (24)

Responsibilities of the Council

The Council shall have the following responsibilities and powers:

1. Approval of water prices, costs of supply networks and other services required for the delivery of water and waste water services, as well as review and monitoring of these costs to ensure compliance with the policy adopted by the Authority.

2. The issuance of licenses to Regional Water Utilities and any operator that establishes or manages the operation of a facility for the supply, desalination, or treatment of water or the collection and treatment of waste water, and the levying of license fees, in accordance with the provisions of this law and a regulation issued by the Cabinet of Ministers.
3. The Monitoring and inspection of compliance with the terms, requirements and indicators stipulated in licenses and permits.
4. The development of performance incentives programs for Service Providers, in accordance with a regulation issued by the Cabinet of Ministers for this purpose.
5. The approval of internal bylaws, the financial and administrative regulations and organizational structure of the Council and their submission to the Cabinet of Ministers duly issuance.

6. The approval of the annual budget for the Council and its submission to the Cabinet of Ministries.
7. Monitoring operation processes related to the production, transport, and distribution of water and operational processes of wastewater management.
8. Monitoring water supply agreements.
9. Ensuring that production, transport, distribution and wastewater treatment costs take into consideration the interests of all concerned parties.
10. Setting quality assurance standards for the provision of technical and administrative services by Service Providers to consumers, in line with relevant laws and regulations, and their dissemination to the public.
11. Monitoring the compliance of the National Water Company and Service Providers with the adopted standards for the provision of water and Sanitation services.

12. The establishment of a database for technical, financial and statistical information and the publication of this information periodically.
13. Addressing complaints of consumers against Service Providers.
14. Conducting a general review for the performance of the Council and its departments as well as a review of staff performance development plans, at least once per annum.
15. Contracting experiences and competent experts, advisors, and technicians to implement tasks to be entrusted to them.
16. Setting the basis for regulating the extent and percentage of local authorities' participation in the general assemblies of water utilities and ensuring implementation, in accordance with the provisions of the law and the applicable regulations.

Article (25)

Financial Resources of the Council

1. The Financial resources of the Council shall consist of:
 - A. Fees for licenses and services granted by the Council in accordance with the provisions of this decree by a law
 - B. Grants, aids and any other resources approved by the Cabinet of Ministers.
2. All revenues of the Council shall be deposited in an account specific to the Council.

Article (26)

Finances of the Council

1. The Council shall be responsible for its expenditures and for the preparation of annual financial reports, which shall be audited by an external and duly authorized

auditing firm. The audited financial reports shall be submitted to the relevant authorities.

2. The Council shall enter into a contract with an external and duly authorized auditing firm for the preparation of annual financial reports.
3. All Council finances shall be subject to audit and review by the official monitoring authorities.

Article (27)

Executive Body of the Council

1. The Board of Directors shall appoint a Chief Executive for the Council and determine his salary, financial and other employment rights.
2. The Chief Executive is directly responsible for the Executive Body of the Council and has the following responsibilities:

- A. Management of the daily work of the Council.
 - B. Preparation of the general budget of the Council and its submission it to the Board of Directors.
 - C. Preparation of the internal bylaw, the administrative and financial regulation, and the organizational structure of the Council and their submission to the Board of Directors.
 - D. The participation in the Council meetings without the right to vote.
 - E. Reporting to the Council on operations and activities.
 - F. Participating in activities related to the work of the Council in Palestine and abroad.
3. The staff of the Council shall be regulated by a specific administrative regulation which determines the salary scale, salary increases, promotions and all allowances.

This regulation shall be issued by the Cabinet of Ministers upon the recommendation of the Board of Directors.

Article (28)

Conflict of Interests

1. The Chief Executive or any of the employees of the Council shall not be a party to any contracts, including the procurement of supplies or works bids, which are concluded by the Council.
2. The Chief Executive or any of the employees of the Council shall not work in such projects or works or earn any direct or indirect profit or benefit, excluding salaries and bonuses received from employment in the Council or in consideration for responsibilities entrusted under the provisions of this law and regulations issued pursuant thereto.
3. The Chief Executive or any of the employees of the Council shall be subject

to prosecution and penalties under the law for violations of the provisions of Paragraphs (1 , 2) of this Article.

