

Law
No. 111/2012

ON INTEGRATED MANAGEMENT OF WATER RESOURCES ²

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

THE PARLIAMENT
OF THE REPUBLIC OF ALBANIA

DECIDED:

CHAPTER I

GENERAL PROVISIONS

Article 1

Purpose

The purpose of this law is to:

- a) Protect and improve the aquatic environment, surface water, be them transitional or permanent, inland marine waters, terrestrial waters, exclusive economic areas, continental shelf, trans-boundary waters, groundwater, and their status;
- b) Secure, protect and rational development and use of water resources, essential for life and the social and economic development of the country;
- c) Provide fair distribution of water resources, according to the aims of use, and their efficient administration;
- d) Protect water resources from pollution, misuse and spending above actual needs;
- ç) define the institutional framework, at a local and national level, in order to enact a nation policy for the administration and management of water resources to the benefit of the community and the to the social and economic interests of the country.

Article 2

Scope

- 1. The provisions of this law shall regulate the legal relations that arise by the use of water resources in the Republic of Albania.
- 2. The provisions of this law shall apply to:
 - a) Inland marine waters, terrestrial waters, the coastline, exclusive economic areas, continental shelf, surface and groundwater, along with the water-bearing layers and atmospheric precipitations, trans-boundary waters, natural resources and lagoon waters in the protected areas;
 - b) Curative, mineral, thermo-mineral and geothermal waters, with the exception of mineral and geothermal waters which are suitable for the extraction of raw minerals or use of accumulated thermic energy for energy producing purposes which are regulated by special laws.

Article 3

The Object of the law

The provisions of this law have the objectives of determining the:

- a) security, protection and rational use of water resources;
- b) implementation of specific plans for the improvement of water resources, protection of surface water, be them transitional or permanent, inland marine waters, exclusive economic areas, continental shelf, trans-boundary waters, groundwater, and their status;

- c) promoting sustainable use of water through long-term protection of water resources;
- ç) methods to be applied and the conditions for integrated management, rational use of water resources and the protection of their ecological quality;
- d) establishment of administrative structures for the management of water resources and their functions;
- e) measures to be taken for efficient reduction of floods and droughts;
- f) monitoring the status of waters, rational use and pollution reduction;
- f) prevention of further deterioration, protection and improvement of banks, terrestrial ecosystems and wetlands depended directly on the aquatic ecosystems.

Article 4 Definitions

Under this law the following terms shall have these meanings:

1. "National Environmental Agency" shall be an institution established and functioning pursuant to Law "On Environmental Protection".
2. "Regional Environmental Agency" shall be the respective regional branch of the National Environmental Agency.
3. "Aquifer" shall be a subsurface 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.
4. "Relevant local government authority" shall be the local government unit, within whose territory the water related activity shall take place.
5. "Authorization" shall be the administrative act, recognizing to the holder the right to perform one or more activities, pursuant to its stipulated conditions. The authorization form shall be specified by a decision of the National Water Council.
6. "Special authorization" shall be the administrative act, recognizing to the holder the right to perform a certain activity, pursuant to its stipulated conditions. The authorization form shall be specified by a decision of the National Water Council.
7. "River basin" shall be the area of land from which all surface run-off flows through a sequence of streams, rivers and possibly lakes, into the sea, a single wide estuary, a delta or another river.
8. "Banks" shall be the side strips of land along the seas, lakes, reservoirs, lagoons and ponds, as well as along the flow of rivers and streams."
9. "Water resources" shall be all inland marine waters, territorial waters, the shoreline, exclusive economic areas, the continental shelf, surface water and groundwater, as well as water bearing strata and atmospheric rainfall, under the jurisdiction and control of the Republic of Albania.
10. "Geothermal water resources" shall be water with constant higher temperatures than the annual average temperatures of the region, under the effect of underground temperatures depending on the geological structure, which may contain larger quantities of melted materials and gas than the surrounding water resources, where natural water, steam and gas explode or are released by underground heat or dry and hot rocks through human modified underground structures.
11. "Mineral and thermal mineral water resources" shall be hot and cold natural water, which are naturally found at different underground depths and under proper geological conditions, and which reach the surface of the ground or flow on the surface as one or more springs, defined by their minerals or other components in their composition as drinking water, curative waters or other similar ones.
12. "Water Regulatory Entity (ERRU)" shall be the institution, which acts pursuant to law no. 8102, dated 28.03.1999 "On the regulatory framework of water supply and wastewater disposal and treatment sector", modified.
13. "Eutrophication" shall be the enrichment of water by nutrients, especially by phosphorus and nitrogen compounds, causing an accelerated growth of algae and higher form of plant life to produce an undesirable disturbance in the balance of organisms present in water and to the quality of water concerned.

