



REPUBLIC OF ALBANIA

**THE ASSEMBLY
DRAFT**

LAW

No _____, date _____

ON INTEGRATED WATER MANAGEMENT¹

Referring the articles 78 and 83, point 1 of the Constitution, with the proposal of the Council of Ministers

**THE ASSEMBLY
OF THE REPUBLIC OF ALBANIA**

DECIDED

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

1. This Law aims to define:

- a)** a complete frame on protecting and improving the water environment of internal surface waters, temporary waters, coastal waters, groundwater and their state;
- b)** the methods and conditions of integrated management and rational use of water resources protection of the water ecological quality, and deteriorate prevention , system of watercourses and other water bodies and prevention of the pollution, caused by hazardous substances ;the method of organizing and exercising water management tasks and functions; powers and duties of Council of Ministers, National Water Council, Ministries and other bodies of local and central level, and other legal subjects, and other issues of importance to water management.

¹ **32000L0060** - This Law transposes Directive 2000/60/EC of the European Parliament and Council, date 23 October 2000 establishing a framework for Community action in the field of water policy, as amended by Decision 2455/2001/EC, Directive 2008/32/EC and Directive 2008/105/EC.

And **32006L0118** - This Law transposes Directive 2006/118/EC of the European Parliament and Council, date 12 December 2006 on the protection of groundwater against pollution and deterioration, and Directive 2007/60/EC on the assessment and management of flood risks.

Article 2

Object

1. The provisions of this Law shall apply to:
 - a) surface and groundwater, internal sea water, natural resources and lagoon waters, surface and groundwater with water carrying layers and rainfall under the jurisdiction of the Republic of Albania;
 - b) mineral and thermal waters, except mineral and geothermal waters suitable for extraction of mineral raw material or utilization of accumulated thermal energy for power purposes, which is regulated by separate legislation.
2. The boundary line between the terrestrial waters and the coastal waters is defined by special laws and legal acts.

Article 3

Definition of terms

For the purposes of this Law, the following terms shall have the following meaning:

1. **“National Environment Agency”** means the definition provided in the Law No. ---Date “On Environment Protection”.
2. **“Regional Environment Agency”** means the relevant regional unit of the National Environment Agency.
3. **“Water Authorities”** means the authorities listed under Article 7 of this Law.
4. **“Relevant Authority of the Local Government”** means the unit of the local government, within which territory are performed the water activity and operation.
5. **“Authorization”** means the administrative act, which is defined according to the Law no. 10081, date 23.2.2009 “On licenses, authorizations and permits in the Republic of Albania.
6. **“River basin”** means the area of land from which all surface run-off flows through a sequence of streams, rivers and, possibly, lakes into the river flowing into the sea at a single estuary, delta or another river.
7. **Banks”** are strips of land adjoining seas, lakes, reservoirs, lagoons, ponds, rivers and streams which comprise a minimum of two areas of land:
 - i. 5 metres at a right angle upper edge of the natural banks on steep banks and 20 metres from the maximum water level over a period of 25 years on flat banks, which can be used, on the basis of special provisions, for public purposes,
 - ii. 100 metres at a right angle from the upper edge of the natural banks on the steep banks, and 200 metres from the maximum water level over a period of 25 years on flat banks, where every activity undertaken will be determined by the water authorities.

The difference between steep banks and flat banks, is that steep banks lie at a slope of more than 10% from the waters’ edge.
8. **“Water resources”** comprise inland waters, coastal waters, transitional waters and groundwater.
9. **“Water Regulator Entity”**, referred as WRE is the institution exercising the activity based on the Law no. 8102, date 28.03.1999, “On regulatory frame of water supply and carrying away and treatment of wasted waters”, amended.

10. **“National Environment Inspectorate”** means the inspection authority as defined in the Law No. Date....”On Environment Protection”.
11. **“NWC”** is the abbreviation for National Water Council.
12. **“Concession”** means the agreement, despite the designated name, entered between the contractual authority and concessionaire as defined in the law No. 9663, date 18.12.2006, “On concessions”, amended.
13. **“Discharges Control”** are controls of the discharges for the limit specific discharges, with a technical norm for discharges in environment or a norm specifying the limits or conditions on effects, nature or other conditions affecting the discharges.
14. **“Environmental Permit”** means an environmental permit of A, B or C category as defined in the Law No ___, dated _____ “On Environmental Permits”.
15. **“Permit”** means the administrative act, which is defined according the Law no. 10081, date 23.2.2009 “On licenses, authorizations and permits in the Republic of Albania”.
16. **“Licence”** means the administrative act, which is defined according the Law no. 10081, date 23.2.2009 “On licenses, authorizations and permits in the Republic of Albania”.
17. **“Law on Environmental Protection”** means Law No ___, date _____ “On Environmental Protection”.
18. **“Lake”** means a body of inland surface and/or underground waters.
19. **“River”** means a body of inland water flowing for the most part on the surface of the land but which may flow underground for part of its course.
20. **“Responsible Minister”** means the minister covering the field of activity, according to the applicable legislation.
21. **“Minister”** means the Minister of the Ministry in charge of water management.
22. **“Ministry”** means the Ministry in charge of water management.
23. **“Environment”** has the meaning defined in the law no. _____ date _____ “On Environmental Protection”.
24. **“Pollution”** has the meaning defined in the law no. _____ date _____ “On Environmental Protection”.
25. **“Environmental water quality norm”** means the concentration of a particular pollutant or group of pollutants in water, sediment or biota which should not be exceeded in order to protect human health and the environment.
26. **“Groundwater quality norm”** means an environmental, technical and health norm expressed as the concentration of a particular pollutant, group of pollutants or indicator of pollution in groundwater, which should not be exceeded in order to protect human health and the environment.
27. **“Environmental discharge technical norm”** has the meaning defined in the Law “On Environmental Protection”.
28. **“Environmental objectives”** means those objectives defined in conformity with this law and in a special legislation.
29. **“Operator”** is the physical or juridical person operating, using, discharging, treating or performing any type of activity in the water management field in accordance to the applicable legislation.
30. **“Flood”** means the temporary covering by water of land not normally covered by water. This shall include floods from rivers, mountain torrents, discharges of barriers, ephemeral water courses, and floods from the sea in coastal areas,

but excludes floods from sewerage systems.

31. **“Good ecological potential”** means the ecological potential of a heavily modified body of water or an artificial water body when assessed as ‘good’ as set out in specific legal acts.
32. **“NLC”** is the abbreviation for the National Licensing Centre, which is the institution defined in the Law no. 10081, date 23.02.2009, “On licences, authorizations and permits in the Republic of Albania”.
33. **“National Register of Licenses and Permits”** is an integrated portal of electronic data, serving as procedural instrument of publication/ annunciation and as official electronic record, providing the transparency in the licensing field, authorization and issuing of permits.
34. **“National Water Register”** is a public inventory which is on electronic way and on hardcopy, where are registered all data about the water resources.
35. **“River basin district”** means the area of land and sea, made up of one or more neighbouring river basins together with their associated groundwater and coastal waters, which is identified as the main unit for water management of river basins.
36. **“Flood risk”** means the combination of the probability of a flood event and of the potential adverse consequences for human health, the environment, cultural heritage and economic activity associated with a flood event.
37. **“Servitude”** means the definition provided in the Civil Code of the Republic of Albania.
38. **“Water services”** means all services, which provide, for family, public and private consumers, and for the business activities abstraction, impoundment, storage, treatment and distribution of surface water or groundwater, waste water collection, removal and treatment which subsequently discharge into water.
39. **“Discharge in Water”** means the discharges in water bodies, including the discharges in the sewerage and rainfalls systems.
40. **“Sewerage Systems”** is defined by the Decision of the Council of Ministers No. 1304, date 11.12.2009, “On approval of the regulation model for the water – sewerage system in the service area of the water – sewerage system sh.a”.
41. **“Ecological status”** is an expression of the quality of the structure and functioning of aquatic ecosystems associated with surface waters, classified in accordance with specific legal acts.
42. **“Good ecological status”** means the ecological status achieved by a body of surface water when assessed as ‘good’ as set out in specific legal acts.
43. **“Good groundwater status”** means the status achieved by a groundwater body when both its quantitative status and its chemical status are assessed as at least 'good' as set out in approved state standards.
44. **“Good surface water status”** means the condition achieved by a surface water body when both its ecological condition and its chemical condition are assessed as at least 'good' as set out in approved state standards.
45. **“Good groundwater chemical status”** means the chemical status of a body of groundwater as set out in approved state standards.
46. **“Good surface water chemical status”** means the chemical status required to meet the environmental objectives for surface waters as set out in approved state standards.
47. **“Good groundwater quantitative status”** means the quantitative status of a

body of groundwater when assessed as 'good' as set out in approved state standards.

