

Water Law

Chapter I - GENERAL PROVISIONS

Article 1. *Scope of law*

The purpose of this law is:

- a) creating a legal framework for the management, protection and efficient use of surface water and groundwater in the assessment, planning and participatory decision making;
- b) establishment of water use rights and promote investment in water;
- c) establishment of mechanisms for protection of water status, preventing any further degradation of water, protecting and restoring aquatic gradual convergence and systematic protection and managing them with European requirements;
- d) prevent further deterioration and protects and enhances the status of aquatic ecosystems and, in terms of their water needs, terrestrial ecosystems and wetlands directly depending on aquatic ecosystems;
- e) ensuring adequate supplies of surface water and groundwater quality, that which is necessary for sustainable, balanced and equitable water
- f) establishing a legal basis for international cooperation in joint management and protection of water resources.

Article 2. *Definitions*

In this law, the following definitions apply:

aquifer - underground layer or layers of rock or other geological strata of sufficient porosity and permeability to allow either a significant flow of groundwater or the abstraction of significant quantities of groundwater;

surface waters - water bodies and rivers of the ground surface;

groundwater - water that is below ground in the saturation zone and in direct contact with soil or subsoil;

wastewater - water that comes from domestic activities, social and economic waste containing pollutants or to alter the physical, chemical and bacteriological original;

environmental permit for special use of water - a document issued by the institution subordinated to the central body of public administration environment, whose holder is entitled to the special use of water under certain conditions, according to this law;

basin - piece of land from which all surface runoff flows through a succession of rivers, streams and lakes to the sea in a single river mouth, estuary or delta, bounded by the watershed;

State Cadastre of water - the state information system contains records relating to the hydrographic data, water resources, the levies and restitutions of water, hydraulic heritage;

requirement for water environmental quality - concentration of a pollutant or group of pollutants in water,

sediment or biota which should not be exceeded to protect human health and the environment;

basin district committee - advisory and coordinating body basin district;

Artificial water body - body of surface water created by human activity;

surface water body - separate and significant surface water such as lake, reservoir, pond, stream - the *river or canal segment of a stream* - river or canal, transitional waters;

groundwater body - distinct volume of groundwater within an aquifer or multiple aquifers;

sanitary flow - minimum flow in a section on a stream necessary to ensure the living conditions of existing ecosystems;

river basin district - area of land in Moldova, consisting of one or more neighboring river basins and associated groundwater, identified as a main river basin management unit;

pond (pond) - body of water artificially formed by stopping the dam or by withdrawing a stream, for fisheries, irrigation, etc., the volume of water at normal level of retention of up to one million m³;

Flood - temporary covering by water coming from the overflow of excessive high water flood or heavy rains, a portion of land, usually not covered by water;

lake - standing surface water body that is not related to oceans worldwide;

lake - an artificial water body that is a pool of water, with possible use for different purposes, with a volume of water at normal retention of over one million m³;

water pollution - direct or indirect introduction, as a result of human activity, of substances or heat into the air, water or soil may pose risks to human health or the quality of aquatic ecosystems or terrestrial ecosystems which depend directly aquatic ecosystems, resulting in material damage to property or harm or adversely affect the legal services and other uses of the environment;

pollutant - any substance that could be a factor of pollution;

water resources - surface water, groundwater and atmospheric precipitation fallen in Moldova;

flood risk - the combination of likelihood of flooding and potential adverse effects to human health, environmental, cultural heritage and economic activity associated with floods;

drought - temporary deficiency of surface water and groundwater due to climate change;

sub - area of land within a river basin from which all runoff water flows through a network of rivers, streams and lakes to a particular point in a stream in the river basin district;

Hazardous substances - substances or groups of toxic, persistent and bioaccumulative, and other substances or groups of substances of danger;

water fund land - land under water, the beds of rivers, lake basins, ponds, water reservoirs, marshes, fields that are located hydraulic structures and other components of service water, land allocated for files deviation (from the banks) of rivers, water basins, ditches and collector highways, and land used for construction and operation of facilities that provide drinking water needs, technical water, clean water and other public needs;

emission limit values - mass expressed in terms of certain specific parameters, concentration and / or an emission level that can not be exceeded during a certain period or more specific periods;

wetlands - stretches of swamps, the marshes, the bogs, water, natural or artificial waters, permanent or temporary, with water that is stagnant or flowing, fresh, brackish or salt, which does not exceed 6 m depth;

vulnerable areas - areas of land from which surface water supplies and / or groundwater and causing their pollution by nitrates from agricultural sources.

Article 3. Scope of law

(1) This law regulates:

a) management and protection of surface and groundwater, including measures to prevent and combat floods, erosion and measures to counter drought and desertification;

b) activities that impact on surface water and groundwater, including capture and water use, wastewater discharge and pollution, other activities could harm water quality.

(2) The following activities are regulated by special laws:

a) use of natural mineral waters and medicinal minerals, including thermal,

b) safety of dams and other hydraulic structures;

c) establishment of water user associations for irrigation and irrigation infrastructure for the transfer and use by such associations;

d) fishing and aquaculture, except discharges of pollutants from aquaculture facilities and the introduction of dangerous substances in water covered by this law;

e) ensuring water supply, the discharge of wastewater and water treatment services for the population, commerce and industry.

Article 4. The ownership in water

(1) Water is a renewable natural resource, vulnerable and limited, an indispensable element for life and society, a key factor in maintaining ecological balance, a raw material for productive activities, a source of energy and transport route.

(2) Water is not a certain commercial product, but a natural heritage to be protected, defended and treated as such.

(3) Water is part of the public domain.

(4) Any natural or legal person is entitled to use water under this law.

(5) land under the pond water may participate both in the public domain, as well as private sector. Any natural or legal person can build a pond on land that belongs to ownership under the law.

(6) land water fund is an indivisible good.

Article 5. Water resources management

(1) Efficient management of water resources of the Republic of Moldova is made based on river basin located in the Republic of Moldova and the Prut River Basin and the Danube-Black Sea located in Moldova,

called watershed districts.

