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Law No. 192

Amending Law No. 77

Dated 13-4-2018

“Water Law”

The Parliament approved,

and the President of the Republic publishes the following law

Article

The draft law aiming at the amendment of Law No. 77 dated 13-4-2018 “Water Law” has been adopted as amended by the common parliamentary committees and the parliament.

This law shall be effective immediately after being published in the Official Gazette.

Baabda on October 16, 2020

Signature: Michel Aoun

Issued by the President of the Republic

The Prime Minister

Signature: Hassan Dab

The Prime Minister

Signature: Hassan Dab

Law aiming at the amendment of Law No. 77

Dated 13-04-2020

“Water Law”

Section One: General Provisions

Chapter One: Preliminary Provisions and Definitions

Article One: Water is a National Resource

Water, in all its shapes, constitutes a national resource, the quality of which must be preserved, as must the Lebanese State's rights to internal, regional, and international water sources. It includes surface water, ground water, fluctuating fresh water waves by the shores, and in general, water as an element of land and marine ecosystems.

Article Two: Right to Water

All humans have the fundamental right of access to necessary water, which provides the basic requirements for a dignified life, including sanitation. All that in exchange for the payment of water usage subscription fees.

Article Three: The Goals of the Water Law

The present law aims at the regulation, development, rationalization, exploitation of water resources and protection of the same from depletion and pollution. It also aims at raising the efficiency of water trucking and distribution systems, as well as ensuring good maintenance and operation of water facilities, in order to guarantee a sustainable management of the Lebanese State's natural water resources.

Article Four: Definitions

The following terms, wherever they may appear in the present law shall mean the following:

- Ministry: The Ministry of Energy and Water
- Minister: The Minister of Energy and Water
- Public water investment institutions: Water of Beirut and Mount Lebanon, Water of South Lebanon, Water of North Lebanon, Water of Bekaa, and Litani Water Authority.
- **Groundwater Reservoir:** A layer or several rocky or geological layers, the porous and permeable nature of which allows the flow of groundwater or the collection of a large volume of groundwater.
- **Hydrographic Basin:** every area that is a destination for all the water leaking through a grid of canals and rivers, and sometimes from lakes, directed towards the sea and drained through a single outlet.
- **Underground Basin:** every region which is a destination for all the water leaking through a grid of canals and rivers, and sometimes from lakes at a specific point on the water course.
- **Water Medium:** the ecological environment related to the presence of water in the same and its natural balances.
- **Water Deficit:** the remarkable decrease in the volume of fresh water available in the whole country, a region, or a water ecosystem which cannot guarantee its own environmental balance, or meet the water needs it usually met.
- **Surface Water:** Internal water, moving or still, and coastal water except that related to its chemical condition, and which includes regional waters.
- **Ground Water:** All the water found under the surface of the earth in a collection area directly connected to the surface or the underground.
- **Lake:** a body of internal water the surface of which is still regardless of its source.
- **Groundwater body:** a volume of differentiated groundwater in a groundwater reservoir.
- **Surface water body:** a substantial part of surface water such as a lake, reservoir, canal, river, canal, or a part of a canal, river, canal, or a part of coastal water.
- **Green water:** water preserved by the soil after rainfall.
- **Water pollution:** direct or indirect man-made addition of material or heat into the air, water, or land, which may damage human health or the quality of marine or land ecosystems which are directly related to marine ecosystems, which may also lead to damages to material property, the destruction of, or impediment of access to a safe and stable environment and its other legitimate uses.
- **Canal (river):** a body of internal water mostly flowing over the surface of the earth and could flow underground in some parts.
- **Non-traditional water sources:** include the treatment and reuse of treated water, the investment of sea water fountains, sea water desalination, grey water, or artificial rain.
- **Traditional and Non-Traditional water:** a volume of traditional and non-traditional water which constitute part of the Lebanese State's water balance.
- **Water Diplomacy:** Diplomacy applied to international basins by virtue of international and UN conventions.
- **Sustainable Water Management:** Coordinated development reinforcement operation and relevant water, land, and resource management, to increase economic and social benefits in an equitable manner without harming the sustainability of vital ecological systems.
- **Irrigation water:** water from available water sources earmarked for the irrigation of agricultural lands, subject to the provisions of this law.
- **Transport Grid:** the group of formerly established infrastructure, and those which may be established

in the future, to be used to send water from its source to one or several distribution grids. It is constituted of the main grid which is itself constituted by a main grid to provide water, and the ownership and management of which shall remain public, and of a secondary grid branching out of the main grid

- **Distribution Grid** a group of water infrastructure which are supplied by a specific supply point on the transport grid which could be used to distribute water, and is also known as the triangular grid

- **Water supply point:** the intake or the point which constitutes the source from which subscribers are supplied with water.

- **Water Register:** an undocumented administrative instrument drawn up and periodically updated by the ministry of energy and water.

- **Basin Grid** natural water courses present within a specific hydrographic basin

- **Common Project:** is a public benefit project as defined in Law No. 48 dated 7-9-2017 "the law on the regulation of the partnership between the public and private sectors" and the amendments thereof, in which the private sector contributes by financing, management, and at least one of the following operations: design, establishment, construction, development, restoration, preparation, maintenance, rehabilitation, and operation.

- **Traditional Water Rights:** the usufructs practiced in accordance with the established customs, traditions, and norms.

- **Licensing:** the permission granted by a competent authority to benefit from public water.

- **Delegated management:** a contract by virtue of which a legal person is granted the public right to manage a public institution, to a public or private operator, whose fees are mostly subject to the results of the investment of the facility. The person delegated may also be charged with the construction of facilities and owning the properties necessary for the institution.

- **Collective Sewage:** the drainage of waste water in collection grids and the transfer of this water to treatment plants where it is treated and drained or reused.

- **Beneficiary:** all who benefits from water through subscription, use, usufruct, or any other manner in accordance with the laws, customs, and norms.

- **Irrigation water beneficiary:** Subscriber to and/or beneficiary from irrigation water.

- **Water Usufruct:** the right which authorizes its owner to use specific volumes of water for specific purposes by virtue of the provisions of this law

- **Traditional Water Usufructs:** water usufructs for a specific real estate and for specific purposes, the continuity of which is recognized through law or custom or through both law and custom and based on the individual or collective right to benefit from river, fountain, well, or water facility water. They are restricted by the limits stipulated in this law and other laws in force.

Chapter Two: Water Law Principles

Article Five: The Rights of Water Beneficiaries

1- All legal beneficiaries have access to any water resources through the right of usufruct, in a manner that does not damage said resources or the interests of third parties, and bear the imposed obligations relevant to the preservation and protection of said resources from depletion and pollution.

2- Groundwater exploitation is banned without prior licensing from the competent authority.

3- The ministry and the public water investment institutions intervene to regulate the rights and obligations relevant to benefiting from water in accordance with the provisions of this law and the executive decrees which will be issued to execute its provisions.

Article Six: General Goals through the Sustainable Management of Water

1- The Ministry shall be in charge of adopting a sustainable water policy in order to preserve the Lebanese State's water resources. The Ministry and the public water investment institutions, each within its own jurisdiction determined through Law No. 221/2000, shall provide water services to all users for all types of usage. To achieve the same, they must:

- a- Prioritize the supply of potable water to citizens.
- b- Achieve sewage for waste water.
- c- Meet the necessary water requirements for agriculture, livestock-raising, hunting, fishing and fish farming in internal waters, extracting mineral water, for industrial purposes, electricity generation, transportation, tourism for the protection of water, land, and natural sites and views, and all human activities which are legally practiced.
- d- Benefit, where possible, from non-traditional water sources: desalination, treated water produced from sewage treatment plants, and others.
- e- Control floods, drought, and pollution emergencies or chronic pollution in cooperation with the competent ministries and departments, and in general, perceive and prevent the damages which may affect public health and safety.

2- The Ministry of Energy and Water, in cooperation with the Ministry of Environment, must:

- a- Fight chronic pollution.
- b- Prevent all further deterioration, preserve, and restore water environment, land ecosystems and relevant wetlands, in relation with their water needs.
- c- Prevent pollution and work to gradually decrease the same.

Chapter Three:

The Legal Situation of Water

Article Seven: The Management of Public Water Properties

The Ministry of Energy and Water has the power to manage publicly-owned water properties.