48. **“Groundwater status”** is the general expression of the status of a body of groundwater, determined by the status referred to the maximum limits of standards as set out in approved state standards.
49. **“Surface water status”** is the general expression of the-condition of a body of surface water, determined by its poorest ecological, quality and chemical status.
50. **“Quantitative status”** is an expression of the degree to which a body of groundwater is affected by direct and indirect abstractions.
51. **“TSNWC”** is the abbreviation for Technical Secretariat of the National Water Council.
52. **“The subject of common competences”** is an entity, board, institution or comity, which is created by one or more local and/or national authorities for fulfilling together duties or responsibility according to this law.
53. **“Pollution subject”** has the meaning given to it in the Law “On Environmental Protection”.
54. **“Pollutant”** means any substance liable to cause pollution, in particular those set out in specific legal acts and by laws.
55. **“Priority substances”** means those substances, including “priority hazardous substances” listed in specific legal acts, aimed at the cessation or interruption of discharges, emissions and losses for which should be taken specific actions.
56. **“Hazardous substances”** has the meaning given to it in the Law “On Environmental Protection”.
57. **“Industrial Polluted Water”** means the used waters that are discharged by the facilities used for commercial or industrial activities, these are not domestic used waters or flow of rainfalls.
58. **“Domestic Polluted Water”** means the used in residential areas and services areas, originating mainly by the human metabolism and activities of domestic actions.
59. **“Urban Polluted Water”** means the used domestic water or a mixture of domestic water with the industrial wasted water and/or rainfalls flow.
60. **“The holder of the license/authorization/permit”** is the juridical or physical person holding a licence, authorization or permit.
61. **“Body of groundwater”** means a geological stratum, able to carry water for a distinct volume and condition and constitutes an aquifer.
62. **“Artificial water body”** means a body of surface water created by human activity such as reservoirs, retention storages, canals, fishponds, etc.
63. **“Body of surface water”** means a distinct and significant element of surface water such as a lake, a reservoir, a stream, river or canal, part of a stream, river or channel, transitional water or a stretch of coastal water.
64. **“Heavily modified water body”** means a body of surface water which as a result of physical alterations by human activity has substantially changed in character, as designated by the competent authority in accordance with the relevant legislation.
65. **“Drinking Water”** is the water aimed for human consumption as defined by the Directive 80/778/EEC of European Parliament and Council, changed by the Directive 98/83/ EC.
66. **“Coastal water”** means surface water on the landward side of an imaginary

line, which is equidistant of one nautical mile on the seaward side from the baseline, and is used as a reference to define the boundary of territorial waters, extending where appropriate up to the outer limit of transitor waters.

- 67. “Groundwater”** means all water which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.
- 68. “Inland water”** means all inland flowing or not flowing waters, and all groundwater on the landward side of the baseline ,which is used as a referring point to define the territorial waters.
- 69. “Transitional waters”** are bodies of surface water in the vicinity of river mouths into the sea which are partly saline in character as a result of their proximity to coastal water but influenced mainly by sweet waters.
- 70. “Surface water”** means inland waters, except groundwater; transitional waters and coastal waters, and territorial waters except their chemical status.
- 71. “Flood zone”** is the area on each side of riverbed, vulnerable for temporary flood.

Article 4 **State ownership**

1. The State ownership consist of:
 - a) All the water resources of the Republic of Albania, as defined in the paragraph 1/a) of the Article 2 of this law;
 - b) All river beds and banks, torrents and other natural streams, whether temporary or permanent, channels, lakes, ponds, natural or artificial lagoons and -natural or artificial water carriers, islands and accumulations of sand, stones and silt on river beds, lakes and –water carriers as well as geological formations of underground waters;
 - c) All structures and hydro-technical works accomplished by the state such as dams, irrigation, drainage and navigation systems, potable water stations and their respective channels and works;
 - d) Land obtained following the withdrawal of water and land extended toward the water, if it connects with the land owned by the state. -.
2. The right of ownership of the state as specified under paragraph 1 of this article is an inalienable and not prescriptive right.

Article 5 **Integrated water management**

1. The main purpose of integrated water management is to establish a framework for protection of –water resources with the aim of:
 - a) Monitoring the water status, the rational use and pollution diminution;
 - b) preventing further deterioration and protecting and enhancing the status of aquatic ecosystems and, with regard to their water needs, terrestrial ecosystems and –bogs directly depending on the aquatic ecosystems;
 - c) promoting rational and sustainable water use based on a long-term protection of available water;
 - d) enhanced protection and improvement of aquatic environment, inter alia, through specific measures for the progressive reduction of discharges, emissions and losses

- of priority substances and the cessation or phasing-out discharges, - and losses of the priority substances;
- e) ensuring the progressive reduction of the pollution of groundwater and preventing its further deterioration; and
 - f) contributing to mitigating the effects of floods and droughts.

2. The integrated water management especially contributes to:

- a) the provision of the sufficient supply of good quality surface water and groundwater as needed for sustainable, balanced and equitable water use;
- b) a significant reduction in pollution of groundwater;
- c) the protection of territorial and marine waters;
- d) achieving the objectives of relevant international agreements, including those aiming to prevent and eradicate the pollution of marine environment.

Article 6

Principles on integrated water management

1. The integrated water management is based on the following principles:

- a) Respect of the integrity of river basins, according to social and economic requirements for water resources, protecting and preserving the quality of these resources and the environment quality for future generations;
- b) Coordination of the public control over water resources through territorial planning and social and economic development projects at local and national level;
- c) Rational use of water resources and control of discharges;
- d) In accordance with the principle of recovery of the costs of water services, including environmental and resource costs and in accordance with the “polluter pays” principle;
- e) “Polluter pays” principle , the polluter covers the costs incurred by water pollution;
- f) The principles of environmental protection provided in the Law No 8934, date 05.09.2002 “On Environmental Protection”.
- g) The provision of an adequate supply of the surface water and groundwater with a better quality for a constant, equilibrated and equal water use.

CHAPTER II

MANAGEMENT AUTHORITIES OF WATER RESOURCES

Article 7

Water management authorities

The management of water sources in the Republic of Albania is performed by:

- a) National Council of Water;
- b) The Ministry;
- c) Technical secretariat of the National Council of Water;

- d) Councils of reservoir basins;
- e) Agencies of water basins;
- f) Other bodies, institutions and public entities managing water resources as defined via other legal acts and by laws.

Article 8

National Authorities for water management

1. National Authorities for water management are:

- a) National Council of Water;
- b) The Ministry;
- c) Technical secretariat of the National Council of Water.