Chapter Five

Licensing of Water Resources

Article (29)

Licensing

1. The following activities and works shall be subject to the issuance of a license and license fees from the Authority in accordance with a regulation issued by the Cabinet of Ministers.
 - A. Drilling, exploration, extraction or collection of groundwater.
 - B. The construction or expansion of a well or the drilling a substitute well.

- C. Utilizing surface water for non-personal purposes.
2. Prior approvals shall be obtained from the competent authorities as stipulated in the terms of the license.

Article (30)

Harvesting Rainwater

With the exception of what has been stipulated above, a person has the right to harvest rainwater falling on his private land or private household, and utilize it for domestic purposes, in accordance with public health and environmental standards as set by the relevant official authorities.

Article (31)

Issuance of Licensing Regulations

In accordance with the provisions of this law taking into considering the designation of water as a public property, the Authority shall prepare the following regulations and submits them to the Cabinet of Ministers for issuance:

- A. Fees per water quantity licensed for extraction from all wells or exploitation from springs.
- B. Prior use rights from springs or licensed quantity of water extracted from wells.

Article (32)

Amendment or Revocation of Licenses

1. All licenses issued by the Authority shall be of limited duration and the Authority has the power to amend, suspend or revoke the license in the following cases:

- A. The licensee did not commence the project's construction within the period specified in the license
 - B. It becomes apparent to the Authority that false information has been provided
 - C. The project is not being implemented as stipulated in the license terms and in accordance with the relevant regulations in this regard.
 - D. Any other reasons in accordance with the provisions of the law
2. A facility or project that violates any of the terms of the license shall not be permitted to resume its activities under the license unless the causes of violation have been removed or remedied. In the event that violations are not remedied, the competent authority shall remedy them at the offender's expense.

Article (33)

Registry of Licenses

1. The Authority shall establish and maintain a registry for all types of licenses and permits related to any kind of water-related projects or works.
2. The public has the freedom to access information and the registry in so far as they are not classified as confidential due to a public or commercial interest.
3. The public has the right to obtain copies of all non-confidential information contained in the registry in consideration for the payment of fees determined by the Authority in accordance with a regulation to be issued for this purpose.

Chapter Six

The Tariff

Article (34)

The Unified Tariff Regulation for Water and Wastewater

The Authority shall set the general policies for determining the water and wastewater tariff, in accordance with a regulation issued by the Cabinet of Ministers.

Article (35)

Unified Price

The Council shall set, in line with the government policy, a unified price for the provision of bulk water supply to Service Providers in all areas of Palestine, pursuant to a regulation issued by the Cabinet of Ministers.

Article (36)

Pricing

Service Providers shall set water prices, subject to the approval of the Council, for various uses, in accordance with the tariff regulation.

Chapter Seven

The National Water Company

Article (37)

Establishment of the National Water Company

1. A company named “The National Water Company” shall be established in accordance with the provisions of this decree by a law, and shall be fully owned by the State of Palestine.
2. The Company may not alter its legal status except by a law.

Article (38)

Capital of the Company

1. The capital of the Company shall beset by a decision of the Cabinet of Ministers.
2. The Company's financial affairs shall be regulated pursuant to a regulation issued by the Cabinet of Ministers upon the recommendation of the Ministry of Finance and the Authority.

Article (39)

Responsibilities of the Company

The Company shall exercise the following responsibilities:

1. The supply and sale of bulk water to water undertakings, local authorities, joint water councils and associations.
2. The extraction of water from Water Resources, desalination of water, and

bulk water transmission in accordance with a license issued by the Authority for this purpose.

3. The management, upgrade and development of any assets received from the Authority.
4. Ensuring and guaranteeing smooth commercial relations with customers and suppliers.
5. The provision of all the means necessary for the development of all activities and infrastructure works related to the supply of bulk water.
6. The preparation of proposals for water supply tariff and related services and their submission to the Council for approval.
7. Any other related tasks assigned by the Authority.