Article Eight: The Factors of Public Ownership of Water

- 1- Water is publicly owned and may not be possessed, owned, or acted upon in any way, taking into account the provisions of decision No. 144/S dated June 10, 1925 and decision No. 320 dated May 26, 1926.
- 2- The Public ownership of water includes water in all its natural states, geological locations, accessories, and public facilities specialized or necessary for their management, including:
 - a- Water courses regardless of their type, within their borders determined through the line of their running water elevation in the event they are full before they overflow. The course banks, boundaries, and its retreat shall be determined by virtue of decrees.
 - b- Natural or artificial lakes, coastal lakes and swamps, and in general all water areas.
 - c- Ground water, including freshwater springs under the sea off Lebanese shores.
 - d- Fountains and wells, prospects, sub-water courses, springs, and other publicly available water sources, in addition to the potential barrier of the nearby regions equipped to protect them directly.
 - e- Sea and river dams, water dams, water ways, and their facilities.
 - f- Irrigation, sewage, and drainage canals, water drawing canals and their branches, pipes, water treatment facilities, pumping stations, and reservoirs, wastewater treatment plants when these facilities are specific for public use, in addition to equipment and their lands.
 - g- Waterfalls suitable for electricity generation.

Article Nine: Non-public Water

All who collect rainwater and store it in private facilities, swimming pools, entertainment basins, swamps, ponds, and tanks, have all the right to use the same without the right to sell it to third parties. Such water does not constitute a part of the public property of the Lebanese State

Article Ten: Groundwater

- 1- Groundwater, regardless of its depth, is subject to a special system of regulation and control.
- 2- No one may extract groundwater through drilling artesian wells or through any other means, without receiving a prior permit or license from the ministry of energy and water, in accordance with the conditions specified by virtue of the provisions of this law

Article Eleven: The Boundaries of Public Water Properties

The boundaries of the Lebanese State's public water properties and their belongings are those specified by virtue of the provisions of the second section of decision 144/S dated June 10, 1925 relevant to the definition, determination, and temporary operation of public property.

Article Twelve: Acquired Water Rights

- 1- Acquired water rights consecrated before the publication of decision No. 144/S dated June 10, 1925 are practiced by customs and norms that justified its adoption so long as they do not contradict the requirements of the sustainable management of water, taking into account the following provisions:
 - a- Using these acquired rights as justification shall cease when they become obsolete and the causes for which they were adopted become non-existent, or when exercising these rights become impossible for financial reasons.
 - b- Acquired rights for water may not be assigned regardless of the real estate exercising said rights.
- 2- The formalities of exercising and the termination of acquired rights and/or their suspension to face all water deficits shall be determined through a decree issued by the Council of Ministers based on the minister's suggestion.

Article 13: Water Register

- 1- A water register shall be created in the ministry of water and energy constituted of the acquired rights stipulated in the former article above, and of the public water inventory which makes up the marine ecosystem of the Lebanese State.
- 2- The water register system, its work regulations, and the way it shall be managed shall be issued through a decree.
- 3- The secretariat of the real estate register, the directorate general of urban planning, municipalities, and all other public departments and public institutions which have records and data relevant to water must send the information and data to the water register.

Section Two

Organizational Framework and Law

Chapter One – The National Water Authority

Article Fourteen: The National Water Authority

- 1- A national authority under the authority of the presidency of the council of ministers shall be established, named "The National Water Authority," and headed by the Prime Minister and constituting of:
 - The Minister of Energy and Water – as vice president.
 - The ministers (of environment, industry, agriculture, public works and transportation, health, finance,

interior and municipalities, and tourism) as members.

- The directors general of the public water investment institutions – as members.

2- The authority may invite whomsoever it wishes from the public and private sectors, and from civil associations to attend its meetings.

3- The authority shall set its operating mechanism by virtue of a decision issued by the prime minister.

4- The authority may form a temporary technical committee headed by the minister of energy and water and constituted of the competent directors general in addition to, when necessary, experts and/or civil associations to study a specific issue.

5- The authority issues reports on its functions to present to the council of ministers to be examined.

Article 15: The Role of the National Water Authority

The National Water Authority is charged with the following functions:

1- The contribution in setting the goals and general guidance principles for a public and sustainable national policy for the water sector.

2- To study the public guidance plan for water which shall enter into force by virtue of a decree issued by the council of ministers.

3- To study the state's capability on financing plans and projects and setting financing programs and determining their sources.

4- To study the plans and programs aiming for the regulation of the use of water and the prevention of its waste and to orient its consumption.

5- To adopt projects and to organize the distribution of internationally and regionally important water, in addition to the determination of the advantages of projects and their distribution amongst the regions.

6- To study the trends and procedures which the competent ministries deem appropriate to implement the integrated management of water, especially to protect the water ecosystems, including tourism industry, energy, forest management, agricultural activities, livestock-raising, fishing, and urban planning.

7- Issuing the recommendations relevant to the researches, education, training, and media in the field of water, in the aim of improving the management of this resource.

8- Inspecting international conventions relevant to the division of water in transnational rivers or that have an effect on national water security, and having issuing opinions on the same.

Chapter Two

Organizing and Managing Water Resources

Article Sixteen: Public Guidance Plan for Water

1- The Republic of Lebanon shall be divided into basins and water or administrative regions, and the water resources of each region shall be evaluated, and plans shall be set for their development and use as existing units, and shall be organized on the basis of the principle of the integration of the management of water resources in accordance with the trends of social and economic development and the preservation of the environment.

2- Sustainable water management shall be achieved through a public guidance plan for water applied on the entirety of the Lebanese territory and includes coastal waters basin grids within the perimeter of the hydrographic basin.

3- Ministries, public administrations, administrative and investment public institutions, and

municipalities shall commit to the implementation of the public guidance plan for water, after it is issued by the council of ministers.

Article Seventeen: Setting the Public Guidance Plan for Water

The ministry and the public water investment institutions shall set the public guidance plan for water in coordination with the ministries (of environment, agriculture, public works and transportation, and industry). The plan shall be approved by virtue of a decree issued by the council of ministers based on the suggestion of the minister.

Article Eighteen: Contents of the Public Guidance Plan for Water

The Public Guidance Plan for Water includes the following:

- 1- Analyzing the specifications of water and water ecosystems which mainly define the following:
 - a- The consumed and currently available volumes of water, and those expected to be available, and based on which the current and future water needs may be determined.
 - b- The current needs for water in the main sectors: human consumption, agriculture, livestock-raising, industry and similar activities, hydroelectric energy production, tourism and entertainment activities (recreation) ...
 - c- Evaluation of expected needs for water in the state's different sectors in the medium and long term.
 - d- The condition of water equipment, the sewage systems, and the non-traditional water source systems.
- 2- Data and tables which include:
 - a- Traditional and non-traditional water volumes, surface water, ground water, and fountains.
 - b- The situation of surface water and ground water.
 - c- Regions subject to special provisions.
 - d- Water drawing regions specific for human supply.
- 3- Aims of Sustainable water management, in particular:
 - a- Quantitative goals which should be achieved during a time period determined in the guidance plan, to meet the basic water needs and the necessity of its harmonization with its surrounding environment and with the people's basic needs.
 - b- Qualitative goals which allow access, during a time period determined in the guidance plan, to an acceptable environmental situation for surface, ground, and coastal water.
 - c- The provision of the facilities and equipment necessary to avoid the deterioration of the quality of water, to provide protection for the same and to improve the condition of water and water ecosystems, and to estimate their cost in order to provide the same.
 - d- Determining the formalities of the manner of notifying the citizens on the goals and procedures intended to be taken in order to preserve sustainable water management.
 - e- Determining the best ways of using water to achieve the most benefit to all current and future needs in the main water sectors.
 - f- Setting a preventive plan for water pollution and its treatment.
- 4- Maps that allow the accurate assignment of the mentioned factors in the guidance plan, especially:
 - a- Protected areas.
 - b- Polluted areas and areas at risk of pollution.
 - c- Areas for drawing water for human consumption.
 - d- Irrigation areas.
 - e- Areas at risk of water deficit.

- f- Areas where it is obligatory to connect to the collective sewage grid
 - g- Areas where the public water investment institutions provide potable water and collective sewage grids.
 - h- The main facilities intended to be constructed to meet the dire need for water and the goals of sustainable management of water determined in the guidance plan, especially the facility of water extraction, potable water treatment, wastewater treatment, the drainage of treated or stored water, the drainage of rainwater, the desalination of water, or the production of hydroelectricity.
- The public guidance plan determines the regions subject to it based on what has been mentioned above.

Article Nineteen: The Applicability of the Public Guidance Plan for Water

The competent administration, when implementing the public guidance plan for water, must take into account all the plans, programs, basin plans, granted licenses and permits, urban planning, population percentages in the regions, and the position of ranked institutions. In general, it must take into account all the former administrative decisions relevant to water.