Article 9

The National Water Council

1. The National Water Council is the main decision making authority charged with the management of water resources;
2. The National Water Council is an inter-ministerial body, consisting of representatives of institutions, bodies, entities treating cases on water resources;
3. The National Water Council is headed by the Prime Minister;
The National Water Council will:
 - a) Propose to the Council of Ministers the improvement of the legal system on water resources management;
 - b) Prepare and propose, via the Minister, the bylaws relevant to this law;
 - c) Approve interregional and national plans and projects in the fields of agriculture, urban planning, industrial and territorial development insofar as water conservation and management;
 - d) Define the territorial boundaries of basin areas in all the country and define the centre of each basin;
 - e) Establish agencies or organisational units, which will depend on the Council, to facilitate the water resources management and application of this law;
 - f) Propose and adjust appropriate measures for implementation of any international agreement or convention on water resources to which the Republic of Albania is a signatory;
 - g) Give opinion for identification of prospective concessions for water resources;
 - h) In cases where the water resources are of national importance, the concession procedures are performed in conformity with the applicable legal acts and by laws.
4. The National Water Council is hereby entitled to ask and obtain from the River Basin Councils, other ministries, bodies, agencies and public structures, such information, data, reviews or technical and advisory support as will enable the National Water Council to prepare the national water strategy and national plan of water resources.
5. The Council of Ministers approves the rules for the organization and functioning of the National Water Council.

Article 10
The Ministry

1. The Ministry draws up and implements policies, strategies, programs and projects, for the integrated management of water resources, aiming their quantitative and qualitative maintenance and consolidation, -.
2. The policies of the Ministry are oriented to the steady management of water resources, aiming to increase the economic and qualitative level of the life of actual and prospective generations.

Article 11
Technical Secretariat of the National Water Council

1. The Technical Secretariat of the National Water Council is an executive body of National Water Council.
2. The Council of Ministers with the proposal of the Minister approves the functions, tasks and responsibilities of the Technical Secretariat of the National Water Council.

Article 12
Local Authorities for water management

1. The River Basin Councils are responsible for the integrated management of groundwater and adjacent coastal waters on relevant basins in local level.
2. The Council of Ministers by a by law the River Basin Council for any river basin or river district basin for the Republic of Albania.
3. River Basin Agencies:
 - a) prepare reports, give opinions for water sources of relevant basin, recommend measures and propose projects for a better management of water sources and forward them for implementation to the Basin Councils.
 - b) cooperate with the local and central authorities for the performance of relevant studies and programmes.

Article 13
Subject of common competences

1. National and Local Authorities for water management have the right to create subjects of common competences according the duties, permanently or temporary with relevant duties and responsibilities based on the objective for the water administration.
2. The subject of common competences is created based on the right of delegation or sub delegation and accordance to the specific agreement entered between the parties.
3. The agreement for the establishment of the Subject of common competences provides at least:
 - a) The scope and the object of the establishment;
 - b) Jurisdiction, specific competences delegated and the acts that may be issued or applied;
 - c) The composition of bodies that have the right to take decision and rules for taking decisions;

- d) Duration;
- e) Financial and administrative resources that be given for the Subject by each party of agreement;
- f) The manner for resolving the disputes between the delegation authorities.

CHAPTER III WATER RESOURCES MANAGEMENT

SECTION 1 Territorial allotment for water management

Article 14 River basins/ river basin districts

1. The territory of the Republic of Albania, for water management purposes, is divided into basins and river basin districts.
2. Small river basins may be combined with larger river basins or joined together with neighbouring small basins to form individual river basin districts where appropriate.
3. Where groundwater do not fully follow a particular river basin, such groundwater shall be identified and assigned to the nearest or most appropriate river basin district.
4. Coastal waters shall be identified and assigned to the nearest or most appropriate river basin district.
5. Surface waters and groundwater are managed integrally.
6. The territorial hydrographical boundaries of basins and the river basin districts shall be designated by the NWC and approved by the Council of Ministers.

Section 2 Planning documents for water management

Article 15 Policies

1. The policies are the highest level of planning for water administration.
2. The policies documents contain:
 - a) The objective of planning and development of water management according to the economic, demographic, social, environmental cultural and historic development;
 - b) Implementations measures;
 - c) Operational plan and the necessary budget that is suitable for his implementation.

Article 16 National Water Strategy

1. The National Water Strategy is a planning document defining the state policy's vision, mission, goals and objectives in the area of water management for a long-term period.
2. The National Water Strategy must be based on scientific research, continuous observation of the situation and phenomena in connection with water and its use, respecting of specific

water problems in each river basin district and integrated environmental protection.

3. The National Water Strategy presents a framework in respect of water management for developing other plans and strategic documents in the areas of physical planning, environmental protection, biological and landscape diversity, agriculture, forestry, fisheries, transport, tourism, public health and other relevant documents.
4. The National Water Strategy shall be revised every 15 years. The Strategy of Water Management may be revised and updated before the expiry of the deadline if it is required by the changes in the water system, economic and social development.
5. The Strategy of Water Management is proposed by the Minister and approved by the Council of Ministers.
6. The national water strategy is prepared by bodies, entities, institutions specialized in the water field, under the direction and supervision of the Technical Secretariat.
7. The Council of Ministers approves the National water strategy after it is approved by the NWC.

Article 17

River basin district management plans

1. River basin district management plan is drawn up in conformity with the approved National Water Strategy, the plan will be implemented for a defined territory and period.
2. The Technical Secretariat of the National Water Council prepares a river basin district management plan and forward it for review and approval to the NWC.
3. The NWC designates the river basin district management plan, and they are proposed for approval to the Council of Ministers.
4. A river basin district management plan shall be reviewed in 2015 and thereafter should be reviewed and updated every six years.

Article 18

International cooperation

The Council of Ministers with the proposal of NWC nominates a specific council for the management of boundary waters, management of relation with relevant neighbouring states in accordance with the Albanian legislation and relevant international agreements.

Article 19

Supplementary programmes

1. River basin district management plans may be supplemented with programmes that are more detailed and management plans for sub-basins, sector, issues or water type if deemed necessary for treating special aspects of water management.
2. The Minister with the proposal of NWC approves via a by law the development and the content of the detailed supplementary programmes.

Article 20

Details of the Strategy and Plans

1. The detailed content, procedure of development, public participation and all other relevant issues related to the development and implementation of the National Water Strategy and

River Basin District Management Plans are determined by Decision of the Council of Ministers.

2. The Decision referred to in paragraph 1 shall also include:
 - a) environmental objectives as referred in article 22;
 - b) the chemical and ecological parameters for surface water as provided in this law;
 - c) the chemical and quantitative parameters (standards) for groundwater status as provided in this law;
 - d) conditions for designating heavily modified water bodies as referred to in article 23;
 - e) technical specifications and standardised methods related to the monitoring programme as provided in this law;
 - f) technical specifications related to the analysis of characteristics of the river basin districts as referred to in article 31;
 - g) content of the programme of measures referred to in article 32;
 - h) conditions and measures relevant for flood risk management planning referred to in articles 53, 54; and
 - i) any other issues relevant for the implementation of river basin district management plans.

Section 3 Water classification

Article 21 Environmental objectives

1. In order to prevent deterioration of water bodies as well as to protect, enhance and restore all bodies of water, both surface and groundwater, environmental objectives shall be established for bodies of surface water as well as for groundwater and for protected areas.
2. The environmental objectives referred to in paragraph 1 for bodies of water will be established by reference to their chemical and/or ecological status and/or quantitative status.
3. The Council of Ministers with the proposal of the Minister, shall establish the criteria for determining environmental objectives.

Article 22 Water classification

1. In order to protect and improve water status, surface waters are classified according to their chemical and ecological status.
2. In order to protect and improve the quality of groundwater those water bodies are classified according to their quantitative and chemical status.
3. Water classification shall be determined by the Council of Ministers, acting on a proposal of the Minister. The designation of water bodies shall be made by the Minister, acting on a proposal of the River Basin Councils and scientific specialised institutions operating in the surface water and groundwater field, in accordance with the provisions of this Article and shall be published in the Official Gazette.
4. The designation of water bodies based on their water classification shall form an integral

part of the River Basin Management Plans.