Article (40)

The Company's Board of Directors

1. A Board of Directors shall oversee the management of the Company. The Board of Directors shall be composed of a Chairperson and four members, all of whom are experienced, competent and proficient Palestinian nationals to be appointed by a decision of the Cabinet of Ministers upon the recommendation of the Authority.
2. All members of the Company's Board of Directors shall be of integrity and high proficiency in water and financial matters.
3. The Membership term in the Company's Board of Directors is four years, renewable only once.
4. Membership shall end for any of the following reasons:
 - A. Resignation or death.

- B. Dismissal by a decision of the Cabinet of Ministers.
 - C. Loss of legal capacity.
5. The Chairperson and members of the Company's Board of Directors, and their relatives up to a second degree, are prohibited from being a party in any of the contracts concluded by the Company or from earning any material benefit from such contracts.

Article (41)

Responsibility of the Company's Board of Directors

The Company's Board of Directors is the supreme authority for the adoption of decisions in the company, and it is entrusted with the implementation of the Company's policies and overseeing the management of its operations for the advancement of the policy approved by the Authority. The Company's Board

of Directors enjoys the full powers necessary for the achievement of the Company's responsibilities pursuant to this decree by a law.

Article (42)

Executive Body of the Company

1. The Company's management is the responsibility of a Chief Executive appointed by a decision of the Company's Board of Directors.
2. The Company's Board of Directors shall appoint a staff upon the recommendation of the Company's Chief Executive. All financial and administrative matters related to the staff, as well as their responsibilities, shall be regulated pursuant to a regulation issued by the Cabinet of Ministers upon the recommendation of the Company's Board of Directors.

Article (43)
Financial Auditors

The Company's Board of Directors shall enter into a contract with a certified auditor to audit the Company's finances and the submission of annual reports to the Company's Board of Directors.

Article (44)
Company's Reports

The Company's Board of Directors shall submit quarterly reports to the Cabinet of Ministers and the Council on the financial and legal affairs and activities of the Company, in addition to an annual report annexed to the auditor's report.

Chapter Eight

Regional Water Utilities and Water Users Associations

Article (45)

Establishment of Regional Water Utilities

The Authority shall establish, in coordination and cooperation with the relevant competent authorities, and in line with the public interest pursuant to the provisions of this law, Regional Water Utilities for the provision of water and wastewater services. The responsibilities, powers, and procedures pertaining to the licensing, structure, management, financial resources, dissolution, and all other matters related to the work of Regional Water Utilities shall be regulated pursuant to a regulation issued by the Cabinet of Ministers.

Article (46)

Legal Personality

Regional Water Utilities enjoy a legal personality, are financially independent, and have the right to own, use and dispose of movable and immovable assets, with the aim of achieving their objectives. They also enjoy the full legal capacity to carry out their activities and responsibilities, including the conclusion of contract, the right to sue or be sued, or delegate and authorize a person of its choosing to act on their behalf in judicial proceedings with the aim of achieving their responsibilities and mandate.

Article (47)

Responsibilities of Regional Water Utilities

Regional Water Utilities are responsible for the provision of water and wastewater services each within its specified administrative and geographical scope, in accordance with a regulation issued by the Cabinet of Ministers in this regard. Accordingly, the objectives of Regional Water Utilities are:

1. The provision of water and wastewater services to consumers for various uses in line with sustainable economic, social and environment principles.
2. Meeting the needs for water of suitable quality and wastewater services through implementation of the required and appropriate measures and the development of the necessary plans and programs to develop these services.

Article (48)

Establishment of Water Users Associations

Water Users Associations shall be established with the aim of managing the service of supplying irrigation water at the local level in a sustainable manner, in accordance with a regulation issued by the Cabinet of Ministers upon a joint recommendation of the Minister of Agriculture and the Head of the Water Authority. The regulation shall stipulate the licensing procedures, responsibilities, powers,

management, financial resources, dissolution and all other matters related to the work of Water Users Associations.