(2) District basin is the primary source of river basin management and their associated groundwater.

(3) River Basin Districts in Moldova are:

a) river basin district;

b) Danube, Prut river basin district and the Black Sea.

(4) The watershed districts may be formed basins.

(5) watershed district boundaries, boundaries of sub-basins and special maps as approved by the Government are determined.

Article 6. *Resource management principles water*

Water resources management is based mainly on:

a) the principle of participation of water users, local and central public authorities, civil society and other stakeholders in planning and decision making on the use and protection of water resources;

b) the "polluter pays" principle, that the costs of pollution prevention or remediation of water resources are borne by the polluter;

c) the precautionary principle, which means that if there is risk of serious or irreversible harm to water resources, lack of full scientific certainty can not be used as an excuse to avoid taking action;

d) the principle of sustainable water use by the sense that the needs of future generations must be considered in use and water protection;

e) the principle of the economic value of water in the sense that the economic value of water resources and their management must be recognized by introducing cost-recovery mechanisms for managing water resources.

Chapter II - REGULATION AND MANAGEMENT OF THE STATE WATER USE AND PROTECTION

Article 7. *Government*

(1) In the use and protection of water, the Government:

a) coordinate all public authorities responsible for water;

b) approve a normative framework for the implementation of this law;

c) take other actions provided for by law.

(2) coordinate government activities to be undertaken under this Act and may delegate certain powers, established by this law, central government authorities, other authorities responsible for water.

Article 8. *The central body of public administration environmental*

The central government of the environment is responsible for implementing state policy in the management of water resources:

- a) develop policies, laws, plans to be approved by the Government and changes necessary to bring legislation in line with European requirements;
- b) perform condition monitoring and the use of water resources, take State Cadastre of water;
- c) establish subordinate institution whose duties shall issue environmental permits for special water use and environmental permits for keeping the Register of special water use (the competent institution);
- d) ensure, together with the Ministry of Health, compliance and protect water quality;
- e) encourage and promote the participation of civil society and all stakeholders to debate specific projects of national interest in water;
- f) ensure international cooperation and coordination of their activities resulting from international treaties;
- g) coordinates external donations and manages investments in water;
- h) other actions provided by law.

Article 9. Administrative authority management water

(1) The water management take administrative measures to implement the legislation and water management and protection:

- a) participate in developing and implementing policies, programs, action plans and water management;
- b) manage hydraulic structures that are in the public domain;
- c) maintain surface water bodies, areas of water protection and file, according to art. 50 para. (3);
- d) Perform other functions stipulated by law and those delegated by the central public administration on the environment.

(2) The organization and functioning of the administrative authority for water management are determined by rules adopted by the Government.

Article 10. Committee basin district hydrographic

(1) For each river basin district, each government formed a committee whose composition enter the representatives of central and local government, sub-committees, water user associations, civil society and scientific society.

(2) The main tasks of river basin district committee are:

- a) consult in the development, modification and approval of plan of management basin district;
- b) participating in the identification, delineation and classification of water bodies subject to environmental requirements for water quality and protection they need, or could be affected by pollution from various sources, including agriculture, consult to identify vulnerable areas;
- c) developing measures to be included in the catchment basin management and to achieve management objectives;
- d) participate in cross-border cooperation on common pools.

(3) The establishment and operation of river basin district committee, its composition and powers are set out

in regulations approved by the Government.

Article 11. Local authorities

Local authorities have the following powers:

- a) maintain and manage surface water bodies, areas of water protection and file in their custody, according to art. 50 para. (4);
- b) delegate its representatives to the committee basin district;
- c) inform the civil society and stakeholders about certain aspects of the water, including restrictions and bans the use of water;
- d) create, in collaboration with associations, sub-committees of small rivers;
- e) perform other tasks prescribed by law.

Article 12. Collaboration and public access information from the water

(1) The central government supports the environment, directly or through subordinate institutions responsible for water management, participation of public and private institutions, NGOs, the media, water users associations, the citizens, other stakeholders to achieve rational use and protection measures for water by encouraging:

- a) active collaboration to examine the various issues for public debate;
- b) initiating campaigns to educate people in spirit form a caring attitude toward water;
- c) organization of public control over the implementation of water protection measures;
- d) report cases of violation of legislation, as well as those whose effects are likely pollution, waste and water depletion;
- e) submission of proposals to optimize the use and protection of water;
- f) engaging in work to optimize the use and water protection and the prevention and liquidation of the destructive effects of water;
- g) the undertaking of other measures to ensure rational use and water protection.

(2) Any natural or legal person is entitled to inspect records, plans, lists, any public information under the Access to Information legislation.

Chapter III - DATA MANAGEMENT. POLICY AND PLANNING

Article 13. Monitoring water resources

(1) systematic monitoring and recording the status of surface water, groundwater and protected areas is carried out by the central public administration on the environment through subordinate institutions, as provided by rules adopted by the Government. The intake water, irrigation water and recreational areas will be

monitoring together with the Ministry of Health.

(2) Rules referred to in para. (1) specifies the parameters subject to monitoring, rizării, procedures and technical measures, but not limited to, sampling and analysis requirements of each parameter for quality control for laboratory practices and data recording.

(3) riparian land owners are required to permit authorized representatives of the central public administration on the environment, but they are flat on the ground undertaking the following actions:

- a) the passage or movement of service personnel involved in water management for their performance;
- b) transportation and temporary storage of materials and equipment, their movement and personnel, pumping test, where hydrogeological boreholes, which are part of national monitoring network;
- c) location in the riverbed and banks, the terminal parts, measuring and control devices or other appliances or equipment, necessary study water and access to maintenance facilities for these activities;
- d) access to perform scientific research work in the field.

(4) Damage caused by the actions referred to in para. (3). a) and b) are repaired at the expense of state budget allocations or account authorized persons who have caused damage and that caused by the actions of c) and d) are repaired otherwise provided by law.