Article 23 **Heavily modified water bodies**

1. The Minister, acting on a proposal of a River Basin Council, may, in accordance with the provisions of this Law:
 - a) designate certain water bodies as artificial or heavily modified where it is not possible to achieve environmental objectives related to the good status or good ecological potential of water bodies due to technical infeasibility or disproportionate costs;
 - b) extend the deadlines for attaining environmental objectives provided that no further deterioration occurs in the status of the affected body of water;
 - c) set less stringent environmental objectives for specific bodies of water when they are so affected by human activity, or their natural conditions is such that the achievement of these objectives would be infeasible or disproportionately expensive.
2. The Minister, acting on a proposal of a River Basin Council, undertakes all the appropriate actions to prevent deterioration in the status of the body of surface water or groundwater designated as heavily modified water bodies.
3. Any designation made under this article and the reasons for that designation shall be stated in the relevant River Basin Management Plan.
4. Any designation made under this article shall be reviewed any 6 years.

CHAPTER 4 **POLLUTION CONTROL**

Section 1 **Water norms**

Article 24 **Water quality norms**

1. In accordance with the Law “On Environmental protection”, the environmental quality norms for water shall be established in order to prevent deterioration of water quality.
2. Water quality norms shall be established for all waters including groundwater.
3. Water quality norms may be established in respect of all water resources, or by reference to:
 - a. The actual or potential use to which particular water bodies are put;
 - b. Activities that are carried out or take place on such water bodies; or
 - c. Those water bodies, which require protection in order to support specified activities.
4. The National Water Council may require each River Basin Council to identify relevant water bodies, which need protection.
5. The National Water Council may specify the water bodies referred at paragraph 4 according the defined procedure and period.

Article 25
Technical norms of water discharges on the environment

1. The Council of Ministers with the proposal of the Minister, approves the technical norms of water discharges on the environment, technical norms for water for hazardous substances and for other substances and parameters in accordance with the requirements of the Law “On Environmental Protection”, and to prevent deterioration of water quality and to protect the environment,.

Article 26
Drinking water quality

1. The Technical Secretariat of the National Water Council, in cooperation with the Ministry responsible for Health and the Ministry responsible for the Environment Protection designate the state standards of water quality aimed for human consumption.
2. Any operator exploiting an water source should have the technical passport for relevant source, issued by office of patents near the Ministry of Economy.
3. Any physical or natural person, public or private offering or trading potable water, or water for food production should be equipped with relevant permits, authorizations or licences and to meet the defined requirements of state standards related to human consumption.
4. The units of local authorities and any other public or private institution, using their own water supply system should provide control for the quality of distributed water. The relevant inspectorate orders the interruption of water distribution if are not meet the quality standards.

Section 2
Pollution control

Article 27
Combined approach

1. In order to prevent deterioration and to protect, enhance and restore bodies of surface water, pollution control is based on principle of combined approach.
2. Pollution control is achieved through implementation of relevant emission limit values, emission controls based on best available techniques or in the case of diffuse impacts, through the best environmental practices.
3. Where an environmental objective or a water quality norm requires stricter conditions than those, which would result from the application of paragraph 1, then stricter emissions controls shall be set accordingly.

Article 28
Environmental permits

1. Any physical or juridical person, which exercises activity that discharges wastewaters to water bodies, shall be required to have a relevant environmental permit in accordance with the requirements of the Law “On Environmental Permitting”.
2. The natural or juridical persons, performing activities causing polluted waters , hold Environmental Permit, which contains as follows:
 - a) specific conditions in meeting the liquid discharge norms, in conformity with relevant

- activity;
 - b) requirements on construction and operation of the internal sewerage system;
 - c) requirements on initial treatment of the used waters;
 - d) actions on preventing the environment protection;
 - e) collector to be discharged the treated waters and the regime of their discharge ;
 - f) maintenance of the registers;
 - g) monitoring and publishing of its results.
3. The natural or juridical persons, undertaking the treatment and processing of polluted waters, hold the Environmental Permit, which contains as follows:
- a) requirements and conditions of the construction site of plants and instalments for water processing;
 - b) type of the plant or plants to be used;
 - c) methods, techniques and technologies applied for the plant and relevant operation rules;
 - d) allowed norms of liquid discharges that should meet the waters after treated;
 - e) expectant environment, to be discharged the processed waters and the regime of their discharge;
 - f) requirements on environmental treatment of sludge resulting by the treatment of polluted waters according to their nature, composition and quantity;
 - f) maintenance of the registers;
 - g) monitoring and publishing of its results.

Article 29

Protected areas

1. Where for purposes of protection of water and aquatic ecosystems it is necessary to undertake special protection measures, protected areas shall be determined, based on this Law and other specific laws.
2. Protected areas may include the following:
 - a) sanitary protected zones for potable water;
 - b) areas for fish and shellfish farming, according to the fishing legislation;
 - c) areas for bathing and recreation;
 - d) areas prone to eutrophication and areas vulnerable to nitrates; and
 - e) areas intended for protection of humans, plants or animals or habitats where maintaining or improving water status is a significant element for their protection.
3. The Minister, acting on a proposal of the River Basin Councils, shall designate protected areas referred to in paragraph 2 and publish in the Official Gazette.
4. In protected areas intended for protection of humans, plants or animals or habitats where maintaining or improving water status is a significant element of their protection, the measures envisaged under the legislation on nature protection shall apply if not otherwise stipulated by this Law.
5. The River Basin Councils and the Ministry shall develop and maintain an inventory of protected areas, which shall be integral component of the management plan for protected areas.
6. The management plan for a protected area shall be included in relevant River Basin Management Plan.
7. Inventory of protected areas shall be regularly updated.

Article 30
Protection of areas prone to pollution

1. The Minister is in charge to draw up relevant by laws to declare the areas in danger from the pollution of harmful elements or substances, such as nitrates, phosphates, plant protection products and biocides, and present them for approval at the NWC.
2. The Minister in cooperation with the Minister responsible for the Agriculture and the Minister Responsible for the Economy issues regulations that define the programs, measures and other relevant obligations to reduce and prevent the pollution of waters by the harmful substances as those mentioned at point 1 of this article, caused or originated by agriculture activities.
3. The combined approach as defined in the Article 27 is applied for the discharges from discharging points and sources in the areas defined at point 1.

Section 3
Water protection measures

Article 31
Characteristics of River Basin

1. For each basin and river basin district, the River Basin Council shall carry out an analysis of its characteristics, a review of the impact of human activity on the status of surface waters and on groundwater and an economic analysis of water use.
2. The Council of Ministers, acting on a proposal from the Minister, shall establish the technical specifications for the analysis and review referred to in paragraph 1.
3. The analysis and review prepared in accordance with paragraph 1 shall be reviewed by 2015, and if necessary reviewed and updated any 6 years thereafter.

Article 32
Programmes of measures

1. For each river basin district, the Basin Council prepares the programme of measures taking into account the results of the analysis referred to in Article 31 in order to achieve environmental objectives referred to in Article 21.
2. The programme of measures shall be developed by the River Basin Council and shall be approved via a bylaw by the Minister.
3. For each river basin district the programme of measures shall be reviewed by 2015, and if necessary any 5 years thereafter.
4. The Council of Ministers, acting on a proposal of the Minister, shall establish the content of the programme of measures in accordance to the provision of this Article.