Article (49)

Legal Personality of Water Users Associations

Water Users Associations enjoy a legal personality, are financially independent, and have the right to own, use and dispose of movable and immovable assets with the aim of achieving their objectives. They also enjoy the full legal capacity to carry out their activities and responsibilities, including the conclusion of contract, the right to sue or be sued, or delegate and authorize a person of its choosing to act on their behalf in judicial proceedings with the aim of achieving their responsibilities and mandate.

Chapter Nine

Protection of Water Environment

Article (50)

Protection of Water Resources from Pollution

With due regard to the provisions of the Environmental Law, and in coordination and cooperation with the authorities specialized in the protection of water resources and the prevention of their pollution, the Authority shall carry out the following:

1. Partake in regulating the use of industrial and agricultural materials that may cause the contamination of water resources or water supply systems.
2. Partake in the committees responsible for conducting environmental impact assessments with regards to any activity related to water resources or water supply systems.
3. Partake in the development of special mechanisms for crisis management in the

event of drought, floods, epidemics that spread through water, or general pollution.

4. Partake in the preparation of a list of pollutants, which require licensing, and compensation for damages resulting from them.
5. Recommend a regulation to be issued by the Cabinet of Ministers for the protection of Water Resources and facilities.

Article (51)

Suspension of Water Extraction or Supply in the Case of Pollution

The Authority shall order the suspension of water extraction or water supply in cases of a water source or supply system pollution, and may order the closure of the source or supply system

if the pollution persists. The Authority shall notify the concerned authorities and dispose of contaminants as a matter of urgency.

Article (52)

Declaration of Protected Water Zones

1. The Authority, in coordination with other relevant parties, may consider any area that contains a Water Resource a protected Zone, in accordance with a regulation issued by the Cabinet of Ministers in this regard, in cases where water quality or quantity is under risk of contamination or depletion, or in cases where the implementation of the water policy requires so, provided that alternative water resources are provided as may be available.
2. In coordination with the competent authorities, a notice shall be published, in the local newspapers thirty days prior to declaring an area a protected zone. The

notice shall include the restrictions imposed on water use. The Authority may, by means of a subsequent notice, annul or amend the original notice as may be required.

Article (53)

Removal of Pollution

Any natural or legal person that causes pollution to any Water Resource or water supply system shall remove the pollution affecting the Water Resource or water supply system. In case of refusal or failure to do so, the Authority shall remove the pollution and carry out the required cleansing operations at the expense of the party causing the pollution following written notification to that end, irrespective of the costs, which shall be collected from him in accordance with the Collection of Public Monies Law.

Chapter Ten

Monitoring and Inspection

Article (54)

The Monitoring of Water Resources

The Authority is responsible for the monitoring of water resources, including:

1. Maintaining records that contain detailed information about water usage, licenses, violations and infringements on water resources.
2. The Authority has the power to inspect water resources and facilities and the power to enter any private or public property or building for this purpose in accordance with due process and the law.

Article (55)

Judicial Police

1. Authority inspectors, appointed by a decision of the Head of the Authority, shall have the status and powers of the judicial police to apprehend crimes and violations prohibited under the Law.
2. Records of the judicial police officers, and all facts and evidence contained therein, shall be considered evidence for proof before the investigative and judicial authorities, unless proven otherwise.

Article (56)

Acquisition of Lands and Properties for the Public Good

1. The Authority may request the acquisition of any land, property or water facility for the public good, provided the owners of

such are compensated for their property in accordance with the applicable laws.

2. The Authority may, in accordance with the provisions of this law, enter lands or properties as required for the implementation of its activities. The owner of the land or the property, who suffers from damage resulting from such entry by the employees of the Authority to his property or resulting from the conduct of works in it for the public good, or resulting from depriving access to the Water Resource has the right to receive adequate compensation for such damage, in accordance with the applicable laws and regulations.

Chapter Eleven

Penalties

Article (57)

Application of Penalties Stipulated Under This Decree By a Law

Without derogating from more severe penalties stipulated under other laws, the penalties stipulated hereunder shall be applied.