Article Twenty: Evaluation of the Public Guidance Plan for Water

The public guidance plan for water is subject to an evaluation and to reconsideration once every five years, and when the need shall arise

Article Twenty-One: Basin Charts

The ministry shall set the principles of public water planning based on the results of the evaluation of basins or the water service regions, where they include the public factors of the water basin positions in different Lebanese regions and the trends of water demand for all uses of water in the short, medium and long terms, based on the following:

First: setting the basin charts

The ministry shall set the charts of main or secondary water basins, in particular in the regions suffering from a decrease in their water resources or the pollution of the water ecosystems.

The scope of the basin charts is determined in coordination with the public water investment institutions.

The minutes of the implementation of this article are determined by virtue of a decree issued by the council of ministers based on the suggestion of the minister.

Second: Contents of the Basin Charts

The basin charts contain the following:

- 1- A detailed report in which the characteristics of the basin are exhibited, which justify the preparation of its own plan, based on a comprehensive evaluation of the condition of its water and water ecosystem
- 2- An administrative document which specifies:
 - a- The goals, quality, volume, and presumed deadlines for their achievement.
 - b- The quantitative and qualitative evaluation of the water resources found in the basin
 - c- Evaluation of the environmental effect.
 - d- Procedures to control unloading wastes.
 - e- The priority of allocating the equitable distribution of water, the treatment and reuse of water, and regulation and control procedures that guarantee the fair and equal use of water.
 - f- The manner of distribution of water amongst the different categories of beneficiaries.
- g- Non-traditional water sources.
- h- The conditions of resource management during crisis such as pollution, water deficit, floods, and fires.

i- Means that must be used to achieve the determined goals.

j- Factors which allow following up the completed works, evaluating procedures, programs, and commitments undertaken concerning the goals.

3- Maps that allow determining the targeted locations in the chart:

Decisions relative to the basin charts must be compatible with the provisions of the public guidance plan for water.

Article Twenty-Two: the Basin Ranking System

The ministry shall set a system to rank the basins and the water regions in light of its water conditions, and the goal of this system is to implement one type of procedural approach to similar basins.

Article Twenty-Three: Basin Plans

Each basin or region shall have a water plan set by the competent public water investment institution, compatible with the water policy and the public guidance plan. These plans shall be considered an integral part of the public guidance plan after the verification thereof by the ministry.

Section Three:

Control System

Chapter One:

General Control Framework

Article Twenty-Four: General Provisions

Taking into consideration the provisions of Law No. 221 dated May 29, 2000 and its amendments, and the provisions of articles (1) and (2) of Decision No. 320 dated May 26, 1926, in order to achieve a sustainable management of water and water ecosystems, the ministry and the ministry of environment shall contribute, along with the Lebanese Standards Institution, in setting the quality standards and the necessary provisions for the preservation of water and its necessary ecosystems, in particular, it determines the different types of water consumption and their cumulative effects on water environment.

Article Twenty-Five: Protection of Water Resources

The Ministry and the public water investment institutions, each within its scope and competence, shall protect water resources from pollution, control emission standards and pollution sources, set the formalities and procedures for control on equipment belonging to the water facility, prevent activities that may lead to the pollution or the deterioration of the quality of water, and combat emergency pollution situations.

The ministry and the competent public water investment institutions shall also implement all or some of the following administrative measures against the person causing the damage:

a- Banning a specific activity which causes grave damages to the water ecosystems or to ban the continuation of said activity.

b- Implementing reforms such as removing pollution and maintaining the locations on the expense of the person causing the damage.

c- Imposing administrative and technical obligations and fines.

d- All measures aiming for prevention or limitation of all damages to the water ecosystems.

Article Twenty-Six: Technical Control and Water Quality

1- The ministry shall provide quality control for surface, ground, coastal water, and fountains, including springs and rivers, and exploited and neglected explorations. The Public water investment institutions

shall commit to the control obligations mentioned in this paragraph when they affect the water sources invested by said institutions.

2- The Ministry, and in cooperation with the Public water investment institutions, shall undertake the technical control of the equipment, facilities, and operations to check the quality of the extracted water, controlling water ecosystems, and protecting the same from pollution.

Article Twenty-Seven: Controlling Works and Operations

The equipment, facilities, operations, and works which are completed by any natural or legal person belonging to either the public or private sector, are subject to the control system, and which leads to:

- 1- Extraction of surface, ground, or coastal water, or fountain water, and returning the same or not to its source.
- 2- The amendment of the level or method of water flow.
- 3- Emptying, flowing, reduction, or direct or indirect chronic or circumstantial leakage which may lead to effects on water or the water ecosystems, even if it does not lead to pollution in the water ecosystem.
- 4- Extracting groundwater.
- 5- Clearing, deepening, levelling, or organizing temporary or permanent water courses.

Article Twenty-Eight: Code of Water

- 1- A code shall be held in the Ministry which shall be organized by virtue of a decree issued by the Council of Ministers based on the suggestion of the Minister.
- 2- The equipment, facilities, operations, and works mentioned in the previous article above shall be mentioned in the code.
- 3- The Code clarifies the nature of restriction to which these works are subject, taking into consideration the effects which may result on the quality or flow of water and the water ecosystems.
- 4- The specific levels applied to areas of drought identified in the public guidance plan shall be accurately determined in the code.

Article Twenty-Nine: Compliance with the Provisions of the Environmental Law

All facility owners shall be bound by the provisions of the environmental protection law in Lebanon, in particular articles 21 to 48 of Law No. 444/2002.

Article Thirty: Preserving the quality of water

The Public water investment institutions shall determine the rules of equitable distribution of water amongst the different categories of beneficiaries, while preserving the quality of water. It must prevent any kind of direct or indirect drainage and leakage of sewage water or polluted water and prevent any type of work that shall lead to the change in the quality of water or the water ecosystems, and impose measures necessary to the preservation of the quality of water.

Article Thirty-One: Water Quality Control

The Ministry and Public water investment institutions, each within its competences, shall control the quality of water on the level of resources such as to guarantee the power of its use, **and control the quality during transportation, distribution, and use.**

Article Thirty-Two: Facility-Owners' Obligations

Industrial and ranked institution owners, industrial, commercial, agricultural, and sanitary facility owners, and all who conduct activities that produce wastes, must comply with the provisions of this

law to not dispose, unload, transport or dump all types wastes resulting from their activities in river courses and other surface and ground water media, except after their treatment in accordance with the formalities stipulated in the applicable laws under the penalty of withdrawing the licenses granted to them

Industrial and ranked institution owners, industrial, commercial, agricultural, and sanitary facility owners established before this law was published must present applications to the competent authorities in order to settle the situations of their facilities in accordance with its provisions under the penalty of withdrawing their licenses within six months of the date of its applicability.

Chapter Two

Right of Usufruct of Water

Article Thirty-Three: Traditional Usufruct Rights

Traditional rights on the use of rainwater and naturally flowing flood water are taken into consideration, in relation to their use in irrigation and due to their connection to the agricultural land benefitting from the same.

Traditional irrigation rights from other water resources are not consecrated except outside of the investment scope of the irrigation projects of Public water investment institutions.

The minutes of the application of the article are determined by virtue of a decree based on the suggestion of the minister.

Article Thirty-Four: Public Interest and the Right of Usufruct

Taking into consideration the provisions of article twelve of this law the situations in which the Lebanese state may seize the water usufruct rights are determined if the public interest necessitated the same or for the necessity of orientation in the usage of water with fair compensation for the beneficiaries based on the implemented laws, by virtue of a decree issued by the council of ministers and based on the suggestion of the minister.

Article Thirty-Five: The Formalities of Application

- 1- The conditions mentioned in Decision No. 320 dated May 26, 1926 are taken into account with the exception of what has been amended or cancelled by virtue of this law
- 2- The statutes and provisions of the application of the license system shall be set by virtue of a decree based on the suggestion of the minister, such that it includes the following:
 - a- Applicable procedures.
 - b- Environmental effect evaluation
 - c- For malities relevant to extractions, in particular the situations in which a lower level of water flow can be imposed
 - d- Procedures imposed to control the compliance with the provisions of this chapter.

Article Thirty-Six: Licensing System

The minister issues the licenses based on the following rules:

- 1- No natural or legal person may, after this law is issued, construct any water facility to block or impede flowing water, and water flowing in water courses and valleys, or to direct it away from its courses except after receiving a prior license. The ministry must conduct a comprehensive national scan of all the facilities constructed without a license before this law is issued, study each case individually, suggest technical amendments thereto, and administrative procedures where necessary.
- 2- Any water well may not be deepened or insulated without receiving a license, under the penalty of

withdrawing the previously granted license and refill the well on its owner's expense.