Article 14. State Cadastre of water

(1) State Cadastre of water is maintained by the central public administration in environmental matters, the administrative authority for water management. Cadastre contains data on the river, including the identification, delineation, classification and status of water bodies, the construction and hydraulic engineering, and file protection areas, protected areas located in these areas, and data sampling and restitution water.

(2) Structure and State Cadastre of water content are determined by rules adopted by the Government.

Article 15. Register of environmental authorizations special use of water

(1) Register of environmental permits for special use of water is taken by the competent institution. The register contains data on holders of permits, authorizations type, date of issue, validity, place of business licensed, other references on the issue, amendment, extension, suspension, termination or withdrawal of authorizations. Acts as a ground have made entries in the register of environmental permits for special water use to store the file.

(2) The structure and contents of that paragraph. (1) are established in regulations approved by the Government.

Article 16. Transparency of information of cadastre State of water and permits Register environment for special use of water

(1) Information of the State Water Cadastre and Register of environmental permits for special water use is public.

(2) Any natural or legal person is entitled to study and receive data from the State Water Cadastre and Register of environmental permits for special water use in accordance with the law on access to information.

Article 17. National policy documents water resources

(1) national policy documents water resources is decided according to law. These documents shall contain provisions on:

- a) the quantity and quality of existing water resources and water bodies in their use by all sectors;
- b) the volume of water flow unused resources, taking into account environmental needs and water use by international treaties;
- c) water requirements on short, medium and long for each main sector of economy;
- d) investment priorities, to denote the need to ensure efficient water supply and sanitation services to urban and the rural population and compliance with applicable European and environmental objectives for water;
- e) special measures to prevent and control pollution of surface and groundwater;
- f) priority measures to promote adaptation to climate change, including identifying and combating water scarcity, to denote to the long-term imbalance between supply and demand of water and increased risk of droughts and floods;
- g) programs of measures on environmental quality requirements for water and / or the environmental objectives for water, as the European Union;
- h) specific terms of achieving certain objectives, measures, actions, etc. requirements.

(2) The central government promotes active participation in environmental civil society in preparation of the national policy of water resources by publishing documents and information to all interested parties, offering everyone the opportunity to comment and make recommendations the content of these documents.

(3) The central government's environmental policy documents publicize national water resources through the national media.

Article 18. National policy documents wastewater

National policy documents on waste water and is approved under the laws contain provisions on:

- a) design, financing, construction, commissioning and operation of collection systems and wastewater treatment plants in urban areas and the time that Moldova must comply with applicable requirements in the EU in this field;
- b) identify and implement measures that would provide the cost effective wastewater treatment in rural areas so as to reduce and minimize pollution, and would protect drinking water and the design, financing, construction, commissioning and operation of local systems of wastewater collection, wastewater treatment plants of, the implementation of processes, technologies and methods appropriate alternative.

Article 19. Basin District Management Plan hydrographic

(1) District basin is managed under a plan developed by the central public administration in environmental matters, in consultation with the river basin district, approved by the Government.

(2) management plan river basin district to provide for the implementation of national policy documents on water resources and includes:

- a) evaluate the quality and quantity of water resources in the river basin district;
- b) risk assessment of water scarcity, drought, floods, pollution and dam failure within the river basin district, assessing the costs of prevention, reduction or mitigation of such risks;
- c) identification of river basin district there is a risk of pollution from diffuse sources;
- d) analysis of existing protected areas and buffer zones established in accordance with law, the need for establishing new areas or areas or amending existing ones;
- e) the use of special water priorities, measures to address risks and problems identified in the letter. b) and c) existing and future standards;
- f) other relevant matters.

(3) The development of the plan referred to in para. (1) and (2), and review procedure shall be established by the central government's environmental and approved by the Government.

(4) management plan river basin district shall be reviewed every six years.

Article 20. *Information and consultation of civil society*

(1) The central government encourages the environment, directly or through subordinate institutions responsible for water management, active participation of all stakeholders in the development, review and update the management plan by publishing and river basin district subject to public debate:

- a) the timetable and program development plan, the measures to be taken in consultation;
- b) a provisional synthesis problems identified in water management in river basin district;
- c) the draft plan of management basin district or other relevant information.

(2) The information specified in par. (1), documents and information used in drafting the catchment basin management are available to applicants free of charge upon request.

(3) The period of consultation and forms written comments and objections on the discussion document should be at least 6 months.

Chapter IV - WATER USE AND AUTHORIZING WATER USE

Article 21. *Water use*

(1) A water use following activities:

- a) abstraction of a surface water body or a body of groundwater, transportation and subsequent use of water;
- b) impoundment or storage of water behind a dam or other hydraulic structures and installations;

- c) collection, treatment and disposal of wastewater;
- d) diversion, restriction or modification of water flow in a water body;
- e) modifying the bed, the banks, course or characteristics of a water body;
- f) Construction of permanent structures on ground water fund.

(2) Water users shall:

- a) to use water rationally and Economy;
- b) undertake measures for protection of waters against pollution;
- c) to respect other water users;
- d) keep records of water used and reported, according to a regulation approved by the Government.

Article 22. Overall water use

(1) A general use and requires no special use permit environmental water use for the following purposes:

- a) human consumption and other domestic needs;
- b) watering animals without the use of permanent structures;
- c) irrigation next to the house;
- d) bathing and leisure;
- e) capture and use water for fire fighting or other emergency situation.

(2) irrigation conducted by a person legally supplied with water through a centralized irrigation system managed by an association of water users for irrigation or other person holding environmental authorization for special water use does not require such authorization.

(3) The use of water for bathing and recreation may be restricted or prohibited:

- a) the central body of government environmental or other public administration bodies competent in the event of imminent danger to life and health or a protection zone established in accordance with law;
- b) the holder of an environmental permit for special use of water under the conditions of the permit.

