

These Rules and Regulations were in relation wit the old Laws

A new Rules and Regulations are under enactment

Water Rules & Regulations

Resolution No. (66) of 1997 Concerning the Internal Regulations of the Palestinian Water Authority

Yasser Arafat, Chairman of the Executive Authority of the Palestinian Liberation Organization, President of the Palestinian National Authority, in my capacity as the Chairman of the National Water Council, and after studying law No. (2) of 1996 regarding the establishment of the Palestinian Water Authority, particularly article (13) thereof, and according to the presentation of the Head of the Palestinian Water Authority,

we decided the following:
Definitions

Article (1)

The following words and expressions shall have the meanings assigned to them below unless the context indicates otherwise:

The Authority	The Palestinian Water Authority
The Council	The National Water Council
The Head	The Head of the Water Authority
The Deputy	The Deputy Head of the Water Authority
The Director	The General Director of the Water Authority
Other Official Parties	All the Official Parties Working in the Field of water
The Department Head	The Head of any of the four departments mentioned in Article (9) of this By-law
Water Project	Any spring, water course, water establishment, well, plant or wastewater project

Article (2)

The Authority shall have its main office in Ramallah and it has the option to open branches in the districts where the Head deems it necessary.

Article (3)

The Authority shall coordinate with all the official water departments and institutions existing or which shall be created in the future the reference of all will be the Council.

Article (4)

The Authority shall have an independent juridical personality and it may rent, own expropriate movable and immovable properties required to achieve its objectives and it may enter into contracts, bring legal actions, and is represented in such cases by the Head or the Deputy Head in the absence of the Head or mandated by him.

Article (5)

The Authority shall have the responsibility for:

1. The implementation and development of water policies approved by the National Water Council in Palestine in order to improve the economic, social and health levels.
2. The development and management of water resources, exploration of ground water, building dams on the Wadis, implementation of any new water project and development of any existing project to increase, and optimize the benefit from using the water resources.
3. Cooperation with all the local, regional and international parties for the most efficient use of water resources, and conduct water studies, research and set up National Water Plans that ensures efficiency and avoids misuse.
4. Establishment of water projects pertaining to surface, ground and rainfall water or desalination of sea water or water resulting from any other resource in cooperation with all the concerned parties.
5. Regulating and monitoring private and public groundwater wells (quality and quantity), or any water establishment existing or shall be created in the future, including: springs, any water related project and private and public wastewater projects.
6. The registration of all the owners of drilling equipment, groups and bodies who undertake well drilling including their equipment and drilling techniques, in order to issue licenses that enable them to legally undertake the drilling activities. Obtaining all relevant information from the drillers regarding drilling records and other information relevant to the main hydrogeological formations during the course of drilling.
7. Moreover, the PWA in cooperation with the Ministry of Planning and International Cooperation and in coordination with the other official parties shall :
 - a. Follow up the bilateral negotiations affairs on water rights.

- b. Follow up the implementation of Article (40) of Oslo Agreement (B) through the Joint Water (Palestinian Israeli) Committee.
- c. Participate in the multilateral negotiations and supervise the activities originating from them.
- d. Coordinate the financial assistance granted to the PWA within the framework of the international programs and in cooperation with the other official parties.
- e. Follow up projects and programs aiming at identifying and assessing the existing water projects and planning for new projects within the comprehensive national development plan.
- f. Establish and apply a national strategy on water in Palestine.

Article (6)

The Authority shall have the full rights to allocate and specify the use of surface and ground water which is being developed, and to re-allocate and regulate the water allocation it to serve the public interest and after the council's approval.

Article (7)

The Authority shall have the right to own and temporarily or permanently expropriate lands, water quotas or both located within the area of a public or private water project if it deems necessary to do so according to the applicable laws. If no work is done regarding the usage of land or water within two years of the date of the decision to own or expropriate, the project is considered canceled and the land and water is given back to their original owners.