3- A new well or an alternative well may not be drilled, nor any water facility established without the beneficiary receiving the proper license for that purpose.

4- The beneficiary must abide by the terms determined in the license which itself sets the conditions necessary for implementation.

5- All the operations which may pose risks to public health and safety, impede the flow of water, diminish water resources, significantly increase flood risks, or damage the quality of the water environment or the biodiversity in the water medium are subject to the receipt of prior licenses.

6- All operations which include water destined for non-domestic use are subject to prior licensing. The same applies to irrigation facilities, hydroelectric facilities, fish farming, aquaculture equipment, and exploration for water.

7- Licenses may be withdrawn or amended by virtue of a justified decision issued by the minister, taking into account the provisions of decision no. 320 dated May 26, 1926, in the following cases:

a- If the decision is made in favor of the public interest.

b- To prevent dangerous situations such as water scarcity or floods.

c- In the event a grave danger threatens the natural components of water and the water ecosystems.

The licenses may also be withdrawn by virtue of a justified decision issued by the minister, and without compensation in the following cases:

a- When the water facility is abandoned and its investors no longer need it.

b- If the licensee does not begin drilling within the deadlines determined in the licensing systems.

c- If this license was used for a purpose other than that for which it was granted.

d- If it violates the conditions mentioned in the license.

e- If the license was ceded in favor of a third party without the ceding of the relevant real estate including a price or the lack thereof, without the approval of the authority granting the license.

The granting party's responsibility shall remain applicable in accordance with the general principles which take into consideration overstepping the boundaries of power, in particular in the event damages to the beneficiary of the license result from the decision of the withdrawal of the license without an error being committed by said beneficiary.

Article Thirty-Seven: Settling the Situation of Drilled Wells

* The beneficiaries of the ground water wells drilled without a license issued by the ministry or those drilled legally, the owners of which did not receive a license to invest the same, may receive a license to invest the same after presenting applications to settle their situations in a period of no more than two years as of the date of applicability of this law under the penalty of closing the well.

* Licensing is denied in the following cases:

- If the well is drilled on the property of a third party, public property, or common properties.

- If the well affects the sources of flowing water and springs or those that supply lakes or rivers.

* Temporary licenses are granted to those who may not receive licenses for the above-mentioned reasons when alternatives are provided to the competent water authorities, unless the well is drilled in public or private properties.

Chapter Three:

Procedures and Measures

Article Thirty-Eight: Administrative measures

Whosoever violates the provisions of the licensing system stipulated by virtue of article 36 of this law

and articles 745 and 749 of the Criminal Code, shall be criminally prosecuted as defined in the eighth section of this law. The ministry shall also be entitled to take administrative measures determined against the violating party as follows:

- 1- To warn the violating party, the investor, or the owner to abide by the provisions and instructions relevant to the violation, within a deadline determined by the ministry.
- 2- To determine the procedures the violating party shall undertake to remove the damage caused.
- 3- In the event a risk of pollution or the deterioration of the situation of the water ecosystem or damage to public health or a threat that affects the supply of potable water, to take immediate procedures on the expense and responsibility of the people mentioned above to prevent the occurring pollution and to limit the same.
- 4- To suspend or withdraw the license.
- 5- To draw up a seizure report against the violating party and to transfer the same to the environmental public prosecutor or the competent unique penal judge.

The ministry and the public water investment institutions, each within its own powers, when they receive knowledge of any damage affecting the water ecosystems, shall take the initiative immediately to address the causes of the occurring damage. They may also be reimbursed for the expenses they have incurred from the person or persons who are responsible for causing the damage, and that before the competent judicial authorities.

Article Thirty-Nine: Accidents

- 1- All persons who know of an event that forms a risk to public safety and to the quality of water, its distribution, and its preservation, or the Lebanese water and fish resources, must take the initiative to notify the competent authorities.
- 2- All persons who have caused any action that damages the water quality, must, and as soon as they have knowledge of said event, take the initiative to apply all the appropriate measures to end the risk or the damages affecting the water ecosystem and to remedy the same.
- 3- The competent administration which has intervened to take the measures aiming to put an end to the damages affecting the water ecosystem may be reimbursed for all its expenses by the party causing the damage before the competent judicial authorities.

Section Four

Economic and Financial Regulation of the Water Sector

Chapter One – Management Principles

Article Forty: The Industrial and Commercial Nature of the Public Water Utility

- 1- The Public Water Utility includes the public institutions investing in potable, irrigation, and sewage water.
- 2- The Public Water Utility is managed as any other public utility of an industrial and commercial nature, in compliance with the principle of the continuity and development of the public utility.

Article Forty-One: Financial Balance Principle

- 1- Public water investment institutions must achieve financial balance for the water utility.
- 2- In order to comply with the principle of the utility's financial balance, the public water utility is financed through the subscription fees and revenues paid by the beneficiaries.

Article Forty-Two: Financial Balance for the Services

- 1- The fees and tariffs of the public water services are determined through the application of the

services' financial balance principle, which compel the beneficiary to settle the water consumption fees, and the pollutant must settle the damage treatment and repair fees which it caused.

2- The fees and tariffs are determined after taking into account the institution's financial balance and the socio-economic situation of the beneficiaries, and these fees follow an ascending curve based on the amount of consumption.

3- Until the procedures leading to the application of the size-based tariff, lump-sum tariffs shall be applied in non-eligible areas.

Article Forty-Three: State Contribution

As opposed to the principles determined in the articles above, the Lebanese state may provide contributions to the public water Utility by contributing in the funding of the renewal, renovation, expansion, and operation expenses of the projects undertaken by the Public water investment institutions, and covering the operational costs of said projects.

Chapter Two – Financial and Accounting Provisions

Article Forty-Four: Financial Provisions

1- The manner of the distribution of the operational, investment, and maintenance works of each of the potable water, sewage, and agricultural irrigation water shall be shown in detail in the budget and accounts of each of the Public water investment institutions.

The funds and fees generated by the operational works mentioned above may not be used to finance the investment and maintenance of precipitation collection facilities not subject to the institution's authority.

2- An accounting graph must be drawn up for each service within the Public water investment institutions.

Article Forty-Five: Adoption of Fees

The Public water investment institutions shall adopt the fees of the public water services, including the fees of connection to the public grid within the area of the institution's investment such that it be associated with the approval of the trustee authority.

Article Forty-Six: Fees

The fees established by virtue of this law may include the following:

- Potable water service fees.
- Sewage service fees.
- Irrigation service fees.
- Water resource preservation and water system protection fees.
- Fees resulting from pollution.
- Touristic, industrial, fishing, fish farming, and power generation investment fees.

Article Forty-Seven: Potable Water Fees

1- Potable water fees and subscriptions are due upon all persons benefitting from the public water grid.

2- The public potable water grid subscription fees shall be determined based on the volume of water consumed by the subscriber by virtue of the water counter readings.

Article Forty-Eight: Sewage Fees

Sewage fees determined by virtue of the provisions of this law include the collective and non-collective sewage fees.

1- Collective sewage fees must be paid by all who are connected to the public sewage grid and said fees shall be determined by reference to the volume of water withdrawn by the beneficiaries of the service, regardless whether the source thereof is the public potable water grid or any other source.

The fees of the non-domestic use of the public sewage grid shall be determined based on:

a- The volume and quality of the drained water such that it meets environmental standards and specifications, and in the event it does not meet the said standards and specifications, the provisions of article 51 shall apply (instead of the compensation for pollution).

b- The volume of the pollution of the emissions resulting from this water.

All natural or legal persons who have not complied with the obligation of connecting to the collective sewage grid shall be subject to a fine equal to the value of the fee set for the connection to the collective sewage grid.

2- The non-collective sewage fees are due upon all who are not connected to the sewage grid in accordance with what is mentioned in paragraph "1" above, and that based on the volume and quality of the drawn water.

Article Forty-Nine: Irrigation fees

1- Irrigation fees are due upon all beneficiaries or real estate owners connected to the public irrigation grid.

2- The value of the due fees shall be determined based on the irrigated area or the volume of water consumed such that the quality of the irrigated plants be taken into account.

Article Fifty: Fees relative to the preservation of water resources and the protection of water systems

1- Should the need arise, and in order to preserve the water resource and to protect the water systems, public water investment institutions may impose a fee upon natural or legal persons benefitting from water based on the irrigated area or the number of cubic meters drawn, consumed, or earmarked for import, such that this fee be used to finance the relevant water resource preservation and water ecosystem preservation operations.