(4) Upon notification by public administration authorities, the central public administration on the environment may limit or prohibit temporarily the overall water use where there is imminent danger to life and health of people or danger to state waters and ecological balance.

(5) Rainfall falling on private land can be used by the owner in accordance with Civil Code.

(6) The holder of the environmental permit for special use of water is required to provide access to overall water use specified in par. (1).

(7) Right to overall water use does not imply a right of way through private land except as provided by Civil Code.

Article 23. Special use of water

(1) The use of water which is not subject to art. 22 is considered special use and can be made only on the basis of an environmental permit for special use of water.

(2) is also considered a special use of water and the following activities:

- a) abstraction of surface water sources and groundwater for water supply for human consumption;
- b) capture and use water from surface water sources and groundwater technical and industrial purposes, including food processing and agro-industry;
- c) capture and use different sources for irrigation water;
- d) water use in aquaculture and fisheries;
- e) the discharge of wastewater;
- f) striking water to generate hydro-electricity;
- g) the construction of wharves, jetties and other hydraulic structures on ground water fund;
- h) development and commercial exploitation of beaches and recreational areas.

Article 24. Water use priorities

(1) Meeting the need for population drinking water and water for household needs, ensuring baseflows have preferred to use water for other purposes.

(2) If the management plan does not specify basin district a different order of priorities for water use and allocation, including the underground, special water use will be according to the following priorities:

- a) Irrigation and Watering the animals;
- b) industrial activities including mining and agro-industry activities;
- c) fish and fisheries;
- d) hydropower generation;
- e) sports and entertainment;
- f) other areas.

Article 25. Application for the environmental permit for special use of water

(1) An application for environmental permits for special water use shall be submitted to the competent institution.

(2) The application referred to in para. (1) is attached:

- a) describe the purpose and how water use to which the application relates;
- b) the document proving ownership of land which is located the body of water and land plan, indicating the hydro construction or wells, as appropriate, and other buildings for the use of water;
- c) documents relating to hydraulic structures, wells, as appropriate, other buildings for the use of water;
- d) indicating the quantity of water to be used, the volume of wastewater and discharge their place;
- e) indication of measuring the amount of water used to be discharged;
- f) action plan for protection of water resources between water use;
- g) documents evidencing coordination of conditions of water use by authorities having responsibilities for water management, and health supervisors, protection of fisheries, veterinary supervision, as appropriate;

h) proof of publication in the local press notice referred to in paragraph. (4), on requesting the special use permit for the water environment.

(3) In case involving water use by wastewater discharge, the provisions of art. 41 para. (1).

(4) environmental permit applicant for special use of water is required to publish a notice in the local press on requesting the special use permit for the water environment and to display the local municipality. Any natural or legal person objecting to the application for a special use permit for the water environment may notify the competent institution in writing within 30 days after publication of the notice.

(5) The competent institution shall organize, within 30 days of receipt, inspection of the water body specified in it.

(6) The competent institution places on its official website claims to issue the environmental permit for special water use and organize, where appropriate, public hearings on applications called if the latter involves a significant impact on the environment or have objections submitted under par. (4).

(7) The deadline for examining the application and environmental permits for special water use is two months. If environmental permit for special use of water in the long run, the deadline may be extended by two months.

(8) The term specified in par. (7) runs the presentation by the applicant of all documents required under this law.

Article 26. Term environmental authorization special use of water

(1) environmental permit for special use of water shall be issued for a period of 12 years, except that:

- a) authorization is required for a shorter period;
- b) authorization is required for a term under par. (2).

(2) environmental permit for special use of long-term water issues for 25 years if the applicant undertakes to make a long term investment having as object construction, improvement or rehabilitation:

- a) a dam for hydroelectric or other;
- b) a hydraulic structures or facilities to treat and supply drinking water.

Article 27. Environmental authorization special use of water

(1) environmental permit for special use of water, including long-term, is issued free by the competent institution, with the service of public health surveillance, under regulations approved by the Government.

(2) In considering the application for environmental permits for special water use are taken into account:

- a) management plan relevant river basin district;
- b) Republic of Moldova obligations assumed under international treaties;
- c) water use priorities applicable to the relevant river basin district;
- d) the content of environmental expertise and environmental impact assessment required by law;
- e) use best available techniques;

- f) written objections, and findings public hearings on the application.
- (3) environmental permit for special use of water shall not be issued if it would adversely affect:
 - a) Water use by any natural or legal person holding an environmental permit for special use of water;
 - b) requirements for water quality standards referred to in art. 37 or environmental objectives for water referred to in art. 38;
 - c) minimum requirements for sanitary flow.
- (4) environmental permit for special use of water is entered in the Register of environmental permits for special use of water in accordance with Art. 15.
- (5) The decision to issue or deny issuance of the environmental permit for special use of water may be appealed in administrative court, without requiring prior procedure.

Article 28. Contents of environmental special use of water

- (1) environmental permit for special use of water must provide:
 - a) the purpose for which water will be used;
 - b) the volume of water on its holder the right to capture, to dam, divert it to use, by reference to either a fixed amount or a share of the flow;
 - c) flow volume restitution, if appropriate, where the repayment stream will be discharged.
- (2) environmental permit for special use of water requires the holder to comply with the following general conditions:
 - a) rational use of water for the purpose specified;
 - b) prevention of water pollution;
 - c) installation of equipment for measuring the volume of water used;
 - d) providing information on the volume of water used;
 - e) compliance with the discharge;
 - f) Provision of sanitary protection of water supply;
 - g) compliance with hygienic water quality.
- (3) environmental permit for special use of water requires the holder to meet certain special requirements:
 - a) how water will be used;
 - b) seasonal and temporal variations in water use;
 - c) take measures to reduce pollution effects and taking other measures to protect the environment;
 - d) effective management and water protection.

Article 29. Environmental authorization holder special use of water

- (1) environmental permit for special use of water is a personal document, which can not be assigned except with the prior approval of the competent institution, in compliance with the transferee of art. Article 27. (1). Consent is not required if:

a) sequence;
b) disposing of land or the construction of hydro referred to the environmental permit for special use of water.

