

REPUBLIC OF LITHUANIA

LAW ON DRINKING WATER

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Vilnius

CHAPTER I

GENERAL PROVISIONS

Article 1. Purpose and Goal of the Law

1. This Law shall establish the conditions of ensuring the safety and quality of the drinking water supplied to market and used in food enterprises and individually in households in implementing the right of the population of the Republic of Lithuania to consume healthy and clean drinking water and obtain information concerning the safety and quality thereof.

2. This Law shall regulate the principal functions and relations of the State, local government institutions and the suppliers and consumers of water with respect to the abstraction, supply, use of water and individual self-supplying thereof and the control of water safety and quality.

3. The procedure of the use of drinking water for other purposes than those indicated in paragraph 1 of this Article, shall be established by other legal acts.

Article 2. Principal Definitions in this Law

1. **Centralised technical means of preparation of drinking water** means equipment and chemical reagents, by means whereof all of the drinking water supplied for public use, is prepared.

2. Drinking water:

1) any natural or prepared water, intended for drinking, cooking, food preparation or use for other household needs, regardless of whether it is supplied from the water supply distribution networks, reservoirs, in bottles or other types of packaging;

2) any water, used in food enterprises for production, reprocessing, conserving or supply of food products to market, if a responsible State institution decides, that the water quality will not harm the safety and quality of the final product;

3) is safe, when it conforms to the requirements of product safety, confirming that the use thereof does not pose any risk to human health or life or poses no greater risk than that, which according to legal acts is established as admissible and of which the consumers are informed according to the procedure established by legal acts, and when protection from pollution and a monitoring prescribed by legal acts are assured of the obtained, prepared and supplied drinking water.

3. **Packagings of drinking water** means the commercial and economic operation, intended to bottle drinking water and drinking mineral water by industrial means or pour it into some other type of commercial packaging.

4. **Abstraction of drinking water** means the collection by means of special installations such as piping, from the aqueous layer or a natural spring, of water which meets the requirements of the safety and quality of drinking water, set by the legal acts or which is suitable for the preparation of such water.

5. **Quality of drinking water** means the sum total of the properties of drinking water set forth by legal acts, which permits the satisfaction of the expressed and implied requirements of consumers.

6. **Preparation of drinking water** means the improvement of natural water properties by employing the methods of physics, chemistry and biology in order that it might meet the requirements of the safety and quality of drinking water set forth by legal acts and would satisfy the needs of water consumers.

7. **Consumers of drinking water** means the legal or natural persons, taking the water from the distribution network of the water supply for consumers of the municipal or other water resources (tanks, cisterns or the like).

8. **Use of drinking water in food enterprises** means the use of drinking water, steam thereof or ice obtained from the water supply distribution network, reservoirs and drilled or mine wells in order to prepare the food supplied to the market, including the packaging of drinking water and drinking mineral water.

9. **Monitoring of drinking water** means the taking according to the programmed procedure established by legal acts, of randomly selected water samples, testing of samples and recording of certain water parameters and (or) transfer thereof in striving to assess, whether these parameters meet the safety and quality requirements.

10. **Safety of drinking water** means the sum total of the protection of the water resources and water locations, water quality, water abstraction, preparation, supply and requirements of monitoring, which ensures that the use of drinking water according to the usual conditions of use, set forth by the water supplier or producer of packaged water, including long-time use, shall not pose any risk to the health or life of the consumers, or that it shall not prove to be any greater than that, which has been established by legal acts as admissible and considered in keeping a high level of consumer protection.

11. **Source of drinking water** means a body of water, the water whereof meets the safety and quality requirements for drinking water, established by legal acts or comprises the raw material for the preparation of drinking water.

12. **Protection of drinking water source** means the sum total of the administrative, environmental and engineering measures implemented in accordance with the procedure established by legal acts, designed to protect the sources of drinking water from pollution or depletion.