2- The economic, social, cultural, and environmental importance of these activities, revenues, and profits of any type they may be are taken into account when determining the delegated persons, the relevant activities, and the value of fees.

The public water investment institutions collect the fees for the preservation of water resources and protection of water systems regardless of the identity of the beneficiary.

Article Fifty-One: Pollution compensation fees

1- All natural and legal persons, the nature of the activities of whom lead to the pollution of environmental and water systems in a manner not subject to mitigation or to prior treatment, and the percentage of pollution of which does not exceed the nationally and internationally accepted standards, shall be subject to a compensation fee determined by virtue of a decree issued based on the suggestion of the minister.

2- The compensation fee mentioned above shall be appropriate to the danger posed by the pollution and the size of the damage affecting the water environment.

3- The compensation fee may be decreased in light of the measures taken by the party causing the damage to treat the same.

4- The payment of the pollution compensation fees does not form an obstacle without the establishment of penal or civil responsibility on the polluting party in the event his actions are the source of the damage, or if it constitutes a crime.

The relevant administrations must take the measures that lead to the preservation of the water ecosystem

Article Fifty-Two: Issuing Receipts

The receipts issued by the Public water investment institutions must clearly show the fees of each utility.

Article Fifty-Three: The Formalities of the Issuance and Payment of Receipts

The Public water investment institutions may issue several receipts annually, and each party benefitting from the water of this utility has the choice to pay the value of the due annual subscriptions on several instalments.

Article Fifty-Four: Notice Relevant to Fees

The beneficiaries from the water shall be notified of the new fees, the justifications for their amendment, and the date they enter into force, by virtue of an official notice circulated through the media and relevant municipalities. The issued receipts must determine the old and new fees after the amendment thereof.

Article Fifty-Five: Surveying the Beneficiaries

In the aim of improving the services and the sustainable development, the Public water investment institutions shall conduct a survey of the beneficiaries every three years, the results of which shall be sent to the minister and published through the media.

Section Five:

Management of the Public Water Utility

Chapter One: General Provisions

Article Fifty-Six: The Public water investment institutions

The Public water investment institutions shall manage the public water utility based on the implementation of the provisions of the Law No. 221 dated May 29, 2000, and the amendments thereof, and the regulations issued in order to implement the same, and the provisions of the same Law

Article Fifty-Seven: Public Water Utilities

- 1- The public potable water utility includes the services of collecting, producing, treating, transporting, storing, and distributing water. Distribution to the beneficiaries takes place mainly through branches of the grid and the provision of water is not allowed outside of what has been mentioned except in extraordinary and temporary cases.
- 2- The public collective sewage utility includes the collection, transportation, and treatment of wastewater. The aim of treating wastewater is to eradicate pollutants such that the water may integrate with the receptive media. Treatment operations include the treatment and clearing of all pollutants and mud in the grid, treatment plants, and the drains.
- 3- Wastewater is mainly produced domestically, and wastewater resulting from commercial or industrial activities may be connected to the public sewage grid, such that this water meets the technical standards set for the grids and treatment plants, by virtue of ordinary or extraordinary agreements concluded by the Public water investment institutions in this regard.
- 4- Public water investment institutions may supply water for agricultural purposes through the irrigation grid or through a number of hydraulic facilities.

Article Fifty-Eight: Agreements with the Public Sector

The ministry and the public water investment institutions may, and taking into consideration the competences of each of them based on the enforced laws and regulations, conclude agreements with the public law officers to guarantee a sustainable management and development of the public water utility. These agreements may be concluded with municipalities to regulate the implementation of the provisions of Article Eight of the Water Sector Regulation Law No. 221 issued on May 29, 2000 relative to the currently existing committees on the management and investment of potable and irrigation water.

These agreements, and during their implementation, take into account the public water guidance plan's provisions and the basin charts, and may not include what violates the object of the investment of the public water utility.

Article Fifty-Nine: Private Sector Contribution through Common Projects

The provisions of Law No. 48 dated September 7, 2017 "The Law on the Regulation of the Partnership between the Public and Private Sectors" shall apply when a "common project" contract is outsourced. These contracts take into consideration the provisions of the public water guidance plan and the basin charts and may not include what violates the object of the investment of the public water utility.

Article Sixty: Private Sector Contribution through Other Means

The enforced regulation provisions before the public water investment institutions shall remain in force when contracts for projects in which the private sector's contribution is different than that stipulated in the definition of the "common project" are outsourced. These contracts take into consideration the provisions of the public water guidance plan and the basin charts and may not include what violates the object of the investment of the public water utility.

Chapter Two – The management of the Public Potable Water Utility

Article Sixty-One: Water Quality

The distributed water must be safe to drink, regardless of the manner of the management of the utility. The competent administrations, and the ministry in particular, and the ministry of public health, must ensure that the adopted standards and specifications are met.

Article Sixty-Two: The Principle of the Exclusivity of the Utility

Within the context of investment, the public potable water utility enjoys exclusivity of distribution and the exclusive right to maintain all facilities and water canals necessary to the utility. Each public water investment institution takes charge of all committees and potable water projects prior to the issuance of the law 221/2000 which has not been taken charge of yet, within a one-year deadline as of the date of the issuance of this law and based on the enforced formalities.

Article Sixty-Three: Obligation of Connection

All building owners shall commit to connecting their buildings and all the sections thereof to the public potable water distribution grid before their occupations, and connection shall take place based on the regulations adopted by the competent public water investment institution and based on the contract signed between it and the beneficiary.

No transactions relevant to an in-kind right on the real estate subscribing to the potable water shall be registered onto the real estate register, except after the real estate owner provides a discharge certificate issued by the institution certifying that the subscriber has paid all the fees and fines due upon the same.

Article Sixty-Four: Private Subscription Contracts

The public potable water utility may distribute water to the beneficiaries for non-domestic purposes, and private subscriptions shall be determined in this case.

Article Sixty-Five: Performance of the Utility

In application of the legal regulation which oversees the formalities of delegation in the public water utility or of what is stipulated in the management contract concluded with the competent administration, the public potable water utility shall be bound to meet the necessities relevant to the continuity and quality of provided water as well as observing the deadlines relevant to the subscription applications or their termination.

Article Sixty-Six: Measurement of Potable Water Consumption

The common consumption is measured by appropriate counters based on the contract signed by the beneficiary. As for the connections not fitted with counters, they must meet this condition within a deadline determined by the public water investment institution.

Article Sixty-Seven: Public Potable Water Utility System

The relations with the parties benefitting from water and especially the formalities that observe the connections, private subscriptions, and locations specified for the placement of consumption measurement equipment, and the performance of the utility shall be determined by the public potable water utility.

Chapter Three – Management of the Collective Sewage Utility

Article Sixty-Eight: The Principle of the Exclusivity of the Utility

Within the scope of the investment determined in the Public water guidance plan stipulated in Article 16 of this law the public collective sewage utility shall exclusively have the right to manage this sector and have the exclusive right to maintain all the facilities and canals necessary for this utility.

Article Sixty-Nine: The Obligation to Connect to the Public Sewage Grid

Within the scope of collective sewage, all building owners must connect the building to the grid within a deadline not exceeding one year as of the date of the full implementation of the sewage system. As for the buildings and sections not specified for housing they must be connected to the sewage grid within the mentioned deadline, in relation to domestic wastes.

All persons are bound to connect to the sewage grid, and the sewage fees shall be determined on the basis of the subscriber's consumption on the public potable water grid. However, if the same benefits completely or partially of a private water source, that party must declare said benefit to the institution managing the public utility, and the sewage fees due upon the party shall be determined through the measurement of consumption from the private source.

Article Seventy: Private Subscription Contracts

The public sewage utility may approve of the connection of non-domestic wastewater by virtue of a private connection agreement, such that the nature or size of these wastes do not lead to a disruption of the work of the sewage grids, and to determine the formalities of estimating the pollution and drained volumes in the mentioned agreement.

As for the seasonal activities, it may exceptionally and for a determined period, be approved on temporary agreements to drain the wastes, such that this does not lead to any damages to the drawing or wastewater treatment facilities, or to the medium in which it is dumped.

Article Seventy-One: Performance of the Utilities

The public collective sewage utility is bound to guarantee the continuity and quality of the collection and treatment of wastewater.

Article Seventy-Two: The Public Collective Sewage Utility's Regulations

The relations with the beneficiaries of the collective sewage grid are subject to the regulations adopted by the Public water investment institutions for the management of this utility, authenticated by the trustee authority.

Article Seventy-Three: Controlling the Non-Collective Sewage Establishments

The formalities adopted by the administration to control and manage the non-collective sewage establishments shall be determined by a decree.