CHAPTER V
LICENSES, AUTHORIZATIONS, PERMITS, AND CONCESSIONS FOR THE USE
OF WATER RESOURCES

Article 33
Authorities issuing licenses, authorization, permit and grant concessions

1. The water authorities shall issue licences, authorizations permits, and concessions for the use of water, based on the free proportionality principles, reducing bureaucracy and administrative barriers, and in accordance with procedures prescribed by decision of the Council of Ministers in the application of this chapter of this law.
2. If the activity is to be undertaken within the boundaries of one basin and within the territory of the Republic of Albania the basins councils should grant the permits or authorizations.
3. The National Water Council issues the licences, authorizations and permits if the activity is to be carried out in an area outside the boundaries of a single basin but within the territory of the Republic of Albania.
4. The National Water Council or Basin Councils grant concessions based on the classification of water resources according the procedures, criteria, and conditions provided in the legal acts and by laws.
5. Licences, authorizations, permits, and concessions for use of water:
 - a) are personal and property of the relevant “Holder of License/ Authorization/Permit/ Concession right”;
 - b) cannot be transferred without the approval of the relevant water authorities;
 - c) are temporary and can be renewed in conformity with a defined procedure;
 - d) can be modified, refused or cancelled pursuant to articles of this law and relevant by laws;
 - e) shall be issued upon the payment of a fee for administrative costs;
 - f) shall be included in the National Register of Licenses and Permits according to the legal provisions and relevant by laws;
 - g) cannot be refused, revoked or abrogated without a reasoned decision of the administrative body that reviews the application for granting licenses, authorizations, permits;
6. The Council of Ministers for the implementation of this law and the Law “On licences, authorizations and permits”, designates:
 - a) Special conditions for licensing, authorization and permits necessary relevant documents to be presented;
 - b) Term of validity of license, authorization and permit;
 - c) Procedures and term of reviewing and administrative decision taking; and
 - d) Procedures of revocation from the administrative authorities.

Article 34

General principles for granting licences, authorisations, permits, and concessions and entering concessionaire agreements

The licence, authorization, permit, or concession shall only be granted if :

- a) it will not adversely affect the use of water by any natural or legal person holding a license, authorization, permit , or concession;
- b) this is in accordance with the relevant River Basin Management Plan;
- c) it will not lead to non-compliance with applicable environmental quality standards adopted pursuant to this law;
- d) it will not lead to non-compliance with applicable environmental objectives adopted pursuant to this law;
- e) it does not conflict with a programme of measures adopted pursuant to this law.

Article 35
General conditions of licenses, authorisations, permits, and concessions for the use of water

1. Any license, authorization, permit, or concession for the use of water shall provide the general data as follows:

- a) Series, number and date of becoming effective;
- b) data for the identification of the holder;
- c) the activity that is permitted and the purpose for which the water is to be used;
- d) the quantity of water that may be used either by reference to a fixed volume or a share of the flow;
- e) the volume of the returned flow, if any, and the place where the returned flow should be discharged;
- f) in cases where the water is to be used for the purpose of irrigation, the area of land to which the use of water relates;
- g) location where is exercised the activity, is performed any operation or used the asset (if it is defined as necessary data for the category/ subcategory);
- h) limitation on exercising the activity, operation or when using the public asset;
- i) the period of validity of the license, authorization, permit or concession; and

2. Any license, authorization, permit or concession shall contain the following general conditions and the operator should:

- a) rationally use the water as to avoid waste and not to harm to the environment;
- b) to use the water for the specified purpose as defined in the license, authorization, permit or concession;;
- c) pay all fees, taxes, or charges relating to the use of water;
- d) install, or allow the installation of, equipment for measurement of the quantity of water used in accordance with the requirements of the relevant water authority that issues the permit or concession;
- e) record the volume of water used including the return flow; and
- f) to provide data and information concerning the use of water, anytime the authorities of the management of water resources require so.

3. The Council of Ministers by a decision designates the specific conditions, relevant documents, validity term, review and decision taking procedures.

4. The license and permit issued by the local institutions or independent institution enters into force after its publication in the Register of Licenses and Permits, unless it is provided in the relevant act that it should become effective after the publication in the Official Gazette.

5. The Use Permits are included in the category III.6 of the appendix of the Law no. 10081, date 23.02.2009 “On licenses, authorizations, and permits in the Republic of Albania”.

Article 36
Temporary suspension and variation of terms of licenses, authorizations, permits, or concessions

1. If the concession holder does not meet the criteria granted by this title or breaches relevant obligations, the license, authorization, permit, or concession can be suspended, amended or revoked.
2. The suspension and amendment of the terms contained in licenses, authorizations, permits, or concessions shall take place upon the approval of the issuing water authority;
 - a) following the issue of a drought order pursuant to this law;
 - b) when there have been changes due to *force majeure*;
 - c) with the request of the permit holder;
 - d) in case of non compliance by the holder with the conditions of the license, authorization, permit, or concession.

Article 37

The cancelling or revocation of licenses, authorizations, permits, and concessions

1. The licenses, authorizations, permits, and concessions may be cancelled, or revoked:
 - a) if it is necessary to reallocate the water for another purpose in accordance with the public interest and the relevant River Basin Management Plan;
 - b) in the case of non-compliance by the holder of concession/authorization/ permit/concession with the relevant defined terms following an earlier period of suspension during which is suspended the permit/ authorization;
 - c) at request of the holder of license/authorization/ permit/concession;
 - d) if the water to which the permit , authorization or concession relates has not been used for a period of three years;
 - e) on the death of the holder as natural person, or liquidation and/or bankruptcy of the of the holder of the license/authorization/ permit/concessioner as juridical person.
2. Any decision of the water authority to cancel, revoke any license, authorization, permit, or concession may be appealed via administrative way in to the Minister according to the procedures provided in the Code of Administrative Procedures. The Administrative Act issued by the Minister may be contested at the Court within the terms and legal procedures on administrative offences.

Article 38

Use of inert materials

1. The water authorities shall issue a special authorization for the right to exploit inert materials, such as sand, gravel, taken from beds and banks of rivers, streams, lakes either with or without water, if met the legal criteria and requirements.

Article 39

Professional driller

1. The water professional driller operating for trade purposes should be equipped with the license provided in the category III. 7, of the appendix on licenses. This activity is licensed as provided in law on licenses.
2. The professional driller within two months from the termination of the drilling should

present to the water authorities and to the Albanian Geological Service a detailed hydro-geological report on the drilling, samples of drilled layers and relevant documentation.

CHAPTER 6 PROTECTED ZONES AND AREAS

Article 40 Hygienic - sanitary protection area

1. To protect the water quality near the resource, are defined the hygiene - sanitary protection areas around the superficial resource or groundwater, which supply with drinking water the urban and rural population.
2. The Technical Secretariat of NWC with the relevant health bodies draws up regulation to define the boundaries of these areas.
3. The hygiene - sanitary protection areas consist of:
 - a) An immediate protection area, which is under the control of the operator that performs the abstraction, production and delivery of drinking water. This area is surrounded;
 - b) A near protection area, within which should be prohibited to construct buildings, to develop industry, to perform agriculture and cattle operations, to open wells, dig channels, to deposit or discharge pollutions, sewerages, chemical and toxic substances, to be used chemical fertilizer and pesticides, to be buried human or animal corpses;
 - c) A distance protection area.
4. Physical and juridical persons, whose interests are violated by the placement of protected areas, are compensated according to the applicable legislation.

Article 41 Emergency protected zones

1. The water authorities may designate to establish protected zones or areas anytime the superficial resources or groundwater are threaten in quantity or quality if any conflict between the users of water or any risk of disease spreading.
2. The regime of relevant zones and areas and their restrictions will be defined according to the circumstances.

Article 42 Special protected zones

1. According to a proposal of the Basin Council and approval of NWC, designated zones, basins, parts of basin, watercourse, rivers, etc. can be disclosed as zones of a special protection, because of their natural features or ecological interest.

Article 43 Coordination of the city planning studies with water reserves plans

1. The city planning studies and plans should take into consideration the water reserves plans

drawn up by the NWC.

Article 44

Water covered lands

1. The marshes or overflowed zones, according to the provisions of this law, including those created artificially, are considered as water covered lands. NWC designates its boundaries.
2. The relevant operations are subject of licenses, authorizations, permits, and concessions.

Article 45

Health hazardous zones

1. NWC in cooperation with the relevant sanitary bodies designates the health and life hazardous zones, declared as harmful for public interests and decides for the drainage of overflowed lands.