(2) environmental permit for special use of water, transferred under par. (1) remains valid provided that, within two months from the date of transfer, the transferee to register the transfer to the competent institution.

Article 30. Amendment and suspension of environment for special use of water

(1) environmental permit for special use of water can be changed by the competent institution:

a) at the request of its holder, including the case of substantial change occurred in service can have significant effects on water;

b) temporarily if necessary the requirements related to the flow of sanitary water supply as a result of a decision declaring a state of drought in accordance with Art. 48.

(2) environmental permit for special use of water may be suspended by the competent institution:

a) at the request of the holder;

b) in case of non later than 30 days of a prescription issued for failure to comply with the permit conditions;

c) if the conditions have not been reviewed under Article discharge. Article 42. (3) and (4);

d) where necessary the requirements related to the flow of sanitary water supply as a result of a decision declaring a state of drought in accordance with Art. 48;

e) if necessary to protect public health or other exceptional circumstances.

(3) The competent institution shall, within 3 days of suspension under paragraph. (2). b)-e), initiate lawsuits. Decision to suspend the competent institution shall apply until the adoption of the final judgment.

Article 31. Termination and withdrawal of environment for special use of water

(1) environmental permit for special use of water stops:

a) at the request of the holder;

b) the expiration date;

c) if the water referred to was not used within 3 consecutive years;

d) in case of withdrawal.

(2) The competent institution is entitled to withdraw the environmental authorization for special use of water if necessary reallocation of water for other purposes in accordance with public utility and / or management plan relevant river basin district.

(3) In case of withdrawal referred to in para. (2), the holder is entitled to a free new permit to use a water volume equivalent to a resource or alternative compensation calculated on the same legal basis as expropriation in the public interest.

(4) The competent institution initiates trial of withdrawal of authorization to use special water environment where:

a) it is found that the holder does not comply with permit conditions after a previous suspension of the authorization within 30 days;

b) the authorization was transferred without compliance with art. 29.

Article 32. Extension of environmental authorization special use of water

(1) The environmental permit for special use of water may request the competent institution in accordance with the extension of authorization to issue such a permit. The request for extension of the environmental permit for special use of water must be submitted no later than 3 months before expiry.

(2) The competent institution extended the environmental permit for special use of water, except that:

a) the order of priorities of the management plan applicable basin district requires that all water or part of it to be reallocated for other purposes;

b) there are other public interest reasons for rejecting the application for extension.

(3) The restrictions specified in par. (2) does not relate to water abstraction for water supply for human consumption.

Article 33. Land and building hydro for special use by water

(1) If land a body of water, hydraulic structures and land that is needed are the right to use special water but are not owned by the applicant authorization to use special water environment, it must obtain land use right and hydraulic construction.

(2) Ownership and / or right to use hydraulic construction and special land use by water can be acquired and / or assigned in accordance with the Civil Code and Law on management and privatization of public property.

(3) The central body of government initiated environmental, directly or through subordinate institutions, lawsuits construction demolition and dismantling unauthorized hydro facilities located on land fund or inland waters.

Chapter V - WATER PROTECTION

Article 34. Prohibition of pollution

(1) discharge, the introduction of pollutants into surface water body, a body of groundwater, the water fund land or land which can drain a surface water body or a groundwater body is forbidden, unless they are performed under conditions of wastewater facilities under the environmental permit for special use of water.

(2) specific substances that enter surface waters for fishing or aquaculture, but produce no negative impact on the quality of receiving waters and is not necessary to obtain wastewater discharge conditions are established by regulation approved by the Government.

(3) sanitary protection zones of water intakes from surface water and groundwater shall be determined according to a regulation approved by the Government.

Article 35. Priority hazardous substances

List of priority hazardous substances, hazardous because of their increased risk that poses to the environment can not be discharged into surface water bodies, the bodies of underground water on lands of the fund approved by the Government.

Article 36. Requirements for discharge of substances dangerous

(1) requirements for discharges of hazardous substances, priority hazardous substances other than provided for in art. 35, are established in regulations approved by the Government, which will provide:

- a) emission limit values;
- b) control of emissions and technical requirements for treatment of liquid waste and effluent before discharge, including requirements to use best available techniques;
- c) monitoring and reporting requirements.

(2) Content of best available techniques approved by the central public administration on the environment.

Article 37. Environmental requirements for water quality

(1) requirements for water quality standards should include, but are not limited to, values of temperature, acidity / alkalinity, dissolved oxygen, chemical and microbiological parameters. Requirements are established in regulations approved by the Government. Regulation shall also contain provisions on:

- a) water quality monitoring requirements, including methods of measurement, sampling, frequency analysis and procedures, data management requirements;
- b) disclosure of information on environmental quality requirements for water;
- c) water classification by reference to requirements for water quality standards established under par. (3);
- d) ban the use of water for certain purposes of water bodies that do not satisfy the requirements;
- e) imposition of remedial measures to be taken to ensure compliance with environmental requirements for water quality, including development of management plans and remedial action through participatory processes involving public and / or users of waters.

(2) requirements for water quality standards are established under par. (1) for all water resources, as well as:

- a) use of specific bodies of water;
- b) activities which are authorized or place in water bodies of the letter. a);
- c) water bodies identified under par. (3), which requires protection to support certain activities.

(3) The central public administration in identifying environmental or water bodies which are applicable environmental requirements for water quality and protection they need to support certain activities in these areas, in accordance with a procedure established the Government.

(4) identification carried out in accordance with paragraph. (3) is taken into account in its revision of river basin management district.

Article 38. Environmental objectives for water

(1) environmental objectives for water in relation to chemical and / or organic and / or quantitative status of surface water and groundwater protection zones are established by the Government.