Chapter Four – Management of the Public Irrigation Utility

Article Seventy-Four: General Provisions

- 1- In compliance with the enforced legal provisions, the Public water investment institutions, each within its scope of investment, shall manage and invest irrigation water, including the water drawing systems, its storage, transportation, distribution, and preservation of its quality.
- 2- The applications to subscribe to irrigation water include clauses that determine the scope of supply, the irrigated area, the types of plants, the irrigation schedule, the required volumes, and the manner of irrigation.
- 3- All amendments in the stipulation of the clause above requires an application for the amendment of the subscription, such that this application be presented within the deadline determined in the investment regulations of each of the Public water investment institutions.
- 4- The institutions charged with irrigation hold a register that shows the names of the beneficiaries, the irrigated areas, the adopted plantations, and the drawn volumes, which is continually updated.
- 5- No transactions related to an in-kind right on the real estate subscribed to irrigation water shall be registered in the real estate register, except after the real estate owner providing a discharge certificate issued by the institution which certifies that the subscriber has paid all fees and fines due upon him.
- 6- The Management and investment statutes of irrigation projects and the amendments thereof shall be binding in the regulation of the relations between the beneficiaries and the public water investment institution.
- 7- All Public water investment institutions shall take charge of all committees and irrigation water projects prior to the Law No. 221/2000 and which have not been taken charge of yet, and that within a one-year deadline as of the date of the issuance of this law and based on the enforced formalities.

Article Seventy-Five: Irrigation Water Users' Associations

- 1- Should the need arise, and based on the provisions of this law Irrigation water users' associations shall be established, by virtue of a decree issued by the Council of Ministers, based on the request of the competent public water investment institution, such that its administrative body include a representative of the competent public water investment institution.
- 2- Irrigation Water Users' Associations must not work for profit, and at least 65% of their adherents must be beneficiaries of a certain water source, who represent at least 51% of the benefitting geographical region.
- 3- The geographical region in which the irrigation water users' association and the water source mentioned in the paragraph above is determined in the decree of the establishment of said association.

4- Each of the irrigation water users' associations has its own unique name and which could be the name of its headquarters, or any other unique name, which should begin as follows: **"Irrigation Water Users' Association."** Such that it operates exclusively in the geographic location or the location of the water source determined for it, without the area of operation of one of these associations crossing over with the area of another.

5- The minutes of the application of this article and the administrative and financial regulations to which the irrigation water users' associations are subject to are determined by virtue of a decree issued by the council of ministers based on the suggestion of the minister.

Article Seventy-Six: Irrigation Water Users' Associations' Activities

The irrigation water users' associations conduct the following activities:

- 1- To operate and maintain the sub-distribution grid through an agreement with the Institution, and to preserve the same within its own area.
- 2- To organize the operations of benefiting from and using the irrigation water, and to settle the association's membership fees from the members, in return for the services provided to the members.
- 3- Taking the appropriate measures to combat the effects on the soil, and to combat salinity and pollution, in addition to promoting the protection of the environment.
- 4- To provide the equipment, machines, irrigation tools, and furnishings necessary for the operation of the relevant water distribution grids within their areas and to preserve the same, as well as ensuring their replacement, operation, and maintenance.
- 5- To train their members to use modern irrigation techniques, aspects of irrigated agriculture, ways to reduce water consumption, and to guide the use of agricultural fertilizers and pesticides.
- 6- To contribute and assist, after the approval of the competent public investing institution, in the establishment, improvement, rehabilitation, operation, and maintenance of the infrastructure complementary to irrigation projects, in particular the primary and secondary waste canals within the area of the association.
- 7- To try and resolve the disputes resulting between the members of the association or with third parties.
- 8- To work on the compliance, respect, guarantee, and insurance of the interests of the association's members.

Article Seventy-Seven: Main Principles

Each of the irrigation water users' associations must abide by and respect the following principles during their work:

- 1- Justice and equity, which ensures the respect of the rights of its members, particularly in the decisions relevant to the distribution of irrigation water upon the beneficiaries in a manner that complies with the proportionality and accommodation between the needs and available capacities.
- 2- The guidance of the use of resources, with the association managing a sub-distribution grid within its area, in a rational manner which prevents the excessive use of water, soil erosion, salinity, pollution, and which promotes the protection of the environment.
- 3- Transparency and indisputability, through operating publicly, clearly, and transparently, and encouraging members to actively participate in its administrative bodies.

Chapter Six: Annual Reports Related to Water:

Article Seventy-Eight: Annual Report of the Public Water Investment Institutions

The Public water investment institutions, each within its geographical area, prepare an annual report on

the water facilities in their geographical area, based on what is stipulated by virtue of the provisions of Article (6) of the Law No. 221/2000 and the amendments thereof.

The report exhibits the administrative, technical, and financial characteristics and conditions, the operational procedures, the performance of the utility, the changes which may affect the quality of water, the investment average, the fees, the position of the collection of bills, the current and future water needs, the extension works, renewing completed water facilities, and their respective programs. The annual report is sent to the minister after it is adopted by the board of directors of the public water investment institution. The minister duly sends a copy of the annual report to the parliament, and the report shall be published on the official website of the ministry of energy and water.

Article Seventy-Nine: General Report on the Situation of Water and its Sustainable Management

The Minister issues an annual report yearly in which the sustainable management of water is discussed. The report includes in particular:

- 1- The procedures of the application of this law be it in relation to the decrees, decisions, circulars, plans, programs, or normal procedures.
- 2- The evaluation of available qualitative and quantitative data.
- 3- The entirety of the water management and economic use program.
- 4- The procedures implemented by the administration.

The annual report on the general condition and sustainable management of water is published in the official gazette and a copy of the same is sent to the parliament and the national water authority.

Section Six

Protection of Water and Environmental Systems

Chapter One – Preventive Measures

Article Eighty: The Principles:

- 1- Each member shall actively contribute to the preservation and protection of water in all the Lebanese territories, as well as the water ecosystems and water, and to notify the competent authorities of all deficiencies and damages it may suffer.
- 2- The public administrations, and the ministry, the ministry of finance, and the Public water investment institutions, and the governors in particular, each within its powers, ensure the protection of water and water ecosystems, in accordance with the legal provisions in force.

Article Eighty-One: Preserving the water medium

The preservation of the water medium shall be considered a factor of the management of the public water utility.

Article Eighty-Two: The State's Public Obligations

- 1- The competent public administrations shall be charged of the protection of the public water utility, and may ensure the works and operations related to the same by virtue of agreements or contracts.
- 2- The competent public administrations, those in contract with the same, and those benefitting from the rights from the public water utility, may provide the maintenance of the water medium and protect the national plant, animal, and marine resources. They guarantee the unrestricted flow of water, the limitation of its pollution, and the protection of facilities related to the same.

Article Eighty-Three: The Obligations of Real Estate Owners near to the River Banks

The owner of a real estate near a river bank must ensure the good care for the river banks and the preservation of plant and animal life within the respect of water ecosystems.

Article Eighty-Four: The Protection of Water Collection Sites

First: The Scope of Protection

- 1- In order to guarantee the protection of the quality of water, the point of extraction must be defined as well as the scope of both the direct and nearby protection, and if need be, the farther protection point, before licensing the works and facilities established to draw surface water and/or the extraction of groundwater purposed for human use, or when the same is licensed.
- 2- This scope also defines in the case of trees and extractions subject to licenses, so long as the water is partially or entirely allocated for human use.
- 3- The protection scope is defined by virtue of a decision issued by the minister and/or the relevant ministers, each within the area of his competence.

Second: Protection Area Statutes

- 1- The state acquires in favor of the ministry or the Public water investment institutions lands located in the direct protection zone a full acquisition, and these institutions shall undertake the task of fencing it and ensuring its exclusive use for the drawing and investment of water in addition to its regular maintenance of the same.
- 2- All construction and activities which may directly or indirectly damage the quality of water or the underground layer, or which may lead to this water becoming not fit for human consumption is banned within the direct protection area.
- 3- This ban shall particularly include the waste and garbage dumps, fertilizer beds, oil facilities, chemical and organic substance facilities and warehouses, and quarries, and any other material which may be pollutants or toxins, especially chemical material, pesticides, fertilizers, and drilling water wells.
- 4- As complement to the direct and nearby areas, the ministry or the Public water investment institutions may determine a farther protection area in which lands shall be acquired should the need arise, and the organization of warehouses, equipment, and the activities mentioned in the previous paragraph, to avoid pollution risks which they may pose to the extracted water.