CHAPTER 7

SHORE PROTECTION

Article 46

Temporary protection

1. Juridical, public and private persons can take temporary actions in emergent cases. The water authority gives the permit for the relevant operations.

Article 47

Shore protection

1. Shore protection is a public obligation. Shore protection by the constructions, reconstructions and private maintenance, covering works and other works and technical measures, included biological ones.

Article 48

Constructions on shore

1. The authorities responsible for the regulation and planning of the territory with the approval of water authorities, give the permit for the construction, -reconstruction or demolition of the shore protecting objects, such as bridges, stairs, barriers, cable lines or pipelines, buildings on columns, ditches or pathways.

Article 49

Prohibited operations on shores and beaches

1. It is prohibited to perform as follows on shores, beaches and flood areas:
 - a) to change or move the plant or artificial cover;
 - b) to take inert materials (sand, grit, stones, etc.) or lumps;

- c) to construct parking lots for water means and terrestrial vehicle;
 - d) to establish drain areas for nets;
 - e) to dig, drill or cause rinse;
 - f) to throw or deposit inert materials derived by the demolishing of construction objects, different excavations, or any other activity generating inert materials.
2. The water authorities in cooperation with the authorities responsible for the regulation and planning of the territory, may restrict or prohibit the exploit of beaches, seabed, sand - dunes, sloping shores, and any other area defined for shore protection and maintenance if it is required by the shore safety and maintenance.

CHAPTER 8 SERVITUDES

Article 50 Servitudes

1. The proprietors in case of any servitude issue such as flowing or extracting of waters refer to the provisions of the Civil Code.
2. If the disagreement related to any servitude is not resolved in negotiation, the competent authority for their solution will be the court.

Article 51 Activities on shores

In private and state lands, along the shore of rivers, streams, channels, lakes, ponds, reservoirs, sea lagoons and seashore should be left:

- a) a land area for public use of 5 to 100 meters width near relevant shores, according to the definitions of this law for public use. The width of relevant area can be extended nearer the embouchure, closer to the reservoirs areas or if the topographic and hydrologic conditions of rivers, lakes or reservoirs indicates as necessary for human and property safety. The activities in relevant areas are defined by acts of NWC.
- b) a land area of a width of 100 m to 200 m, the NWC designate any activity to be performed in relevant area.

Article 52 The rights of neighbouring landowners

1. The landlord owing the land where is located the servitude, can take part in the construction of the water works designated to be performed in the land.

In such a case, the landlord should afford:

- a) a part of the expenses of relevant construction;
- b) expenses on modification that can result from the servitude right;
- c) part of expenses for work exploit and maintenance.

CHAPTER 9

WATER HARMFUL EFFECTS

Article 53

Floods

1. The water authorities, within the areas affected by floods, undertake any necessary measure regarding human and property safety. In case of big floods, the water authorities in cooperation with relevant structures and bodies on civil emergency order emergency works, requiring from water users all the necessary equipments and materials.
2. The water authorities in cooperation with local structures and bodies are responsible for the prevention, support and rehabilitation of the caused damage.
3. Any natural or juridical person should cooperate with the responsible authorities as provided in this article for eliminating the consequences of flooding and other harmful water effects.

Article 54

Flooded land

1. The land that can be flooded from the depth increase of lakes, ponds, reservoirs, rivers, streams and other should maintain their initial legal status.
2. In special occasions, the NWC in cooperation with the governing local structures and with the structures and bodies responsible for civil emergencies designates restrictions for the use of flooded areas or areas under the water harmful effects, putting at risk human life, cattle and private or public property.
3. It is forbidden the storage of materials and stuffs that can be rinsed by water in flood vulnerable areas, and the construction of new objects in these areas.

CHAPTER 10

WATER WORKS AND OBJECTS

Article 55

Construction

1. Works and objects construction for the exploit of water reserves and prevention of water harmful actions that are within the frame of public services should be object of licenses, authorizations, permits or concession-.
2. The natural or physical person, responsible for the construction, within 15 days after the termination of the works should notify the water authorities that have issued the authorization or concession. The relevant authority will perform the final inspection of the water works or object.

Article 56

Powers of the water authorities

1. The water authority in cooperation with the Environment Inspectorate, the National Construction and City planning inspectorate and local authorities enjoys the right to supervise and enforce the subjects, natural or juridical persons , to install the equipments on supervising and measuring of water in private land, and to the servitudes necessary for such instalment, for the preparatory and construction phase.

2. The water authority in cooperation with the Environment Inspectorate, the National Construction and City planning inspectorate and local authorities enjoys the right to control the operation within the terms defined in permits and maintenance of objects of hydro technique works, and enforce the instalment of drinking water pipes and sewerage system.
3. The water authority in cooperation with the Environment Inspectorate, the National Construction and City planning inspectorate performs periodic controls of the water works and objects. The authorized persons enjoy the right to inspect the works and objects and require the relevant documentation.

CHAPTER 11 DISCHARGES AND SEWERAGE SYSTEM

Article 57 Discharges of fluid materials

1. Discharges in water, land, underground, holes are performed in conformity with the legal provisions and by laws.
2. The National Water Council, the Minister responsible for the environment and the Minister responsible for health via a by law designate general and specific standards and requirements for different types of activities that discharge liquid materials in the environment.
3. The Council of Ministers with the proposal of the Ministers, Minister responsible for the regulation of the territory and Minister responsible for the health approves the environment criteria for the construction and functioning of sewerage systems.
4. The Council of Ministers with the proposal of the Minister approves the norms for the discharges of fluid materials.

Article 58 Sewerage system

1. Any new activity, by which operation are generated waste waters, should connect and use the sewerage systems, except the resident areas that do not have a public sewerage system. In this areas it is permitted the treatment of individual wasted waters in accordance with the legislation of water sewerage systems and other by laws applied for this sector.

CHAPTER 12 USE OF WATER

Article 59 The purpose of water use

1. Water may be used for the following purposes:
 - a) domestic, communal, agricultural (including for irrigation and the water for cattle);
 - b) aquaculture, fishing, shipping, industrial, hydro energetic production;
 - c) commercial, tourism, entertainment (including rowing for entertainment); and
 - d) other purposes as approved by the National Water Council.

Article 60
Use of water resources

1. No one may use water without a license, authorization, permit, or concession issued by the water authorities, except in cases as provided in this law.
2. The use of natural water resources shall be subject to administrative control by the water authorities and will be inspected by inspection authorities.

Article 61
The free use of water

1. Everyone has the right to use surface water resources freely for drinking and other domestic necessities and for cattle without exceeding its use beyond individual and household needs and in compliance with the relevant laws and plans of the basin councils.
2. Everyone has the right to use banks freely for bathing and water sports.
3. Everyone has the right to use rainfalls on private land provided that such water is not collected in artificial installations.
4. The water authorities may limit the free use of water throughout the whole country, or in particular areas, during periods of water shortage or where water quality has been harmed or where waterborne diseases have spread.

Article 62
The use of water upon authorization

1. The following activities may be carried out , only upon a special authorization issued by the water authorities:
 - a) The use of water when this is realised through the operation of permanent installations;
 - b) Irrigation except where the user is supplied with water according to the applicable legislation;
 - c) water for cattle;
 - d) Aquaculture;
 - e) Industrial uses of water including mining;
 - f) Use of underground water for diverse purposes, including domestic use;
 - g) The planting of trees and crops on the banks of rivers and creeks, when they hinder the natural flow of water;
 - h) The removal of solid material from the banks and beds of rivers, streams and reservoirs with or without water;
 - i) The use or re-use of waste water including its application to the land.
2. Sailing and the construction of piers and harbours shall be permitted upon authorization of the National Water Council;
3. The use of water resources for fishing activities is designated by legal acts and by laws regulating these activities.
4. Other activities involving the use of water resources should have the relevant permits in accordance with this law and other by laws.