(2) In this law:

a) state surface water status means a surface water body caused by the worst ecological and chemical status of it;

b) groundwater status means the status of a groundwater body determined by the worst of its quantitative status and chemical;

c) surface water chemical status means the state generated by the concentration of pollutants to surface waters;

d) means the chemical status of groundwater chemical status of a groundwater body;

e) means the structural quality and ecological status of aquatic ecosystems associated with surface waters;

f) quantitative status is the impairment of a body of groundwater by direct and indirect abstractions.

(3) general criteria for water status of surface water bodies including rivers, lakes, artificial water bodies or heavily modified for groundwater bodies and necessary definitions are established by the Government.

(4) Ensure compliance status for water bodies in each river basin district with the objectives specified in par. (1) shall be based on measures developed by the central public administration in environmental matters, in consultation with the river basin district. Measures should be included in the catchment basin management.

(5) In exceptional circumstances related to natural causes or force majeure or if, in comparison with the anticipated, this would be possible only at disproportionate cost relative to technical feasibility, river basin district committee may request waiver of the Government from compliance with environmental objectives for water.

(6) The minimum amount of measures in accordance with paragraph. (4) and waiver criteria under par. (5) is established by the Government.

Article 39. Wastewater treatment requirements in urban

Requirements for operation of wastewater collection systems in urban and operation of treatment plants are established by a regulation approved by the Government, which shall contain provisions on:

a) the method and degree of treatment to be pursued on the number of people / the size of the locality served or to be served by a collection system and a sewage treatment plant and / or receiving water quality in waters that are discharged treated waste;

b) identification and classification of such receiving waters designated as sensitive areas;

c) mandatory for all industrial wastewater discharges into a collection system in urban areas, which must take place by agreement, unless justified in terms of technical, economic and environmental;

d) sludge management requirements resulting from the treatment;

e) mandatory monitoring liquid waste discharges and monitoring their effects, in addition to reporting

requirements;

- f) other relevant matters.

Article 40. Wastewater treatment requirements in rural

Requirements for collection, storage, treatment and discharge of domestic wastewater in rural areas, including operational requirements of the local collection systems, substations and alternative treatment processes, technologies and appropriate processes are established by regulation approved by the Government.

Article 41. Regulation of wastewater discharge

(1) If the water use or wastewater discharge involves a process of water pollution, the demand for environmental permits for special water use are attached:

- a) description of the discharge process;
- b) the environmental expertise of project documentation for the discharge;
- c) description of the quantity and composition of pollutants to be discharged;
- d) description of proposed methods of discharge monitoring.

(2) In considering the application referred to in para. (1), the competent institution:

- a) apply the relevant discharge requirements adopted pursuant to art. 36, except where building requirements for water quality standards referred to in art. 37 and environmental objectives for water referred to in art. 38 imposes more stringent and therefore more stringent emission controls;
- b) consider the impact of discharges required on other water users;
- c) consult the appropriate bodies for discharge into water sources and recreational areas.

Article 42. The environmental conditions for use involving special water discharge wastewater

(1) environmental permit for special water use involving wastewater discharges, besides art. 28, shall contain:

- a) emission limit values in respect of each substance whose discharge is authorized;
- b) description of the location of the construction of discharge, describing their characteristics;
- c) mandatory monitoring by the Marketing and frequency of monitoring information to be provided by the competent institution;
- d) description of treatment processes prior to treatment or to be subject to waste or pollutants before discharge;
- e) description of the construction, operation and maintenance of any structure which is necessary for treatment or preliminary treatment of waste and pollutants or who controls the manner or place of discharge;
- f) matters needed to minimize or prevent pollution of water bodies achieving environmental quality requirements for water and environmental objectives for water, including seasonal or other variations on the amount or concentration of pollutants may be discharged.

(2) environmental permit for special water use involving wastewater discharge may indicate the deadline for a gradual reduction in the quantity and / or concentration of pollutants may be discharged.

(3) The conditions of wastewater facilities under the environmental permit for special use of water shall be reviewed every three years.

(4) The consent holder shall submit to the competent institution of the review request at least three months before the expiration of three years. , Enclosing copy process description and discharge monitoring reports submitted under par. (1). c).

(5) In the application referred to in para. (4), the competent review wastewater discharge conditions of the authorization, aimed at improving water quality, and amend when necessary, these conditions reduce the amount, type and / or concentration of pollutants discharged:

- a) as a result of the introduction into legislation of emission limit values more stringent;
- b) to comply with environmental requirements for water quality and / or environmental objectives for water;
- c) under the changes in technology in terms of best available techniques.

Article 43. Prevention of pollution from agricultural activities

(1) Identify waters that are or could be affected by pollution from agricultural activities and designation of land that drain into those waters as vulnerable zones is carried out by the central public administration in environmental matters, in consultation with each basin district committee, under a regulation approved by the Government.

(2) Rules referred to in paragraph. (1) shall also contain provisions on:

- a) rules of use of plant protection products and fertilizers in vulnerable areas;
- b) develop a code or codes of good agricultural practices to be implemented by farmers on a voluntary basis and programs to promote implementation of codes, including training and information to farmers;
- c) general programs of actions or programs implemented in certain areas, which may contain binding rules on storage and use of plant protection products and of some fertilizers;
- d) monitoring the effect of the activities undertaken under this Article and the nitrate concentration in freshwaters.

Article 44. Drainage field drainage

(1) It is necessary to obtain wastewater discharge conditions of a drainage system of land used for agriculture, forestry or horticulture, except par. (2). b).

(2) If the drainage field drainage could cause serious water pollution or to meet environmental quality requirements of water referred to in art. 37 times the environmental objectives for water referred to in art. 38, by a regulation approved by the Government:

- a) to establish technical requirements for waste water drainage, including the creation and use of special ponds, constructed wetlands and filter, and / or
- b) to require such discharges occur only under conditions of discharge.

Chapter VI - USE AND PROTECTION OF GROUNDWATER

Article 45. *Groundwater use*

(1) The use of potable groundwater properties for other purposes than that of drinking water and sewage is prohibited.