Third: Protection of the Natural and Cultural Water Resources

- 1- Public parks, natural reserves, and wetlands of international significance included in the list stipulated by the Ramsar Convention dated February 2, 1971, shall be subject to regulation, and if should the need arise, bans the activities which may affect the balance of these ecosystems or which may affect their biodiversity. This means, in particular, the uses of water which may lead to the modification of its flow spreading chemical material for any purpose, and in particular agricultural pesticides, draining liquid wastes, toxic material, draining wastewater, and accumulating trash, or domestic or industrial wastes.
- 2- Should the need arise, the regulation or ban may include actions that have already been completed or that shall take place outside of the protected area of wetlands.
- 3- The Ministry of the Environment shall place a plan for the wetlands of international significance included in the list stipulated by the Ramsar Convention.

Fourth: Cultural Water Resources

- 1- Natural environmental locations, views which represent, on the scenic and cultural fronts, an area of particular interest, may be subject to special protection including the regulation or banning of activities and equipment which may cause damage to the same, should that be required.
- 2- The protective measures mentioned above may be taken by virtue of common decisions issued by the minister and the ministers of environment and culture.
- 3- The protective measures mentioned above shall apply on water areas, and areas submerged under water, and which constitute an archeological matter.

Fifth: The protection of coastal fountains

- 1- The sources of the freshwater springs on the length of the Lebanese shore are determined by virtue of a decree based on the suggestion of the minister.
- 2- These springs shall be subject to the protection area mentioned in the previous paragraphs, and special protection, for which direct protection areas shall be determined, and in which specific activities are banned, especially fishing and navigation, and any activities or works under the surface of water.
- 3- The conditions of the application of this article are determined by virtue of a decree based on the suggestion of the minister and the minister of the environment, in addition to the minutes of the allocation of spring water to supply the inhabitants or for other usages.

Section Seven: Remedying and Preventing Natural Risks

Chapter One – Preventing Floods

Article Eighty-Five: General Provisions

Taking into consideration the conditions and provisions of sustainable water management, the minister shall take the appropriate precautionary measures to limit floods and the damages resulting therefrom in areas exposed to risks of flooding and floods, as determined in the public water guidance plan.

Article Eighty-Six: Public Benefit Usufructs

- 1- In the areas in which there is a risk of flooding determined in the public water guidance plan, the following shall be determined by virtue of a decree based on the suggestion of the minister and the ministers of (public works and transportation, environment, and agriculture):
 - a- Geographical locations in which all constructions, works, arrangements, or operations may be banned. Should the need arise, to subject the works which may be conducted, without putting the inhabitants at risk, to certain rules.
 - b- Geographical areas in which all constructions, works, arrangements, or activities which may increase the risk of flooding or its damaging consequences may be regulated or banned should the need arise.
- 2- The operations necessary for these provisions or rules shall be undertaken by the owners, investors, or beneficiaries.
- 3- The restrictions relevant to the use of the land resulting from the provisions of this article shall form public benefit usufructs.

Chapter Two – Remedying the water deficit

Article Eighty-Seven: Principles

- 1- In the regions suffering from water deficit determined in the public water guidance plan, the ministry shall implement the required administrative procedures which guarantee the regulation and orientation of water usage, while preserving a sufficient average in the water courses to guarantee the ecosystem balance if possible.
- 2- Meeting domestic water needs is considered a priority for inhabitants, followed by irrigation requirements, in regions suffering from water deficit determined in the public water guidance plan.
- 3- Non-traditional water may be used to cover the deficit such that it meets sanitary standards.

Article Eighty-Eight: Preventive Measures

- 1- The minister shall adopt the measures necessary to ensure a sustainable management of water through a decision based on the public water guidance plan, or based on the suggestion of the public water investment institution.
- 2- If a water deficit is proven, the minister may impose certain measures on some categories of water

usage which may include the temporary suspension of rights for water or to decrease the volume of water object of these rights by virtue of a decision.

3- The adopted measures shall be appropriate to the situation of the crisis, and the following shall be determined by virtue thereof:

a- The conditions of providing priority services.

b- The usages subject to a ban, and those subject to rules, as well as the deadlines and minutes of the application of said ban or rules.

c- The formalities of distributing water upon and amongst beneficiaries.

d- Should the need arise, the conditions of transferring water between basins.

4- In exceptional cases, special measures may be imposed by virtue of a decree issued based on the minister's suggestion.

Section Eight

Penal Provisions

Chapter One – Applied Penal Provisions

Article Eighty-Nine: Relevant Laws

The crimes and actions resulting from the violation of the provisions of this law shall be subject to the following legal provisions:

- Penalties mentioned in this law particularly articles 90-97 thereof.
- Articles 58-60 of the decision No. 320 dated May 26, 1926.
- Article 23 of the decision No. 144 dated June 10, 1925.
- Articles 745-749 of the Penal Code related to crimes committed in relation to the Water Regulation.
- The law issued by virtue of the Decree No. 8735 dated August 23, 1974 relevant to public cleanliness.
- Law No. 64 issued on August 12, 1988 relevant to the preservation of the environment against pollution from toxic, damaging and dangerous wastes.
- Law No. 623 issued on April 23, 1997 relevant to imposing tougher penalties on the violations of the electric, phone, and water grids.
- Law No. 444 dated July 29, 2002 relevant to the protection of the environment, especially section six thereof.
- Law No. 80 issued on October 18, 2018 "The Integrated Management Of Solid Waste Law"

Chapter Two: In the Penalties

Article Ninety: Violations

1- All those who draw water in violation of the obligation of receipt of licensing stipulated by virtue of article 36 of this law shall be penalized by imprisonment from one to ten days, and a fine valued at one and a half times and twenty-two times the minimum wage, or by one of these two penalties.

The same penalties shall apply upon all those who have constructed, modified, or expanded a utility, conducted works or activities within the same, without receiving a license for said works.

2- All those who have built a construction, or installed equipment, or conducted works or activities without abiding by the conditions determined in the licensing document shall be penalized by a fine ranging from one and a half times the minimum wage and fifteen times the minimum wage.

Article Ninety-One: Offenses

1- All those who have intentionally or unintentionally thrown, spilled, flung, or dumped a material or several materials which damage surface water, groundwater, or sea water, or thrown, emptied, or left wastes in water regardless of their consequences on surface water, groundwater, or sea water, within

the Lebanese territorial waters, shall be penalized by imprisonment from ten days to three years, and by a fine ranging from 4 times and 220 times the minimum wage, or by one of these two penalties.

2- These penalties shall apply in the event these offenses are committed at the river banks or the seashores.

3- The penalties mentioned above shall be toughened in the event these actions cause damage to public health or the plant, animal, or fish resources, or leads to substantial modifications to the normal water supply system or to the restriction of the use of swimming areas.

Article Ninety-Two: Toughened Offenses

All who have exploited a facility or equipment, or conducted works or activities in violation of a measure concerned with a ban, suspension, or destruction judged by the court as implementation of article 96 of this law shall be penalized by imprisonment between one month and three years and a fine ranging from 7 to 300 times the minimum wage, or by one of these two penalties.

Article Ninety-Three: Repetition

In the event of repetition, the penalties related to the crimes stipulated in articles 90, 91, and 92 of this law shall be doubled.

Article Ninety-Four: Investigating Crimes and the Formalities of Prosecution

1- The employees of the ministry and the public water investment institutions shall, each within its own scope, shall be granted the powers of the law enforcement in relation with the control of crimes resulting from the implementation of this law and its executive decrees.

For this purpose, the same may conduct the following:

- Entering the perimeters and buildings of suspected utilities, exploitation, and institutions.
- Inspecting all equipment, facilities, machines, and warehouses.
- Receiving all documents and information concerning the relevant equipment and activities.
- Taking samples and adopting the necessary protective measures.

They shall also dispose of the right to duly seek assistance from the security forces under the control of the competent public prosecution should the need arise and in order to complete their functions.

2- In compliance with the provisions of the article 11 recurring from the Code of Criminal Procedures specific to the environmental public prosecution, the reports of the crimes issued may be transferred from the employees of the ministry or the public water investment institutions immediately to the competent unique criminal judge who seizes the public call by virtue of which he issues a judgment in accordance with the regular formalities. The judge, during transfer, may impose one or some of the measures stipulated in Article 95 of this law.

3- Should the need arise, the formalities of the application of this article shall be determined by virtue of a decree based on the suggestion of the minister and the minister of justice.

Chapter Three: The Measures Relevant to the Penalties

Article Ninety-Five: Criminal Measures

In addition to the criminal penalties and the fines judged by virtue of the court, in the event that the damage resulting from the actions and crimes committed is proven to lead to the damaging of human health or that of the water ecosystems, or to damage the water's quantity or quality, may judge with the following:

- 1- Suspension of operations, activities, or works.
- 2- Halting operations and banning the use of equipment or facilities.