Article 63
Use of water upon concession

1. The concession for use of water is performed in conformity with the law “On concessions” and by laws defining the requirements and procedures for concession granting.
2. The water contractual authority holds the concession register. The relevant contractual authority maintains and manages this register for a period as defined by the requirements of the Law “On records”.

Article 64
Duties of water users

1. Water users shall:
 - a) use the water rationally and economically;
 - b) comply with conditions and obligations imposed on the right of ownership;
 - c) ensure the protection of water against pollution and maintain environmental protection from different pollutants;
 - d) comply with the rights of other lawful water users and third parties.

Article 65
Drought and Water Shortages

1. The National Water Council may, on the proposal of the Minister, in times of drought or water shortage issue a drought order that shall be published in the Official Gazette and may include:
 - a) restrictions on some or all activities that involve the use of water resources;
 - b) limit or restrict the use of water pursuant to water use licenses, authorizations, permits, and concessions; and
 - c) temporary defines new priorities for the use of water within the area that is subject to the drought and water shortage.

Article 66
Water bodies used for the abstraction of drinking water

1. The River Basin Council shall separately identify the following in each river basin district:
 - a. all waters used for abstraction of water intended for human consumption providing on average over 10 m³ per day and supplying over 50 people, and
 - b. all waters intended for such use in the future,
2. The River Basin Council and relevant authorities shall ensure the necessary protection to the waters referred to in this article with the aim to avoid deterioration of their quality and reduce the level of necessary purification for obtaining drinking water.
3. The Council of Ministers, acting on a proposal of the Minister, shall establish the sanitary protection zones for the waters referred to in this article and regulations for the implementation of these legal provisions.

CHAPTER 13
WASTE WATER TREATMENT

Article 67
Waste water treatment plants

1. The Council of Minister acting on a proposal of the Minister and of the Minister responsible for public works, shall establish requirements for the design, construction and operation of urban wastewater collecting systems and treatment plants.
2. The Council of Ministers issue a decision as provided in the article 35 of the Law no. date “On integrated management of wastes” for the management of sewage sludge.

CHAPTER 14
FLOOD RISK MANAGEMENT

Article 68
Flood risk management planning

1. The Ministry in cooperation with the responsible Ministry for civil protection shall establish by laws for flood risk management planning in conformity with the National Plan of Civil Emergencies.
2. The River Basin Council for its river basin district shall establish flood risk management plans, which shall address all aspects of flood risk management focusing on prevention, protection, preparedness, including flood forecasts and early warning systems and send it for approval to the responsible structures for Civil Protection.
3. The flood risk management plan is drawn up taking into account the characteristics of the relevant river basin and/or sub-basin. Flood management plans may also include the promotion of sustainable land use practices, improvements of water retention as well as the controlled flooding of certain areas in the case of flood.
4. The flood risk management plan is integral part of the River Basin Management Plan.

CHAPTER 15
MONITORING

Article 69
Monitoring of superficial, underground water status and protected areas

1. Each River Basin Council shall establish and implement a programme for the monitoring of water status in order to establish a coherent and comprehensive overview of the water status in the river basin district.
2. The surface waters programme shall cover and treat:
 - a. The volume and level or rate of flow to the extent relevant for ecological and chemical status and ecological status; and
 - b. The ecological and chemical status and ecological potential.
3. The groundwater programme shall cover and treat the monitoring of the chemical and quantitative status.
4. The protected areas programme shall be supplemented by monitoring requirements set out in specific legislation on relevant protected areas.
5. The underground waters programme should cover and treat the monitoring of the

chemical and quantitative status.

6. These programmes should be enforced within, unless it is otherwise provided in relevant legislation.
7. The Council of Ministers acting on a proposal of the Minister, shall establish requirements for monitoring programmes according to this article.
8. The Council of Ministers acting on a proposal of the Minister and the responsible Minister for health approve the hygienic – sanitary protected areas.

Article 70

Monitoring of water bodies used for the abstraction of drinking water

1. Each River Basin Council shall monitor bodies of water used for the abstraction of drinking water which provide an average more than 100- m³ per day.
2. The Council of Ministers acting on a proposal of the Minister, shall establish requirements for such monitoring programmes according to this article.

Article 71

Monitoring and data management

1. The National Water Council acting on a proposal of the Minister designates and approves the Regulation for establishing a programme for the systematic monitoring of the condition of surface waters, underground waters and protected areas.
2. The regulation shall specify the parameters to be monitored as well as the procedures and technical measures necessary including but not limited to sampling and analysis requirements for each parameter, quality control, laboratory practice and data recording and management.
3. The regulation issued by the Council of Ministers will be published in the Official Gazette.

Article 72

Register of licenses, authorisations, permits and concessions

1. Any River Basin Council shall maintain a register of all licenses, authorisations, permits, concessions - issued in conformity with this law and relevant by laws.
2. The Ministry shall maintain, manage and update the Register of all concessions issued by the National Water Council.
3. Any register shall contain and put in evidence :
 - a) all the registrations for the data and details of all applications for new licenses, authorisations, permits, concessions required pursuant to this law or changing, renovation, or withdraw of existing instruments; and
 - b) enforcement procedures regarding such licenses, authorisations, permits;
 - c) the register shall be open to public inspection during office hours.
4. The National Water Council by a decision shall designate and specify the procedures, whereby information contained in registers pursuant to this article by the River Basin Councils is to be provided to the Ministry. The Decision of the NWC on these procedures shall be published in the Official Gazette.

CHAPTER 16 WATER REGISTER

Article 73 National Water register

1. It is established the National Water Register.
2. Technical Secretariat of NWC is the Authority which will establish, administer and maintains the Water Register.
3. The National Water Register should contain as follows:
 - a) surface waters, qualified according to their chemical and ecological status;
 - b) protected areas;
 - c) heavily modified water bodies;
 - d) environment permit for exercising the activity of discharging wasted waters in body waters;
 - e) areas prone to eutrophication and areas vulnerable to nitrates;
 - f) protected zones or areas;
 - g) hygienic – sanitary protected areas;
 - h) emergency protected areas;
 - i) special protection areas;
 - j) health hazardous areas;
 - k) concession granted for water use;
 - l) body waters used for the extraction of drinking water.
4. The Council of Ministers, acting on a proposal of the Minister, shall establish requirements, conditions, maintenance procedures, management and update of the National Water Register.
5. All the institutions and the other public entities that are engaged on water administrations shall appoint a representative to keep the relations with Technical Secretariat of NWC and to send the records to the National water registry upon the relevant forms and procedures provided by the Decision of Council of Ministers.
6. The Register and its data are maintained, managed and updated through the electronic system and archive.

Article 74 Register The main functions of Register

1. The information on Register is organized according to the integrated electronic data on water, independently and in cooperation with each other. The responsible authorities establish, manage, and maintain the database.
2. The consultation on data's Register is made electronically, via internet. The consultation to the data is public except the information, which is considered as confidential and is protected by law. In generally the information provided by Register is free of charge, but for the specific services can be applied a tariff for which the public has been notified preliminarily.
3. The data are administered by authorities and the other national or local public institutions according to this law and other legislations and by laws.
4. Each institution enters relevant part on the Register and publishes them in the website.
5. National and local water authorities contribute proportionally for foundation, administration and maintenance of the Register.

CHAPTER 17
PUBLIC INFORMATION AND CONSULTING

Article 75
The right to have and/or use information on waters

1. Any juridical or natural person enjoys the right to have and/or use the available information on waters.
2. The public is informed about the sources and integrated management of waters.
3. The public is informed with the basic documents and the information used to draw up planes of the basin management, and enjoy the right to be present during the process of consulting and discussion about the management plan on river basins.