Article (58)

The Penalty for infringement on a Water Resource

A prison sentence of minimum six months and maximum one year, and a fine of minimum one thousand dinars and maximum five thousand dinars, or the equivalent thereof in other circulated currency, shall be imposed on a person who commits any of the following offences:

1. Polluting any water resource or supply system, or causing such pollution through his actions without remedying it within the period set for him by the Authority.
2. Drilling groundwater wells or substitute wells, or extracting water without obtaining a licence.
3. Infringement on any water resource or water and wastewater system, resulting in damage thereto or breakdown thereof.
4. The supply of water, or permitting the supply of water, to oneself or to others without a permit to do so.
5. Disposal of waste water without obtaining a license

Article (59)

Penalty for Unlawful Conduct in Water Resources

A prison sentence of minimum one month and maximum six months, and a fine of minimum one hundred dinars and maximum one thousand dinars, or the equivalent thereof in other circulated currency, shall be imposed on any person that:

1. Carries out any activities or works which are only permitted for the Authority under this decree by a law, without the prior written approval of the Authority.
2. Engages in conduct with respect to water resources, water, water related projects, or waste water, which violates the provisions of this decree by a law.

Article (60)

Fine for Violation of License Terms

The following acts are punishable by a fine of minimum ten thousand Jordanian dinars, or the

equivalent in circulated currency, or by an amount equivalent to the value of the damage caused as a result of the act, whichever is the higher:

1. Violation of the Tariff Regulation issued pursuant to this law or any of the directives and instructions issued pursuant to the regulation;
2. The conduct, without a license, any of the works that require obtaining a license under the provisions of this law.
3. A violation of any of the terms or conditions of the license or permit issued by the Council.

Article (61)

Repetition of Offences

In case of repetition of the offences mentioned above in Articles (58, 59, 60), the stipulated penalties shall be doubled.

Article (62)

Restitution and Compensation

Any person convicted of committing any of the offenses set forth in this chapter, shall be obliged to compensate the value of damages resulting from the offence, and shall remedy its causes and effects and restore the status quo ante that existed prior to the offence within the period set by the court. In case of failure to do so, the competent authorities shall order the implementation of the required works and shall charge all costs to the offender.

Chapter Twelve

Transitional and Final Provisions

Article (63)

Continuity of Licenses Validity and Conformity with the Law

Licenses issued under the applicable Laws and

regulations, prior to the entry into force of this law, shall remain valid until its expiration period. Thereafter it shall be brought into conformity with the provisions of this decree by a law.

Article (64)

Transitional Provisions

1. Without derogating from the provisions of this decree by a law, the relevant governmental authorities, official institutions, civil society organizations, and local authorities shall continue to exercise their responsibilities and powers under the applicable laws and regulations until the establishment of the National Water Company and the Regional Water Utilities in accordance with the provisions of this decree by a law.
2. The Authority shall rehabilitate and develop the West Bank Water Department with the aim of providing bulk water supply at the national level to all governorates, based on a sustainable basis, and in accordance with temporary provisional regulation issued to that end.

3. The provisional regulation shall determine its responsibilities, tasks, the required transition period, and the mechanism to transfer all of its movable and immovable assets to the Authority and its powers and responsibilities to the National Water Company.
4. All assets currently managed by the West Bank Water Department, including movable and immovable assets, as well as all rights and obligations, shall be transferred to the National Water Company.

Article (65)

Issuance of Regulations

The Cabinet of Ministers, upon the recommendation of the Authority, may issue any regulations as it deems it appropriate for the implementation of this decree by a law.

Article (66)

Annulment

Anything that contradicts the provisions of this decree by a law is hereby annulled.

Article (67)

Approval by the Legislative Council

This decree by a law shall be submitted for endorsement by the Legislative Council in its first session.

Article (68)

Validity and Implementation

All relevant authorities, within their respective spheres, shall implement this decree by a law which shall enter into force upon its publication in the Official Gazette.

Issued in the city of Ramallah on 12/06/2014

Corresponding to: 14/August/1435AH.

Mahmoud Abbas

President of the State of Palestine

**Chairman of the Executive Committee of the
Palestine Liberation Organization**