(2) In areas where there is no need for surface water sources, but there are sufficient reserves of potable groundwater properties, the Government may allow their use for other purposes than that of drinking water and sewage.

(3) The use of groundwater shall be made only under special environmental permit for water use.

(4) The environmental authorization is required for special use of water where groundwater use is within the overall water use according to art. 22.

Article 46. *Groundwater quality*

(1) groundwater quality requirements are established by a regulation approved by the Government, which shall contain provisions on:

a) Management objectives groundwater or groundwater bodies may, without limitation, chemical and quantitative status, the concentration of pollutants due to human activities, ensuring a balance between abstraction and recharge;

b) requirements for groundwater quality;

c) permission refilling and setting specific conditions for exploration and groundwater abstraction;

d) areas of sanitary wells.

(2) Measures to ensure compliance with the objectives set out in para. (1) is developed in consultation with the river basin district.

Chapter VII - MANAGING DROUGHT AND FLOODS

Article 47. *Drought management plans*

Drought management planning is governed by rules approved by the Government, which shall contain provisions on:

a) develop individual plans for drought management for each river basin or sub-district;

b) specification of indicators which identify the circumstances of drought;

c) establishing monitoring systems to identify the specific circumstances of drought;

d) identify targets for management and drought mitigation measures, including measures to streamline water demand, setting priorities for water use, to support basic human needs, including food, protection of

ecosystems water;

e) the public participation in the elaboration and implementation of drought management plans, including information measures;

f) creation of water reserves for drought;

g) other necessary measures.

Article 48. Declaration of drought

(1) The central body of public administration proposal on the environment, the Government adopted a decision declaring a state of drought. Decision will indicate whether its provisions apply to the entire country, a river basin district or of basins and contains other relevant information about the actual situation of drought.

(2) Resolution declaring a state of drought may provide temporary:

a) restrictions on certain activities or all activities involving the use of water;

b) restrictions or prohibitions on water use by those who hold an environmental permit for special use of water;

c) restrictions or prohibitions on the general use of water;

d) new priorities for water use in areas subject to drought and water deficiency;

e) use of water reserves.

Article 49. Flood risk management

(1) Flood risk management is governed by rules approved by the Government, which shall contain provisions on:

a) the scope of plans for flood risk management;

b) integration stage of management plans for flood risk management plans of river basin districts;

c) establishment of emergency procedures and mechanisms to coordinate flood assistance to the affected population;

d) coordinate the development and adoption of plans for flood risk management with similar planning exercises undertaken in neighboring countries based on bilateral or multilateral treaties;

e) other relevant matters.

(2) The central government made environmental assessment areas within the river basin district are at risk of flooding, develop hazard maps of geographical areas that could be flooded and maps flood risk areas in relation to those areas and, in consultation with each river basin district committee, develop management plans for flood risk stating the objectives of flood risk management and measures to achieve these objectives, including measures to reduce flood risk and health protection and human life, economic activities, ecosystems and cultural heritage.

(3) Owners of land are required to permit authorized representatives of the central body of public administration in environmental matters, without charge, switching, and transport and temporary storage of

materials and equipment for operative intervention for flood protection.

(4) The central government's environmental start negotiations with neighboring countries in developing joint plans for flood prevention and management.

Chapter VIII - MAINTENANCE OF BODIES OF WATER, A ZONE FILES AND PROTECTION

Article 50. *Maintenance of water bodies, areas and protection strips*

(1) administrative authority for water management and local government maintains surface water bodies, the protection zones and bands as a compulsory public service.

(2) maintenance of surface water bodies, areas and protection strips, which is based on the environmental objectives for water referred to in art. 38, includes:

- a) strengthening the banks of rivers, water bodies and river beds;
- b) providing evacuation capacity of river beds and remove excess silt;
- c) removal of excessive vegetation riverbed;
- d) maintenance of navigable waters navigable condition;
- e) removing objects from the surface and waste water, water from the land fund;
- f) other necessary works.

(3) administrative authority for water management is responsible for maintenance of surface water bodies, areas and protection strips and hydrotechnical construction by the Government.

(4) Local authorities, other private owners are responsible for maintaining surface water bodies, areas and protection strips and hydrotechnical constructions in their management.

(5) riparian land owners are obliged, after having notice, to admit representatives responsible for maintenance, and transportation and temporary storage of materials and equipment necessary to carry out maintenance tasks.

Article 51. *Legal status of areas and bands protective*

The creation, use and activity regime of protection areas and water protection strips are regulated by special law.

Article 52. *Water protection areas*

(1) water protection areas are established where necessary in the public interest to:

- a) protect water bodies from harmful effects to ensure current and future public water supply;
- b) protection of water for abstraction for drinking water;
- c) refueling groundwater;
- d) prevent harm caused by rainwater, erosion, soil input components, fertilizers, pesticides and herbicides in

water bodies.

(2) The water protection zones, certain activities are prohibited or are subject to certain conditions under the legislation. Riparian land owners are required to enable the competent authorities achieve the necessary measures, including monitoring water and soil.

(3) If the measures taken under par. (2) amounts to an expropriation, compensation is paid according to law.

Article 53. Wetlands

(1) Identification and delineation of areas or areas classified as wetlands are made according to the Law on State Protected Natural Areas.

(2) specific qualities and importance of wetlands must be taken into account in the implementation of this law and management plans of river basin districts.

(3) not flushed, use and conversion of wetlands. They should be used in a sustainable way, so as to protect nature and essential characteristics.

Chapter IX - FINANCIAL ASPECTS

Article 54. The cost recovery

(1) To achieve the objectives of this law, the principle of full recovery of costs related to water use, including full assessment of the cost of water as a component of environmental and natural resource under an economic analysis of the use of water and the principle of "polluter pays ".

(2) economic analysis referred to in para. (1) comprises the relevant calculations necessary to achieve the cost recovery of services related to water use, given the long term forecasts for demand and water supply watershed districts, and, if necessary, to estimate the volume, prices and related costs for water services and estimates of relevant investment.