CHAPTER 18
FINANCIAL PROVISIONS

Article 76
Tariffs for water use

1. The Council of Ministers designates the tariffs for water use for different purposes. The Council of Ministers takes into consideration as follows:
 - a) type of water requested to be used;
 - b) purpose of water use;
 - c) the season during which will be used the water;
 - d) quantity of received water;
 - e) definition if the used water is for human consumption or not;
 - f) the line of expenses between the planning, construction, exploit, maintenance and amortization of water objects and the incomes envisioned for the water user during the use of this water object;
 - g) suitability of the plants for the treatment and removal of water after used, regarding the human health, water quality and environment;
2. The Council of Ministers, with the proposal of water authorities can exclude from the tariffs, natural or juridical persons, public or private, unless it is for the public interest.
3. The water authorities collect and manage the tariffs of water use.

Article 77
Administrative expenses

1. Anyone applying having the approval for the use or discharge of water, or water works or objects according to this law, should remunerate the administrative tariffs. The water authorities collect these tariffs.
2. The incomes resulted from these remunerations and from the tariffs for water use should be used only in the field of national water resources exploit, such as study researches, statistics elaboration, water registers, water cadastre, protective actions against flood, extension and maintenance of water resources and other investments in the field of water use.
3. The NWC approves the tariffs for administrative expenses.

Article 78
Responsible bodies of law enforcement

1. The water authority, local government units, structures of the Ministry responsible for the public health, for the agriculture, structures and bodies of civil emergencies, for the regulation and planning of the territory are in charge of the implementation of relevant provisions of this law.
2. The relevant inspectorates are in charge of the implementation of the provisions of this law.
3. The National Environmental Inspectorate and the relevant Environmental Regional Agencies are in charge of the implementation of the provisions of this law and in conformity with the provisions of the Law no. Date "On environmental protection".
4. The operators involved in the water management field, covered by this law, give to the relevant Inspectors inspecting their activity all the necessary access to perform the necessary inspections in the activity, in getting, analysing and gathering all the necessary information for the realization of the tasks and as provided by this law, and in conformity with the Law no. Date "On environmental protection".

CHAPTER 19
ADMINISTRATIVE OFFENCES

Article 79
Penalty and Administrative contravention

1. If the administrative body, competent for the review of the administrative offence, notices the breach of the provisions of this law, which provide the administrative offences; after their review decides for the penalty of fine or other administrative fines according to the measure of the administrative offence.
2. The power to review the administrative offence is of the administrative body or executive of administrative body that has noticed the administrative offence.
3. The administrative penalty, depending on the offence type can be associated with preventive administrative actions as provided in this law and on the law "On administrative offences".
4. The execution of the administrative offence does not exclude the relevant operator by the obligations provided in this law and the civil responsibility for the damage caused in conformity with the applicable legislation.

Article 80
Administrative sanctions

Infringements of the provisions of this law, when non constituting a criminal offence, shall be regarded as administrative offences and penalized as follows:

1. For the exercise of the activity of professional well drillers with no license from NLC, and without any special authorization provided in the article 39, point 1 the offender shall be liable to a fine of _____leke.

2. For non presenting a report from the professional driller at the end of the drilling and extraction of water from the well over the quantity defined in the License or its use other than the purposes provided in the article 39, point 2, the offender shall be liable to a fine of _____leke.
3. The performance of activities without relevant permits in the hygienic - sanitary protection areas as provided in the article 40 point 3, letters b, c the offender shall be liable to a fine of _____leke.
4. For the infringements provided in the articles 79, 51, 54/3 and 55, regarding operations for shore protection, operations in shores without relevant permits for the performance of the prohibited operations in shores and beaches, storage of construction materials and construction of water works and objects without relevant permits, the offender is fined by the National Construction and City Planning Inspectorate, depending on the infringement level:
 - a) fine_____
 - b) suspension of the activity for a period of _____
 - c) sequestration of work tools and equipments, of the accumulated inert material, which is stored in and state material reserves.
5. For the dischargers in water, land, underground or in holes, without the authorization issued by the authority of the basin, the infringement provided in the article 57 point 1, the offender shall be liable to a fine of _____leke.
6. For the infringements provided in the article 62, point 1/ paragraphs a,b,c,d,e,f,g,i, the offender shall be liable to a fine of _____leke.
7. For the infringements provided in the article 62, point 1/ paragraph h), removal of solid materials from the banks and beds of rivers, streams and reservoirs with or without water, , the offender shall be liable to a fine of _____leke.
8. For the infringements provided in the article 62, point 2, the offender shall be liable to a fine of _____leke.

Article 81

Execution of administrative offences

1. The decision for administrative offence is considered as an executive title when the final decision is issued by the administrative body, which has the power for the final administrative review of the offence .
2. The administrative body that has issued the decision on administrative offence executes it according to this law. If the administrative body issuing the decision on administrative offence has no execution structures, it is charged the bailiff office of the Republic of Albania to execute the decision on the administrative offences.
3. The offender remunerates the fine within 10 days when:
 - a) the offender has taken notice for the decision of the fine, constituting an executive title;
 - b) the court decision is final.
4. The offender for any delayed day remunerates usury of 2% per day, for -----months.
5. The offender remunerates the fines and other obligations provided in the decision near the body that has issued the fine.
6. The incomes resulted from the fines and other incomes gathered in accordance to the provisions of this law are deposited in the quantity of ___% near the Government Budget, and ___% near the budget of the body that has issued the fine.

Article 82
Claim through the court

1. Against the decision on administrative offences that provides a penalty, issued by the administrative body, it can be issued a claim to the court within 30 days from the date of the decision.
2. The claim through the court does not suspend the execution of the administrative decision.
3. For claim procedures are implemented the rules and terms according to the legal provisions for administrative offences.

CHAPTER 20
TRANSITIONAL AND FINAL PROVISIONS

Article 83
Proposals and the approval of bylaws

1. Council of Ministers approval sublegal acts in accordance with this law within 3 years from entering in power of this law.
2. Council of Ministers is responsible for approval of bylaws for application of articles 9 point 5, 11 point 2, 14 point 6, 16 point 5, 17 point 3, 18, 20 point 1, 21 point 3, 22 point 3, 25, 29 point 3, 31 point 2, 32 point 4, 33 point 1, and 6, 35 point 3, 57 point 3 and 4, 66 point 3, 67 point 1, 69 point 7, 70 point 2, 71 point 1, 73 point 4, 76 point 1 and 2.
3. The Minister is responsible for approval of bylaws for application of articles 19 point 2, 23 point 2, 30 point 1, 32 point 2.
4. The Minister on cooperation to the Minister of agriculture are responsible for issuing the regulation for application article 30 point 2.
5. The National Water Council, the Minister and the Minister responsible of health are responsible for issuing the bylaw for the implementation of the article 57 point 2.
6. The Minister in cooperation with the Minister responsible for Civil Protection are responsible for issuing the bylaw for the implementation of the article 68 point 1.

Article 84
Specific by laws that will continue to be effective

Until the approval of the bylaws related to this Law, the existing bylaws will be in force:

- a. Decision no. 163, date 30.03.2001 "On approval in principle the agreement between the government of the Republic of Albania and government of on water problems";
- b. Decision no. 273, date 07.05.2004 "On approval of the water national strategy"
- c. Decision no. 23 date 9.1.2008 "On approval of the water use tariffs";
- d. Decision no. 124 date 2.3.2006 "On establishing the state commission on water problems with the neighbour countries";
- e. Decision no. 125 date 2.3.2006 "On amendment of the decision no. 775, date 28.10.1996 of the Council of Ministers "On establishing the National Water Council", i amended.

Article 85
Repeals

1. By the entry into force of this Law, the following legislation is repealed, the Law No 8093, dated 21.03.1996 “On Water Resources” and the Law no. no. 9115, date 24.7.2003 “On environment treatment of wasted waters” any other provisions non in conformity with the provisions of this Law.

Article 86
Entry into force

This law enters into force 3 years following its publication in the Official Gazette.