14. "Water Horizon" shall be a layer under the surface, made from rock or other geological layers, with a sufficient porosity and permeability to allow for a considerable flow of groundwater or their departure in considerable amounts.

15. "The inspectorate responsible for environment" shall be the inspecting authority according to the definition provided for under the law for the protection of environment.

16. "National Cadaster of Water Resources" shall have the public inventory in which all data on groundwater and surface water and protected areas are recorded.

17. "KKU" shall be the National Water Council.

18. "Concession" shall be the agreement between the contracting authority and the concessionaire, as defined by Law on concessions and public private partnerships, as amended.

19. "Discharge controls" shall be controls requiring a specific limitation on water discharge, for instance a discharge limit value, or otherwise specifying limits or conditions on the effects, nature or other characteristics of a discharge or operating conditions, which affect water discharge.

20. "Hydrographical border of the drainage basin" shall be the imaginary line, which is formed by joining the highest points of the landscape, such as the tops of mountains, hills, crests separating valleys from one another, leaving out branches of streams and rivers flowing in opposite directions.

21. "Management territorial boundaries" shall be artificial boundaries approved for management purposes, which have one or more basins or parts of hydrographical basins.

22. "Permit" shall be the administrative act, as defined by law on licenses, authorizations and permits.

23. "Environmental permit" shall be the environmental permit of type A, B or C as necessary, as defined by law on environmental permits.

24. "License" shall be the administrative act according to the definition stipulated by law on licenses, authorizations and permits.

25. "Law on the protection of the environment" shall be law no 10 431, dated 9.6.2011 "On the protection of the environment", and as it might be amended.

26. "Lake" shall be a body of standing inland surface water and groundwater.

27. "River" shall be a body of inland water flowing for the most part on the surface of the land, but which may flow underground during a part of its course.

28. "Responsible minister" shall be the minister covering the scope of activity as defined by the legislation in force.

29. Repealed.

30. Repealed.

31. "Environment" shall be the natural components such as air, soil, water, climate, flora and fauna in the entirety of their interaction, along with cultural heritage as part of the environment created by humans, as defined by law on environmental protection.

32. "Pollutant" shall be any substance liable to cause pollution, according to the definition stipulated in the law for environment protection.

33. "Pollution" shall be the direct and indirect introduction, as a result of human activity, of substances, vibrations, radiations, unpleasant odors, heat or noise into air, water or land, to a scale which might prove to be detrimental to the quality of the environment or human health, which might lead to the damage of material property or impair or interfere with the amenities and other legitimate uses of the environment, according to the definition stipulated in the law for the protection of the environment.

34. "Environmental quality standard for water" shall be the concentration of a particular pollutant or group of pollutants in water, sediments or biota.

35. "Environmental quality standard for groundwater" shall be the environmental, technical and health standard expressed as the concentration of a particular pollutant or group of pollutants or as an indicator of groundwater pollution.

36. "Technical standard of discharge on the environment" shall be the limit values and concentrations of physical-chemical parameters of industrial wastewater discharge in the public sewerage system according to the definition stipulated in the decision no. 1340, dated 11.12.2009 of the Council of Ministers "On the approval of the regulation for water supply and sewerage in the service area of water supply-sewerage".