13. **Pollutants of drinking water** means the substances of any, including those used in preparing drinking water, parasites, pathogenic micro-organisms, toxic substances thereof, fertilisers, pesticides, the integral parts or disintegration products thereof, radioactive isotopes or other materials, which if present in drinking water, may have some negative effect upon human health and pose harm to water safety.

14. **Suppliers of drinking water** means the users of water supplying or packaging installations who have registered their activities in the Republic of Lithuania, according to the procedure established by legal acts, who while preparing the water alter its properties and supply drinking water to the consumers, including food producing enterprises which use water, or they take part in water packaging and supplying thereof to the market.

15. **Supplying of drinking water** means the sum total of technical, organisational, economic, hygienic and environmental measures, ensuring the supplying of water to consumers of drinking water.

16. **Individual self-provision with drinking water** means such self-supplying by natural or legal persons with drinking water, when less than 10 m³ of water is taken or when fewer than 50 persons are served, and the obtained water is not used for economic and commercial activities.

17. **Individual technical means of drinking water preparation** means the equipment, devices and chemical reagents, with which water consumers additionally prepare the drinking water, to meet their own personal or production needs.

18. **Uninterrupted supplying of drinking water** means the satisfactory as to the quantity and regularity of supply, provision of drinking water to consumers of water.

19. **Internal water supply of buildings** means the network of pipes and other equipment located on the premises of drinking water consumers, of water preparation and distribution, connected with the water distribution network via a lead-in.

20. **Parameter** means a parameter (microbiological, chemical, physical) of water quality established by tests in a water sample.

21. **Water supply installation** means the section of the water pipe system leading up to the lead-ins to the internal water-supply pipes belonging to buildings of the water consumers. The reservoirs of drinking water and means of transportation to transport it are considered part of the water-supply installations.

22. **Water supply** means the complex engineering installations for abstraction, improvement and supply of water to consumers.

23. **Water supply distribution system** means an outdoor distribution system, intended to conduct drinking water from the premises of its preparation to the consumer's lead-in.

24. **Intake area around the water extraction site** means an area, from which moving small sections of flowing currents of ground water reach the body of water.

25. **Public supply of drinking water** means the economic and commercial activity designed to supply drinking water uninterruptedly to a residential area, a part thereof, or a group of water consumers for at least 60 twenty-four hour periods annually. Non commercial activity is also regarded as a public supply activity, when drinking water is supplied by oneself on an individual basis, providing at least 10 m³ of water or water is supplied to 50 or more persons.

26. **Lead-in** means the first cut-off, connecting the distribution network of the public supply of water, according to the direction of the water flow, with the networks of a consumer-owned building or internal territory.

Article 3. General Principles of Supplying Drinking Water to Natural and Legal Persons

1. It shall be prohibited to supply to the market drinking water, which fails to meet the requirements set forth by legal acts, unless it has not been demonstrated that while being used for a strictly limited period of time, such water shall not pose any threat to human health.

2. Groundwater shall constitute the principal source of drinking water. Water from surface bodies may be used in exceptional instances, in the preparation of drinking water.

3. This Law, the Law on Water, the Underground Law, the Law on the Governing of the County, the Law on Local Self-Government and other legal acts shall set forth the procedure of the use of water resources and bodies in supplying drinking water to natural and legal persons.

4. Public supply of drinking water shall be the principal means of supplying drinking water to natural and legal persons.

5. The natural and legal persons, who have no opportunity of using public supply drinking water and who freely or with permits, are using the water resources, shall supply themselves with water individually and care for the water safety and quality within their own individual household.

Article 4. Functions of Local Government Institutions in Supplying Drinking Water to Population

1. The institutions of local government shall ensure that the population in local government areas would receive public supplies or that they could be provided with conditions to be supplied with the necessary amount of drinking water.

