

**The Republic of Lebanon**

**The Parliament**

Law no 221/2000 on 26/5/2000

Rectified by law no 241/2000 on 7/8/2000

Amended by law no 377 on 14/12/2001

## **The law on the Organization of the Water Sector**

### **Article 1:**

The protection and development of the water natural resource, within the framework of the preservation of the environment and the balances of nature, are considered as the essence of public benefit.

### **Article 2:**

The Ministry of Energy and Water Resources.

The Ministry of Energy and Water Resources in the water sector is entitled to the following prerogatives and missions:

1. Monitoring, controlling, measuring, computing and studying water resources, as well as estimating the needs for water and its areas of usage across the regions.
2. Controlling the quality and determining the standards of surface, ground and underground water.
3. Setting the public planning project for the allocation and distribution of potable and irrigation water at the State level and drafting the master plan for water and wastage water, updating it permanently and submitting it to the Cabinet by the competent Minister.
4. Designing, studying and executing major water establishments such as dams, mountain lakes, tunnels, river flow correction, water networks and others and putting into service.
5. Ensuring artificial feeding of underground water when needed and controlling the exploitation of extracted quantities.
6. Working on protecting water resources from waste and pollution through texts and necessary steps and measures to prevent their pollution and restore them back to normal.

7. Granting licenses and authorizations to explore water and use public water and rivers public properties, and performing all related formalities, by virtue of laws and regulations in effect.
8. Conducting studies, water, geological and hydraulic researches and collecting technical data in the field of water, as well as drafting and continuously updating water technical maps.
9. Exercising control and guardianship on public institutions and on all bodies that are working in the field of water, according to the provisions of this law and other pertinent texts and provisions.
10. Promoting and monitoring the performance of Water Authorities according to indicators set in the duly approved plans of action.
11. Setting the standards to be adopted in the studies of Water Authorities, the implementation of their works as well as the conditions and investment systems of ground and underground water and wastage water, and the assessment systems and monitoring of water quality.
12. Completing the formalities of expropriation for the Ministry and the Water Authorities under its guardianship, by virtue of laws and regulations in effect.
13. Giving opinions about the licenses of mines and quarries with view of their impact on water resources.
14. Creating links with the citizens and informing them of all matters of concern with regards to water and the rationalization of its use.

### **Article 3:**

#### The Water Authorities:

The following public Water Authorities shall be established with the following names and locations:

- Water Authority of Beirut and Mount Lebanon; its location in Beirut.
- Water Authority of North Lebanon; its location in Tripoli.
- Water authority of Bekaa; its location in Zahleh.
- Water Authority of South Lebanon; its location in Sidon.

The above mentioned institutions shall enjoy moral personality and financial and administrative independence and their field of utilization shall be determined, according to the map that is attached to this law.

### **Article 4:**

1. Each of the Water Authorities handles the following within its field of utilization and competence:

- a) Studying, implementing, exploiting, maintaining and renewing water projects to distribute potable and irrigation water and collecting, treating and getting rid of used water, according to the master plan for water and wastewater or upon previous approval by the Ministry to use public water resources or wastewater plant locations or discharge locations for wastewater.
- b) Suggesting tariffs for potable and irrigation water and discharging wastewater, while taking into consideration the general socio-economic conditions.
- c) Monitoring the quality of distributed potable and irrigation water and the quality of wastewater on outfalls and waste water discharges.

2. Water Authorities work according to their own regulations.

The mentioned institutions shall conclude contracts with an auditing company that is in charge of drafting a report on financial statements, closing accounts and internal control system adopted within the institution.

#### **Article 5:**

- The institution is managed by a board of directors made of one president and six members who are nominated and whose remunerations are determined in a decree issued by the Council of Ministers, upon suggestion by the Minister of Energy and Water Resources; they should be holders of degrees from well-known universities in Lebanon, in the fields of law, water and environment, medicine, engineering, economics, accounting or business.
- The mandate of the board is defined in its nomination decree and its services can end anytime, according to the same procedures. The CEO assumes the responsibilities of the general director of the Authority and is assisted by an executive body of employees under his authority.
- The board of directors of the institution shall put all the relevant regulations that will be approved in a decree issued by the Council of Ministers, based on the suggestion of the Ministers of Finance and Energy and Water Resources.

#### **Article 6:**

The Water Authority shall be under a post control from the court of audit, according to an agreed system, and from Central Inspection. It is not under the control of the Civil Service Council.

The Minister of Energy and Water creates a committee to assess the performance of the public institutions for water, by virtue of a decree issued by the Council of Ministers, upon suggestion from the Ministers of Finance and Energy and Water Resources, composed of:

- ✓ The Minister of Energy and Water Resources: President.
- ✓ The director general of the Ministry of Finance: member.
- ✓ The director general of investment at the Ministry of Water Resources and Electricity: member.
- ✓ The general director of the water and electricity supply at the Ministry of Water Resources and Energy: member.
- ✓ An engineer specialized in water issues, with an experience of no less than six years: member.
- ✓ A holder of a degree in Economics, with an experience of no less than six years: member.
- ✓ A holder of a degree in Law, with an experience of no less than six years: member.
- ✓ A holder of a degree in accounting or business, with an experience of no less than six years: member.
- ✓ At least a second category civil servant at the general directorate for investment: a member- rapporteur.

The missions and procedures of work of this committee are determined through a joint decision issued by the two ministers of Finance and Energy and Water Resources and the committee has the right to hire whomever experts to perform its works.

#### **Article 7:**

Except for the provisions of article one of this laws, The National Authority of the Litani River established by the law of 14/8/1954, continues to manage and exploit irrigation water within its field of exploitation (South Bekaa and South Lebanon) and this Authority is subject to paragraph (2) of articles 4 and 6 of this law.

#### **Article 8:**

The independent Authorities and the committees that are currently managing and exploiting potable and irrigation water, continue to perform their work, pending their integration within Water Authorities that are mentioned in article 3 of this law, in a Gradual way, during a time limit of no more than two years of the date of effect of this law.

#### **Article 9:**

The details of implementation of this law are determined in decrees issued by the Council of Ministers, upon suggestion from the Minister of Water Resources and Energy.

#### **Article 10:**

The Water Authorities are not subject to all legislative and regulative texts that contradict the provisions or the content of this law.

**Article 11:**

This law enters into force once published in the Gazette.

The following articles were added to law no 261/2000, on 29/5/2000, rectified by law no 241/2000 on 7/8/2000, by virtue of law no 377/2001 on 14/12/2001:

Article 5 of law no 377/2001 on 14/12/2001: The map that is attached to law no 221/2000 rectified by law no 241/2000 shall be replaced with the map that is attached to this law.

Article 6 of law no 377/2001 on 14/12/2001: The provisions of this law don't undermine the prerogatives of the municipalities or the union of municipalities, each within its field that is stipulated in the law of municipalities and the law of municipal fees.