37. "User" shall be any region, municipality, commune, village, organization of water users, state or private enterprises, natural or legal persons dealing with exploration, production and use of water resources, that discharges, treats or performs any activity in the area of water management conform to the legislation in force.

38. "Water use" shall be water services, such as exploration, production, use, discharge of water resources as well as treatment or any other activity in the area of water management, having a considerable impact on water status.

39. "Flood" shall be the temporary covering by water of land not normally covered by water. This shall include floods from rivers, mountain torrents, water discharge from dams, ephemeral watercourses and floods from the sea in coastal areas, and shall exclude floods from sewerage systems of wastewater.

40. "Good ecological potential" shall be the ecological potential of a heavily modified or an artificial body of water when it is classified as "Good" as described in special legal acts.

41. "355-day sustainable flow (Q355)" shall be the flow based on the average daily flows of the hydrological study, which does not exceed 355 days in a year. This means that, on the average, the natural flow is less than the Q355 value only for 10 days in a year.

42. "QKB" shall be the National Business Center according to the definition stipulated in law no.131/2015 "National Business Center".

43. "National register of licenses, permits and concessions for use of water resources" shall be an integrated portal of electronic data, which is used as a procedural instrument for publications, announcements, ensuring transparency in the area of licensing, authorization and issuing of permits.

44. "National register of licenses and permits" shall mean an integrated portal of electronic data, which is used as a procedural instrument for publications, announcements and as an official electronic archive that ensures transparency in the area of licensing, authorization and issuing of permits.

45. "Flood risk" shall be the combination of the probability of a flood with the potential of adverse consequences on human health, environment, cultural heritage and economic activity that might be associated with the flood.

46. "Minimum ecological flow" shall be the flow regime into the body of surface water, riverbed, river basin or coastal area, necessary to preserve the sustainability of the natural ecosystem and their benefits.

47. "Servitude" takes the meaning from the provisions set out in the Civil Code of the Republic of Albania

48. "Sewerage system" shall be all pipelines, collectors, equipment, facilities and structures to the effect of collecting wastewater, pumping stations or pre-treatment of wastewater by local government units, which do not include rainwater. Third party installations for wastewater discharge shall also be part of the sewerage system, as well as equipment for the installation, extension, rehabilitation and maintenance of the system.

49. "Ecological status" shall be an expression of the structural quality and functioning of aquatic ecosystems associated with surface water, classified as stipulated in special legal acts.

50. "Good ecological status" shall be the achieved ecological status of a body of surface water when it is classified as "Good" as stipulated in special legal acts

51. "Good groundwater status" shall be the achieved status by a body of groundwater when both its quantitative and its chemical status are evaluated to be at least "as good" as defined in the effective legal acts.

52. "Good surface water status" shall be the achieved status by a body of surface water when both its ecological and its chemical status are evaluated to be at least "as good" as defined in the effective legal acts.

53. "Good groundwater chemical status" shall be the chemical status of a body of groundwater, which is evaluated to be at least "as good" as defined in the effective legal acts.