2. The governing institutions of local governments, in preparing the plans for the development of the water supply and the protection of water extraction sites shall:

1) select and implement the necessary means of drinking water supply to the population, manage the accounting of the water resources in use, accepted for use and those no longer used and water supply installations and organise protection thereof from contamination;

2) organise and implement in accordance with the procedure set forth by the Law on the Protected Areas and the Law on Environmental Monitoring, protection of the sources of drinking water supplies and observe and manage the water resources of local governments;

3) analyse the status of the supply of drinking water for the population, its safety and quality, and to inform the public through issuing public annual reports;

4) ensure, that the economic and commercial activity of natural and legal persons shall not worsen the conditions of individually supplying the population with drinking water and shall not worsen the use characteristics and reliability of the public supply of drinking water; supervise and ensure that the distribution networks and installations for the public supply of drinking water be located within the areas of general use of cities;

5) ensure, that the population, who are supplying themselves with drinking water individually, would receive timely information about the water bodies suitable for use and also, concerning a potential danger to health posed by the safety of the water they use or contamination of the water body;

6) determine and publicly announce to the population, what actions to take, when it comes to light that the drinking water is posing a potential danger to human health, and employ measures to restore the safety of the water or ensure an alternative supply of water;

7) determine whether it shall be expedient to establish new drinking water supply facilities in an area, where the public supply of drinking water has been already organised.

CHAPTER 2

DRINKING WATER SUPPLY

Article 5. Public Supply of Drinking Water

1. The public supply of drinking water must ensure uninterrupted supplying of this water.
2. The suppliers of drinking water through the water supply distribution network shall be responsible for the safety and quality of the water up to the lead-in to the internal drinking water supply of buildings belonging to the consumers of drinking water.
3. The consumers themselves shall be responsible for the safety and quality of the drinking water contained in the internal water supply of buildings belonging to consumers.

4. The water suppliers, who provide drinking water consumers from tanks and cisterns, shall be responsible for the safety and quality of the water emanating from their sources.

5. The water suppliers shall observe and administer in accordance with the procedure set forth in the Law on Environmental Monitoring, the water resources being used.

6. Having a license for the use of water resources, issued according to the procedure established by the Government or an institution authorised by it, groundwater and in exceptional cases, surface water may be used for the public supply of drinking water.

Article 6. Individual Self-Provision of Drinking Water

1. The water consumers themselves shall organise the obtaining of drinking water for their personal housekeeping needs. They shall install water-supply facilities relying upon their own initiative and funds.

2. Consumers who are using the water resources freely or with licenses, for self-supply of water must protect the water sources from contamination.

3. The requirements set forth by legal acts must be adhered to in installing and operating the systems for individual drinking water supply.

Article 7. Use of Drinking Water in Food Enterprises

1. The water suppliers, who provide drinking water to food enterprises, must ensure uninterrupted supply thereof. They shall be responsible for the safety and quality of the drinking water up to the lead-ins to the internal water supply of the buildings belonging to the food enterprises.

2. The food enterprises, which use the drinking water in the preparation of food for the market, shall be responsible for the safety and quality of the water in the internal water supply of buildings belonging to it.

3. The suppliers of drinking water, who supply drinking water to food enterprises, must observe and manage the water resources used by economic entities according to the procedure established by the Law on Environmental Monitoring and protect the water sources from contamination.

Article 8. Means of Drinking Water Preparation

1. The centralised means of technical preparation must ensure uninterrupted water supply, adhering to the requirements set forth by an institution authorised by the Government.

2. The technology of drinking water preparation must be adapted to the specific properties of the water, taking into account the local hydrological, hydro-geological and hydro-chemical conditions.

3. It shall be prohibited to exceed the microbiological, toxic and other parameters of contamination, based on the fact that the consumers shall still have the opportunity to ensure water safety through individual measures.

4. The individual manufacturers of the technical means of drinking water preparation as well as, suppliers and sellers thereof must, in accordance with the procedure established by the Government or an institution authorised by it, provide consumers information on the conditions, ways and safety guarantees regarding the use of such means and taking into account the properties of the water being prepared, reliability of the means used and duration of effectiveness.