Article (8)

The structure of the Authority shall be as follows:

1. The Head of the Authority who shall carry out the duties of an executive director.
2. The Deputy Head of the Authority who shall carry out the duties of the Head, any part of it or any duties assigned to him by the Head.
3. A Director General whose responsibilities and tasks shall be assigned by the Head.
4. A unit for public relations and information, a unit for coordination and cooperation and advisory group unit, shall be set up under the supervision of the Head or Deputy Head.

Article 9

The organizational structure of the Authority shall consist of the following:

- A. The Financial and Administrative Department which shall include the following sections:

1. Budgeting and Accounting Section: which undertakes the management of the PWA financial resources, prepares the budget, purchases equipment, gives economic and financial recommendations to the PWA top management and assist in records and accounts keeping of water projects.
2. Personnel Management Section: which undertakes the management of the personnel in the PWA, in general, and makes contracts, sets up the job description and salaries and puts plans for developing the employees and workers in the PWA.
3. Services Section which is responsible for the archives, library, computer services, secretarial services, drivers, and maintenance of the technical equipment and apparatus.

B. The Technical Department which shall include the following divisions:

1. Quality Assurance and Standards Section: which undertakes the projects and maintenance of the specifications and standards of the water works including the wastewater in the municipalities in addition to following up the existing activities pertaining to the specifications and standards.
2. Personnel Training Section: which is responsible for developing and implementing a national plan for developing the human resources in the water sector and prioritize training needed by the water sector.
3. Research Section: which assumes the responsibility of establishing a communication network with research institutes and initiating projects to support and develop the PWA activities, update and develop the levels of implementation.

C. The Regulatory Department: which shall include the following divisions:

1. Licensing, Fees and Tariffs Section: which shall be responsible for issuing license of drilling and extraction of ground water, artificial recharge of the aquifer, industrial discharges, wastewater disposal and reuse, disposal of the solid wastes and other residues which may affect the water resources. This section is also responsible for the management of the fees and tariff system which will be applicable in all the local sectors and factories which use water for domestic, agricultural and industrial purposes.
2. Control Section: which will be responsible for monitoring the compliance with the conditions of the granted licenses, inspection and reporting on illegal wells and illegal sewerage discharges. This division will also monitor and inspect that the water projects are implemented according to the applicable specifications and standards.
3. Consumer Affairs Section: which shall be responsible for following up the appeals and complains of the consumers.

D. Water Resources and Planning Department: which will include the following divisions:

1. Policy, Strategy and Planning Section which shall undertake the strategic planning of water resources in a social, economic and environmental context. Set the framework of planning for projects pertaining to water supplies, irrigation water and wastewater. Support the international cooperation and coordination in water related issues, in coordination with the official and unofficial relevant parties such as the Ministry of Planning and International cooperation, the Ministry of Agriculture and the Palestine Research Center.
2. Water Data Bank Section: which shall be responsible for the management of all water information pertaining to the collection, analyses, processing and using it.
3. Hydrology Section: which shall plan, develop and operate the Palestinian national hydrological monitoring programs aiming at monitoring the Palestinian water resources. This section shall also be responsible for collecting the hydrological variables (quantity and quality), from the hydrological stations and the water quality laboratories. It shall also develop procedures for controlling the quality of data received at the section from the various sources and work on developing and adopting a national water quality criteria and standards.

Article 10

The Head of the PWA shall assume the following tasks and powers:

1. Supervise all the departments, section, branches and concerned bodies under his authority.
2. Implement water policies approved by the Council through the specialized bodies.
3. Issue appropriate and required administrative instructions and circulars to all the departments in order to organize their works.
4. Represent the Authority in any legal or administrative measures taken by the Authority in all its internal and external relations, conduct communications and sign agreements and contracts with any local, regional or international body.
5. Prepare the financial budget of the Authority at the end of every fiscal year and submit it to the concerned parties identified by the law to be approved and adopted.
6. Call for ordinary and extraordinary meetings to discuss all matters and issues facing the Authority in its activities. These meetings shall be headed by him.
7. Grant licenses required for the exploration of water or the establishment of any public or private project.