- 3- Removing and/or confiscating the equipment and facilities.
- 4- Imposing the rehabilitation of the water medium and/or the ecosystem
- 5- Adopting all the measures leading to the removal of the damage and the prevention of its exacerbation.

Article Ninety-Six: In Expedited Execution

The court of appeals may not stop the execution of the appealed judgment.

The first instance judgment may be executed before the end of the deadline for appealing the same, and before its decision when appealed, unless the court decides otherwise within a deadline of ten days as of the date of appeal, by virtue of a decision which is sufficiently justified, in which the factual and legal reasons it adopted in order to issue its decision are highlighted.

Article Ninety-Seven: The Non-Contradiction of the Penal and Administrative Prosecutions

The implementation of penal provisions does not exclude the competent administrative authorities exercising the power of making decisions or executing the measures stipulated in article 38 of this law.

Section Nine

Legal Follow Up for Water Management

Article Ninety-Eight: Following the Water Policy

The ministry, and in coordination with the national water authority, shall follow up the Water Policy.

Article Ninety-Nine: Data Gathering

The Ministry shall handle the gathering and documentation of all information and data available in the public and private sectors, international organizations, and non-governmental associations and organizations working in the scope of water protection, as relevant to water ecosystems, and the management of public facilities charged with the management of potable water services and its extensions, and the sewage grid and the rainwater and irrigation water grid.

Article One Hundred: Notifying Citizens

- 1- In order to allow the citizens to exercise their rights and complete their obligations, and to guarantee a sustainable management of resources and the water ecosystems, the ministry and the public water investment institutions shall publish all information relevant to the quality of potable and irrigation water provided to consumers on a regular basis.
- 2- The same shall be published on the ministry's website, or those of the water institutions concerned, and through any other means.
- 3- In the regions subject to the risks mentioned in the seventh section of this law the competent authorities shall provide the information related to rectify and manage these risks at the citizens' disposal.

Article One Hundred and One: Training on the Law and on Sustainable Water Management

- 1- The Ministry shall be charged of notifying and training the employees and working wage earners, on the application of this law and the sustainable management of water. The training programs for the sustainable management of water include levels appropriate to the different levels of education.
- 2- The ministries of (the environment, education and higher education) and the public water investment institutions shall join the environmental protection associations and the public sector in educating the citizens on the concept of the right to water and the water culture.

Section Ten

Final and Transitive Provisions

Article One Hundred and Two: Executive Decrees

The executive decrees mentioned in this law shall be issued based on the suggestion of the minister.

Article One Hundred and Three: Cancelled and Amended Texts

- The term of "Special Decision Issued by the Head of State" shall be replaced by "Decree issued by the council of ministers based on the suggestion of the minister," and that, wherever it may be mentioned in the decision No. 144/S dated June 10, 1925, and in the decision No. 320 dated May 26, 1926.
- The term of "Order by the Head of State or the Authority Delegated for this Purpose" shall be replaced by "Decree issued by the council of ministers based on the suggestion of the minister," and that, wherever it may be mentioned in the decision No. 144/S dated June 10, 1925, and in the decision No. 320 dated May 26, 1926.
- The term "Director of the Center" shall be replaced by "the minister," and that, wherever it may be mentioned in the decision No. 144/S dated June 10, 1925, and in the decision No. 320 dated May 26, 1926.
- Legislative Decree No. 227 dated October 1, 1942 relevant to the projects of drawing drinking water shall be cancelled.
- The law on repairing and restoring common channels issued in March 1918 (1334 H) shall be cancelled.
- Article 5 of the Decree No. 4537/1972 shall be cancelled.
- The following articles and paragraphs of the Decision No. 320/1926 shall be cancelled:
 - * Paragraph 7 of Article 1
 - * Article 3, Articles 6-12, and the Sixth Section (Syndicate Associations) Articles 30-56
- The effects of Articles 21, 22, and 23 of Decision 144/S issued on June 10, 1925 relevant to the water sector shall be voided.
- All the texts issued prior to this law and which contradict the provisions thereof, and Law No. 77/2018 shall be cancelled.

Article One Hundred and Four: Applied Texts

- 1- The provisions of this law shall apply on all that is relevant to the water sector.
- 2- In the event a text is not present in this law the following legislative and regulatory texts shall apply:
 - * Law No. 221 dated May 29, 2000 (Law on the Regulation of the Water Sector).
 - * Legislative Decree No. 108 dated September 16, 1983.
 - * Law No. 210 dated March 30, 2012 (Law on the Regulation of the Treatment, Processing, Filling, and Selling of Bottled Drinking Water).
 - * Law on the establishment of the Litani Water Authority issued on August 14, 1954 and the amendments thereof relevant to the authority.
 - * Law No. 63 dated October 10, 2016 and Laws No. 64 and 65 dated November 3, 2016.

Article One Hundred and Five: Publication

This law shall enter into force as soon as it is published in the Official Gazette.

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Mandating Reasons

Lebanon enjoys a water resource which includes water from rivers, springs, lakes, wells, as well as ground water, and basin water. This is where the need for adopting a contemporary law which regulates this vital facility in favor of the Lebanese State appears.

Whereas the legislations which govern this sector usually dates back to before the declaration of independence in 1943. Some of these legislations date back to the period of the Ottoman Occupation of Lebanon, and some others date back to the period of the French mandate which began to issue a series of legislations as of 1920, the most prominent of which were Decision No. 144 dated June 10, 1925 relevant to public property, and Decision No. 320 dated May 26, 1926 relevant to the public properties and the preservation thereof, and the law of real estate ownership issued by virtue of Decision No. 3339 dated November 12, 1930.

After the declaration of independence, several legislations regulating this sector were issued. However, and because of the evolution of legal and scientific concepts and the means of water usage, these legislations have become insufficient, which demands the adoption of a contemporary water law that takes into consideration the new evolution and the desperate need to preserve this essential resource, and which guarantees that the Lebanese society's need for this vital natural resource are met.

Therefore, the Ministry of Energy and Water, in cooperation with the competent administrations, has prepared the draft law on Water, the preparation of which took over ten years, and the draft law was sent to the parliament to be studied and adopted. Based on that, the Public Works and Transportation and Energy and Water Committee began to study the draft law and formed a subcommittee which deliberated it and amended it as necessary, in the presence of the competent ministries and

administrations, especially (the Ministry of Energy and Water, the Ministry of the Environment, the Ministry of Finance, the Council for Development and Reconstruction, and the Supreme Privatization Council).

Whereas the mentioned committee had neared the completion of the necessary amendments on the text of the draft law. However, and due to the CEDRE 1 Conference being held, which was specified for supporting Lebanon through the funding of development and infrastructure projects, there was a dire need to adopt the water law before the Prime Minister and the Accompanying Ministerial Delegation headed to the mentioned conference, which pushed the parliament to vote on the text of the draft law as it had been sent by the government, thus the law No. 77/2018 was issued (the Water Law).

Whereas the Water Law in the version it was issued, included a lot of shortcomings which render its application nearly impossible, therefore, the text of the attached draft law was prepared, in coordination and cooperation with all the competent ministries and administrations in order to bridge the mentioned shortcomings and guarantee the cohesion between the articles of the Water Law.

Whereas the attached text has been reached after several meetings and long deliberations, and which addresses the gaps and problematics which taint the law No. 77 (Water Law) which guarantees the well execution, with the consensus of the representatives of the ministries concerned.

For all of these reasons, we present the attached draft law in its amended version to your honorable council, hoping that it shall be adopted.

Law No. which aims to oblige banks operating in Lebanon to release ten thousand dollars according to the official exchange rate of the dollar for the 2020-2021 academic year for Lebanese university students who are studying abroad before the 2020-2021 academic year

The Parliament approved, and the President of the Republic publishes the following law

Article 1: Banks operating in Lebanon should postpone a one-time financial transfer of a value not exceeding ten thousand dollars for every Lebanese university student registered in universities or higher technical institutes outside Lebanon before the year 2020-2021, from their accounts or the accounts of their parents or those sponsoring. And if they do not have accounts in banks, in foreign currency, the Lebanese national currency would be exchanged according to the official exchange rate of 1515 LBP dollars. And after the banks made the necessary to verify the right of the beneficiary to a current registration certificate from the university or the technical institute.

- A statement of university or technical institutes payments before 31/12/2020.
- The current housing lease contract or the receipt of the last monthly payment.

Article 2: This law shall come into force upon its publication in the official paper.