5. In the Republic of Lithuania only the means of water preparation may be used, which do not pose a threat to human health and which have been registered according to the procedure set forth by legal acts.

6. The materials used in the pipes and of the water supply distribution system and water packaging facilities, which touch the water, must not give off such an amount of their component parts as to make it possible to pose harm to human health or bring about undesirable changes in the quality of water.

Article 9. Preparedness to Supply Population with Drinking Water in Emergency Situations

1. The obligation of the State and local institutions shall be to ensure the safety of drinking water in times of extreme emergencies.

2. The following means of providing population with drinking water in cases of extreme emergency, shall be prepared in accordance with the Civil Protection Law and other legal acts:

- 1) alternative sources of water supply to be selected;
- 2) reserves of individual technical means of drinking water preparation to be stockpiled;
- 3) reserves of packaged and drinking water to be amassed in special reservoirs;

4) reserve supplies of equipment and materials needed for the quickest repair of damaged water supply equipment and facilities to be stockpiled.

CHAPTER 3

MONITORING AND CONTROL OF SAFETY AND QUALITY OF DRINKING WATER

Article 10. Criteria of Safety and Quality of Drinking Water, Places of Application Thereof and Admissible Deviations

1. The drinking water must meet the safety and quality requirements,

established by legal acts, in the place where it is obtained for consumption: the taps of internal water supply of buildings, in water pumps, water transport container effluents and places of packaging in commercial packages and use in food enterprises.

2. The local mayor, having co-ordinated the matter with the State Food and Veterinary Service under the Government of the Republic of Lithuania (further – food control institution) and also having advised in advance the consumers of drinking water thereof, may allow a temporary digression from the public supply of drinking water quality parameters, provided that :

1) the microbiological and toxic parameters do not worsen as a result of this;

2) the digressions depend on constant natural factors (hydro-geological, hydrological, meteorological, etc.) of the location or have arisen as a result of emergencies.

3. Under extraordinary circumstances and provided there exists no other means of supplying the residential area or a section thereof with good drinking water and, provided that the Ministry of Health establishes that no potential danger shall be posed to human health, the mayor of the local government upon having informed the food control institution, may, for a limited time, permit the public supply of drinking water, the toxic parameters whereof exceed those set by the legal acts. The mayor of the local government must without delay, inform the consumers of drinking water of his decision to that effect. The mayor must submit a request and the following information to the Ministry of Health:

1) the reason for exceeding a toxic parameter;

2) the suggested amount of the temporary parameter;

3) the specific area (section thereof) of the facility supplying the drinking water, a list of the number of members of the population and food enterprises using the water and amount of water supplied during a 24-hour period;

4) the suggested time limit;

5) the suggested procedure of monitoring;

6) the means necessary to employ, in order that the calendar and financial plan of the amount of toxic parameter established by the legal acts would be returned to over a limited period of time.

4. The time limit must not extend beyond three years, except in the cases outlined in paragraph 5 of this Article. An institution authorised by the Government shall for a limited time establish the temporary permitted amounts of toxic parameters, procedure of the monitoring and duration of that time interval. Should it be established that a return to the established toxic amount shall be effected no later than within 30 days time, the requirement of paragraph 3 of this Article to submit additional information shall not apply.

5. According to the procedure set forth in paragraphs 3 and 4 of this Article, the mayor of a local government may permit the licence for public supply of drinking water, whose actual toxic parameters greatly exceed those set forth by legal acts, to be extended twice. Each such extension must not exceed a 3 - year term.

6. The food control institution must according to the procedure established by laws, international treaties and other legal acts, within 2 months notify the European Commission regarding each licence for the public supply of drinking water, the toxic parameters whereof exceed the permissible amounts, if the water supply area is supplied on the average more than 1,000 m³ over a 24-hour period, or if such water is being supplied to over 5,000 persons.