Article 11

The budget of the PWA shall consist of:

1. Funds allocated to the Authority in the public budget.
2. Fees charged on licenses, water concessions, usage fees and any other fees or taxes collected under any applicable law.
3. Governmental grants and donations and loans which the Palestinian National Authority decides to give to the PWA being an official establishment and any other grants or donations given to it by local bodies and establishments.
4. Grants, donations and loans given by governments, countries and international establishments and bodies and approved by the cabinet.

Article 12

The funds and assets of the Authority shall be considered public funds and assets and must not be tampered or damaged under the penalty of applicable laws.

Article 13

Debt to the Authority shall be considered privileged debts and collected under the applicable public funds collection law. The Authority shall have all the powers which this law stipulates as regards the collection of its debts from the civil parties including confiscation and forced sale of the assets of the debtor.

Article 14

The Authority shall keep special records of all its works, activities, and accounts and shall also keep files of its employees and workers.

Article 15

All vouchers, disbursement orders, purchase receipts and any other documents pertaining to the funds of the Authority shall be kept in special records and shall be reviewed and audited by a legal auditor according to the adopted accounting laws.

Article 16

The Palestinian Water Authority shall open a bank account in one of the banks operating within the areas of jurisdiction of the Palestinian National Authority wherein the Authority shall keep all its funds. No funds are withdrawn under any circumstances without a disbursement order signed by the Head or the Deputy Head and with the signature of the director of the administrative department in the Authority.

Article 17

To apply the provisions of these regulations, the Authority may ask the cooperation of any of the PNA executive bodies including the public prosecution and police, especially in collecting accrued public debts or removing contraventions or any other matters the Head deems necessary.

Article 18

The Authority shall organize all forms of applications needed to practice its activities and it shall have its own logo and seals needed for that.

Article 19

Fees of licensing, exploring or any other fees are determined by a resolution issued by the National Water Council.

Article 20

The National Water Council on the Head's recommendation sets up a special system for Water Authority's bids and tenders.

Article 21

All job opportunities in the Authority must be advertised in the local newspapers and applicants for the job enter a contest and chosen according to objective criteria determined by the Employees Selection Committee in consultation and coordination with the General Personnel Council.

Article 22

The Authority's employees are formal employees and shall be subjected to the civil service and retirement laws applicable in Palestine with the exception of the contracted technicians, experts and consultants whom the Authority contracts for a specified period of time and when specialized expertise is required.

Article 23

The Head has the right to issue licenses for exploring water resources or establishing water projects for a person, a group of persons, a local exploration company, an organization, an establishment or to a municipality according to specific conditions he determines.

Article 24

Licenses of exploration or establishment of water projects shall not be granted to a foreign person or company, under any circumstances, with the intention of investment unless he or it obtains a special permit from the President of the Palestinian National Authority on the request of the head of the PWA.

Article 25

The authority has the right to request those who apply for any license to submit any documents, guarantees, bonds, maps or studies it deems necessary for granting them the required licenses.

Article 26

Licenses may be canceled in the following conditions:

- a. If the owner of the license did not use it within two years of the date of its issuance.
- b. If the license is granted under false or forged information and testimony.

Article 27

The Head, the Deputy Head, the General Director or any other employee of the Authority is prohibited to obtain any personal benefit out of his job or to be a member of a board of directors or a chairman of a board of directors in any company or establishment that does the works of drilling or exploring water or operates any water project.

Article 28

All those provisions which contradict with the provisions of these regulations shall be considered canceled.

Article 29

All the concerned parties have to implement this regulation and it shall come into effect as of the date of their publication in the Palestinian Gazette.

Issued on 5 June 1997

Yasser Arafat

**Chairman of the Executive Committee of the Palestinian Liberation
Organization
President of the Palestinian National Authority**