

This By Law was in relation wit the old Laws, A new by law is under enactment

By Law No. 2 (1996)

Law No. 2 for 1996 Concerning the Establishment of the Palestinian Water Authority

Chairman of the Executive Committee of the Palestinian Liberation Organization

President of the Palestinian National Authority

After Reviewing the law No. (5) for 1995, regarding transfer of the authorities and functions, and the existing Law No. (2) for 1938 for monitoring water resources which is valid in Gaza and the West Bank, and the decision No. (90) for 1995 which was issued on 26/4/1995 to establish a Palestinian Water Authority and appoint a commissioner, and upon the requirements of the public benefit, and law No.(17) of 1937 for protection the of public Water Works, and its amendments, which is application in the West Bank and Gaza Strip; and

We hereby issue the following law:

Article (1)

The words and expressions appearing in this law shall have the following meaning, unless the context indicates otherwise:

The Authority :The Palestinian Water Authority.

The Council : The National Water Council.

Water Resources : The water located within the boundaries of Palestinian, whether surface or subterranean and regional waters including wastewater and brackish waters

Water Policy : The policy adopted by the council of the Palestinian National Authority, for preservation of natural and political rights in water resources, and their utilization and water projects in Palestine.

Administration : Supervision over developing water resources by means of directives, studies and comprehensive plans for water usage; and issuance and permits and licenses for water use.

Chapter –1-

Establishment And Objectives Of The Palestinian Water Authority

Article (2)

The Palestinian Water Authority shall be established with a juridical personality and its own budget, and shall be under the authority of the president of the Palestinian National Authority (PNA) and has a commissioner who is appointed by a decision from the president of (PNA)

Article (3)

The Aims of the Palestinian Water Authority to Achieve The Following:

1. Guarantee the most efficient management of available water resources in Palestine in order to achieve the correct balance between the available waters quantity and quality, and the present and future needs of the Palestinian people.
2. Implementing the water policy approved by the Council of the PNA.
3. Establishing water projects and fully supervising their implementation whether through governmental bodies, municipal councils or individuals.
4. Achieving the highest level of cooperation between local administrations bodies to improve their efficiency in managing water use and estimating future needs.
5. Achieving the highest level of cooperation between it and all parties sharing common interests.

Chapter-2-

Duties & Authority Of The Palestinian Water Authority

Article (4)

The Water Authority shall undertake the following functions:

1. Improving centralization of collecting hydrological data collection and publishing all water resources data.
2. Planning designing, establishing, managing and maintaining laboratories, experimental stations, and research centers and developing, utilizing and protecting such facilities.
3. Issuing permits, licenses, and exclusive rights for any kind of beneficial use of water or management of sewage waters.
4. Evaluating water projects to licensing its implementation.
5. Participating in preparing and detailing regional water plans and the supervision and monitoring individual water projects as well as preparation of a national water plan.

6. Establishing and specifying all the rights to use water for any purpose, and settling disputing arising out of water use.
 7. Preparing reports concerning water projects that have been approved for implementation, and preparing a plan for its implementation, clarifying its costs and all related matters according to what the National Water Council asks for.
 8. Taking the necessary measures for supervising and inspecting the establishment and executing water project and which have been provided for in the budget of the Authority.
 9. Inspecting supervising and administering all Water Resources and their different uses.
 10. Regulate and instruct the establishment of private and public groundwater wells and exploring for groundwater resources.
- Any other duties or authorities delegated to it by the council of the PNA.

Article (5)

The Authority has all power to achieve its objectives therefor has the power to:

1. Enter others ' land for purpose to survey and plan for water'.
2. Prepare draft regulations necessary to protect water resources from pollution and misuse.
3. Propose specific fees for granting of permits, license and concessions.
4. Acquire any existing rights to use water and pay compensation for it.
5. Acquire all statistical and technical data reports related to the use of water resources from ministries, other governmental bodies' organizations public institution and individuals.
6. To catty out other activity deemed necessary for achieving its objectives.

Article (6)

The Water Authority Commissioner, As An Executive Director, Undertakes, The Following:

1. Organizing the Authority and managing its activities.
2. Preparing the annual proposed budgets for the Authority.
3. Implementing the decisions of the National Water Council.
4. Coordinating activities in all the authority's projects.
5. Administering the personnel matters of all the employees and workers of the Authority.
6. Keeping the necessary records for the activities, assets, income and expenses of the Authority and preparing annual financial statements and records and presenting them to the National Water Council.

Article (7)

The Financial Resources Of The Authority Shall Be Constituted From The Following Sources:

1. The amounts allocated to the Authority from the General Budget.
2. The amounts received from the form of Water fees, payments and charges for benefiting from water rights and exclusive water usage.
3. Donations and grants which are approved by the National Water Council.

Chapter –3-

The National Water Council

Article (8)

The National Water Council Shall Be Established Consisting Of The Following:

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| 1. The President of the National Authority. Chairman Of the council. | |
| 2. Minister of Agriculture. | Member. |
| 3. Minister of Justice. | Member. |
| 4. Minister of Planning and International Cooperation. | Member. |
| 5. Minister of Local Government | Member. |
| 6. Minister of Industry. | Member. |
| 7. Representative from Palestinian Universities | |

appointed by the President of the Council Member.

Article (9)

The Council Shall Undertakes The Following:

1. Prepare the water policy for Palestine and submit it to the Council of the PNA to approve it with the aim of preserving the natural and political rights of Palestine in its water sources, its development, preservation, and maintenance with the goal of benefiting from it for different purposes, all with a view towards raising the economic, social, and health standards in Palestine.
2. Prepare a policy for developing and exploiting the water resources of Palestine in cooperation with the relevant parties and presenting this policy to the Council of the PNA for acceptance.
3. Reinforcing regional and international cooperation in water matters.
4. Implementing the strategic decisions relating to the execution of the water policy of the PNA including monitoring pollution and environmental protection.
5. Define the Money required for investment in the water sector.
6. Reinforcing and supporting the work of the Palestinian Water Authority and overcoming any difficulties that obstruct work.
7. Any other important matters that are referred to it by the Palestinian Water Authority.

Article (10)

1. The National Water Council shall hold an ordinary meeting once every three months, upon the request of the Chairman of the Council, and the council may be called an extra ordinary meeting upon a written request presented by three members of the Council to Chairman in which they state the reasons requiring the calling of the meeting.
2. The presence of at least four members shall constitute a quorum for meetings. Decisions shall be taken by the vote of majority of members present.
3. The Council may add those it deems fit to the membership of the Council.

Article (11)

The Council may call upon experts, advisors, employees or observers to attend its meetinto consult with them, but they shall not have the right to vote.

Article (12)

The Council may, at the request of the Chairman or one of the members, establish subcommittees to study specific problems relating to water.

Chapter-4-

General Legislation

Article (13)

The National Water Council shall issues the necessary decisions for implementing the provision of this law.

Article (14)

All laws that conflict with the provisions of this law are hereby canceled.

Article (15)

All relevant bodies, each in its specialization, should implement & comply with this law from its data of publication in the newspaper.

Issued in Gaza city on 18/01/1996 A.D
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Palestine Liberation Organization
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