7. An institution authorised by the Government shall draft and approve a list of pesticides, degradation products thereof and other harmful chemical materials, which may contaminate drinking water, that must be observed in the course of monitoring the State, local governments and economic entities.

Article 11. Monitoring of Drinking Water

1. It shall be prohibited to supply drinking water, without having a constant monitoring of drinking water.

2. The suppliers of drinking water must conduct a monitoring of the water, which is publicly supplied and used in food enterprises.

3. The water suppliers who are supplying public drinking water through the water supply distribution network, shall carry on the monitoring as far as the places of water use: the taps of internal water supply of buildings owned by water consumers, water tanks and locations of water used in food enterprises. The monitoring shall be implemented at random in accordance with the procedure established by the Government.

4. The water suppliers who are engaged in the public supply of drinking water to consumers from reservoirs shall perform the monitoring at the effluents of these reservoirs.

5. The suppliers of drinking water, who provide drinking water for food enterprises only, shall conduct the monitoring of water only as far as the places of water consumption in food enterprises.

6. The water suppliers who conduct the monitoring must inform the consumers and food control institution without delay, concerning deterioration in water safety and quality in the internal water supply in buildings belonging to the water consumers, and causes thereof and actions which should be undertaken by the consumers in order that the drinking water would meet the requirements of safety and quality as set forth by legal acts.

7. The control of water safety and quality in water bodies, which are used or are planned to be used for the drinking water supply, shall be implemented in accordance with the procedure established by the Underground Law and the Law on Environmental Monitoring.

8. The water suppliers, being mindful of the safety and quality, technologies of water preparation, condition of the water supply equipment of the water used to supply drinking water, shall draft and adjust on an annual basis the monitoring of drinking water plans and co-ordinate them with the food control institution.

9. The water suppliers must, within one month of the closing of the accounting period, submit to the mayor of the local government and the food control institution the annual reports of the monitoring, and publish the results of the monitoring for the consumers of drinking water.

10. The food control institution must in accordance with the procedure established by international treaties and other legal acts, every three years submit to the European Commission a report on the safety and quality of drinking water used by the population of the Republic of Lithuania.

11. Water suppliers must within the set time limits send written notices to the food control institution and the water consumers (if that has been included in the contract), when:

1) the water supply or water packaging facilities are being used for the first time or following an interruption, or a part thereof has been replaced and that may worsen the safety and quality of water;

2) the property or the right to use of the water supply or water packaging facilities is transferred to another legal or natural person;

3) the water supply or packaging facilities are temporarily suspended;

4) the microbiological and (or) toxic parameters of drinking water become worse in children's educational, healthcare, public catering or food enterprises or due to accidents of the water supply the supplying of drinking water to those buildings is broken down;

5) The means of water preparation are being altered or new types thereof are starting to be employed;

6) the signs of water contamination in the distribution network of the water supply and peculiar incidents in the sanitary protection zone or in the locations of the intake areas around the water extraction site become apparent;

7) prophylactic operations are carried out, that may have an effect upon the safety and quality of drinking water.

Article 12. State Control of Drinking Water

1. The food control institution shall perform State control of drinking water safety and quality, annually inform the Ministry of Health on the results thereof and publish this in accordance with the procedure established by legal acts. On implementing these tasks, officials of the food control institution shall have the right to:

1) enter the water supply and food enterprise area, premises, sub-units, sanitary safeguard zones, inspect them, take samples (also, of the packaged water), request all of the necessary documents and verify them and make excerpts or copies thereof.

2) control, how the suppliers of water implement the requirements set forth in Article 11 of this Law;

3) if necessary to protect the interests of public safety, to issue directives, in order that the water suppliers might expand the scale of water parameters controlled in the course of the monitoring and change the frequency of analysis thereof.