(3) The fee for water is regulated by the Tax Code.

Article 55. Fee and payment for use and pollution water

(1) general use of water shall be free. Payments for access to areas of bathing and spas can be determined only by the holder of the average use of water that has built special construction and / or facilities for recreational activities.

(2) Fees for water use are established by the Tax Code.

(3) Payments for water pollution are established by law.

Chapter X - COMPETENT TO CARRY CONTROL USE AND PROTECTION OF WATER

Article 56. Control the use and protection of water

(1) The functions vested with the state ecological control of central public administration body subordinated to environmental coordinates and carries out the inspection and control in the use and protection of water.

(2) In order to perform the duties of control, inspectors have the right:

- a) access to water, in areas along the water, and any other place, facility or installation to make findings of compliance and enforcement of water use and protection;
- b) verifying the installation of measuring flow rates of water samples and examine, by law, any data or documents necessary for scrutiny;
- c) to review the work, construction, facilities and uses related to water and see if they are made and operated in accordance with specific legal and compliance permits issued under this Act;
- d) to prepare appropriate documents for finding facts which constitute offenses in the water;
- e) to dispose waste disposal, other substances or goods stored or disposed of in conflict with environmental legislation.

Article 57. Pollution control

(1) If certain pollutants or certain wastes have been dumped or are likely to be discharged into a body of water or on land, so there is a risk of pollution, the competent authority with control of state environmental subordinated to the central organ of government in environmental issues a prescription, demanding that, in a reasonable time, to undertake specific measures to protect water against pollution, minimize or remedy the effects of pollution.

(2) If the specific measures referred to in para. (1) are not taken within the prescribed time, the authorized officials of the state ecological control of central public administration body subordinated to the environment made them, having the right to recover costs.

(3) prescription issued under par. (1) may be appealed in writing within 10 days, the central body of public administration in environmental matters.

(4) Filing of appeal referred to in para. (3) does not suspend execution of the prescription.

(5) The decision of the central government on the environment may be appealed in administrative court.

Article 58. Liability for violations in water

Breach or non-water legislation involve civil or criminal, under the law.

Chapter XI - INTERNATIONAL COOPERATION

Article 59. Water resources management plan international

(1) Government, the central public administration in environmental, administrative authority for water management districts and watershed committees participate in joint management of international water

resources based on bilateral agreements and / or multilateral agreements to which Moldova is part .

(2) Government initiates the development process of bilateral and / or multilateral agreements with States bordering the rivers Dniester and Prut, based on the principles of integrated river basin management.

(3) Government promote Moldova's participation in international organizations international river basin management, which includes parts of Moldova.

Article 60. *Cooperation actions*

(1) Republic of Moldova for meeting the obligations deriving from international treaties, the Government approved:

a) mechanisms for direct and timely exchange of data management and water protection and information between the central government's environmental, administrative authority for water management and watershed district committees, on the one hand, and similar institutions in other countries, on the other;

b) procedures for coordinating plans to be developed in accordance with this law, equivalent documents from other countries;

c) delegations, which may include members of committees of river basin districts, for meetings with representatives of other countries.

(2) Government approves the regulatory and / or legislative initiatives submitted to fulfill the commitments towards the European Union and to international organizations.

Chapter XII - FINAL AND TRANSITIONAL

Article 61

(1) special water use permits issued before the entry into force of this Law are valid until they expire.

(2) The central government will develop environmental, submit to the Government and the entry into force of this law, will implement a phased plan to register the use of special water catchment districts.

(3) water users who do not have special water use permit are required to declare special water use central government body in the environment within 90 days after the entry into force of this law.

(4) water users who reported use of special water under par. (3) are given a period of six months to obtain environmental approval for special use of water under this law.

Article 62

(1) This Law shall enter into force 18 months after publication.

(2) Government:

a) within 6 months after adoption of this law shall submit to Parliament proposals for bringing the legislation into conformity with the law;

b) within 18 months of adoption of this law:

review and amend its legislation in line with its provisions;

will develop and approve normative acts for its implementation.

(3) Upon entry into force of this Law shall be repealed:

No Water Code. 1532-XII of 22 June 1993 (Gazette of the Parliament of Moldova, 1993, no. 10, art. 287);

Article. XIX of Law. 1592-XIII of 27 February 1998 amending and supplementing certain acts (Official Gazette of the Republic of Moldova, 1998, no. 44-46, art. 326);

Article. V of Law. 493-XIV of July 9, 1999 on amendment of some acts (Official Gazette of the Republic of Moldova, 1999, no. 90-92, art. 452);

Article. II of Law. 454-XV of 30 July 2001 on amendment of some acts (Official Gazette of the Republic of Moldova, 2001, no. 141-143, art. 1089);

Article. III of the Law. 523-XV of 11 October 2001 amending and supplementing certain acts (Official Gazette of the Republic of Moldova, 2001, no. 131-132, art. 981);

Article. I of Law. 446-XV of 13 November 2003 amending and supplementing certain acts (Official Gazette of the Republic of Moldova, 2004, no. 6-12, art. 40);

Article. X of Law. 482-XV of December 4, 2003 amending and supplementing certain acts (Official Gazette of the Republic of Moldova, 2004, no. 6-12, art. 48);

Article. II of Law. 252-XVI from 21 October 2005 on the repeal and amendment of legislation (Official Gazette of the Republic of Moldova, 2005, no. 151-153, art. 724);

Article. I of Law. 202-XVI of 26 July 2007 amending and supplementing certain acts (Official Gazette of the Republic of Moldova, 2007, no. 141-145, art. 599);

Article. IV of the Law. 280-XVI of 14 December 2007 amending and supplementing certain acts (Official Gazette of the Republic of Moldova, 2008, no. 94-96, art. 349);

Article. III of the Law. 131-eighteenth of December 23, 2009 on amendment of some acts (Official Gazette of the Republic of Moldova, 2010, no. 23-24, art. 35).