2. The State control of drinking water shall be implemented regularly, without prior warning, based upon legal acts according to programmes, which have been drawn up earlier (in which the frequency of analyses and nature of control are outlined) also, upon suspicion that the requirements of this Law and other legal acts may be violated, while the methods must be suited to the purpose of control. The food control institution shall establish the procedure of implementing the State control of drinking water.

3. The State control of drinking water shall comprise all of the stages ensuring the drinking water sources or safety and quality of drinking water (from the safety analysis of the sources of drinking water intended for the public supply of water and individual self-supply to the use of water in residential and public buildings (especially in the institutions of children's education, health care, public catering, or food enterprises) also the supply of packaged water to the market:

1) the analysis of the sanitary zones of water extraction sites;

2) the inspection of centralised and individual technical means of the preparation of drinking water and safe use of materials which touch drinking water;

3) the inspection of the water extraction sites, facilities of water supply, and processes of water preparation;

4) the control of the safety and quality parameters of the water used for drinking and food processing;

5) the control of the implementation of the plans for monitoring of drinking water;

6) the determining of the risk groups of population and participation in implementing the health control and monitoring;

7) the drafting and publication of annual reports on the safety and quality of drinking water in the Republic of Lithuania;

8) the drafting of reports on the supply of the population with drinking water and the safety and quality of the water being used, intended for the European Commission, in accordance with the procedure established by laws, international treaties and other legal acts.

4. Having established some violations of the requirements of this Law or other legal acts, the institution of food control must undertake the measures set forth by legal acts, in order that the water, which presents a potential danger to human health, would not be publicly supplied or used individually and to advise the Ministry of Health thereof.

5. The food control institution must ensure the safety and quality control of the drinking water that is used individually and other means of hygiene set forth in legal acts, including informing the members of the population who individually supply themselves with water, if infectious diseases are spread or may be spread through drinking water or if a danger shall arise of some chemical pollution of drinking water.

6. The limits of the competence of other State institutions and organisations of consumer right protection in implementing the right of the population to use drinking water shall be established by the Law on Water, the Underground Law, the Law on Environmental Monitoring, the Law on the Health System, the Law on Product Safety, Law on Food, Law on Consumer Protection and other legal acts.

Article 13. Protection of Drinking Water Sources and Sanitary Safeguard Zones

1. The councils of local governments, being mindful of the local

conditions, shall have the right to establish stricter requirements of protection of drinking water sources, than those stipulated by the legal acts.

2. Sanitary safeguard zones must be established of all categories of cities and towns, village water extraction sites and water sources of individual supply, from which drinking water is supplied to the population, food enterprises or is packaged.

3. This Law and other legal acts shall regulate the high security of the sanitary safeguard zone and the establishment, equipping and supervision of restricted strips.

4. An institution authorised by the Government shall set forth the conditions for further use for the supply of drinking water, of the water extraction sites used in the residential areas, where there are no opportunities to create all the strips of the sanitary safeguard zone (except a high security one).

5. The water suppliers shall be responsible for the proper management of the high security strips of the sanitary safeguard zone and all the water supply equipment therein.

6. The water suppliers, using the water bodies for the purpose of supplying drinking water, must mark the second and third strips of the sanitary safeguard zone in the territorial planning document.

7. Legal and natural persons, who are engaged in economic activity in the second and third strip, must adhere to the economic restrictions established by the legal acts.

CHAPTER IV

FINAL PROVISIONS

Article 14. Liability

1. The suppliers of drinking water must adhere to the requirements of this Law and other legal acts, implement the lawful requirements of the Ministry of Health, the food control institution and other control institutions.

2. The suppliers of drinking water who have violated the requirements of this Law and other legal acts, shall be liable and compensate the damage caused to the victims according to the procedure established by the Law on Product Safety and other laws.

Article 15. Coming into Force of the Law

This Law, with the exception of Article 16, shall come into force from July 1, 2003.

Article 16. Recommendation to the Government

The Government or an institution authorised by it shall by July 1, 2003, adopt the legal acts necessary to implement this Law.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

VALDAS ADAMKUS