54. "Good surface water chemical status" shall be the chemical status, which is required to fulfil the environmental conditions for surface water, as stipulated in the effective legal acts.
55. "Good quantitative groundwater status" shall be the quantitative status of a body of ground water, which is evaluated to be as good as it is stipulated in the effective legal acts.
56. "Groundwater status" shall be the general expression of the status of a body of groundwater, determined by the status referred by the limit standards mentioned above, as defined in the effective legal acts.
57. "Surface water status" shall be the general expression of the status of a surface body of water determined by its poorest ecological, qualitative and chemical condition.
58. "Quantitative status" shall be the degree by which a body of groundwater is affected by direct or indirect extractions.
59. "Environmental quality standards" shall be the concentration of particular pollutants or group of pollutants in water, sediments or biota, which should not be exceeded with the aim of protecting human health and the environment.
60. "Water Resources Management Agency (AMBU)" shall be the central body responsible for integrated management of water resources"
61. "Polluting agent" shall be any natural or legal person, whose activity, directly or indirectly pollutes the environment, in pursuance with the definition set out in law on environmental protection
62. "Polluting substances" shall be all substances with a tendency to pollute, especially those that are defined as such in specific legal and sublegal acts.
63. "Priority substances" shall be those substances that include "hazardous priority substances", defined as such in special legal acts, for which special measure need to be taken in order to stop or interrupt their discharges, emissions or loss.
64. "Hazardous Substances" shall be a substance or groups of substances that are toxic, persistent and liable to bio-accumulate, and other substances or group of substances which pose a similar risk, as defined in the law for the protection of the environment.
65. "Continental shelf" takes its meaning by the provisions of the Marine Code of the Republic of Albania
66. "Water services" shall be those services that provide for individual, public and private consumers and business activities, the extraction, storage, preservation, treatment and distribution of surface and groundwater, as well as the collection, disposal and treatment of wastewater which is then discharged into surface water.
67. "Discharges into water" shall be the discharges in water bodies, including discharges in the sewerage network of wastewater and rainwater.
68. "Industrial discharge" shall be discharges of liquid waste, produced after different industrial processes, carrying a risk of contamination or pollution for the environment in which they are discharged.
69. "Holder of license, authorization, permit, concession" shall be the legal or natural person, who has acquired a license, authorization, permit or concession.
70. "Combined treatment" shall be the control of discharge and flows in surface water according to the treatment defined in the special sub-legal acts.
71. "Groundwater body" shall be the geological formation which can carry water up to a certain volume and under a certain condition and which makes up an aquifer.
72. "Artificial water body" shall be a body of surface water created by human activity such as a reservoir, storage facility, canal and pond for fish farming
73. "Body of surface water" shall be a discrete and significant element of surface water such as a lake, a reservoir, a stream, river or canal, part of a stream, river or canal, a transitional water or a stretch of coastal water
74. "Heavily modified water body " shall be a body of surface water, which as a result of physical alterations by human activity is substantially changed in its nature as designated in the relevant legislation of the competent authority
75. "Drought" shall be a long period of time with flows that are insufficient to meet the needs for wat of a category of users.
76. "Inland marine waters" shall include the waters of marine ports, straits, water in the archipelagos, inland seas, aquatic areas between the highest and the lowest tide, and river deltas.
77. "Industrial wastewater" shall be any wastewater, which is discharged from premises used for commercial or industrial activity, other than domestic wastewater and run-off rainwater;

78. "Domestic wastewater" shall be wastewater from residential settlements and the services sector which originates predominantly from human metabolism and household activities.

79. "Urban wastewater" shall be domestic wastewater or a mixture of domestic wastewater with polluted industrial wastewater and run-off rainwater

80. "Territorial waters" shall have the meaning as defined in the provisions of the Marine Code of the Republic of Albania.

81. "Used industrial water" shall be water produced by different industrial processes, which might carry a risk of contamination or pollution on the environment on which it is discharged.

82. "Drinking water" shall be water intended for human consumption, including as follows:

a) Treated or untreated water, intended for drinking, cooking, food preparation or hygiene, regardless of its origin and whether it is supplied from a distribution network, be it private or public, a water deposit, tanker, an individual or community well, or packaged in bottles or containers;

b) all water used in food-production companies for the manufacture, processing, preservation or marketing of products or ingredients intended for human consumption, as well as all water used for cleaning surfaces, objects or materials likely to be in contact with food products;

c) food products with an aquatic origin

d) water supplied to be used by people, as part of a public or commercial activity, regardless of the average amount of water supplied in a day

83. "Coastal waters" shall be surface water located inside an imaginary line, which is equidistant in each of its points by 1 mile from the nearest point of the baseline and which is used as a point reference in the delineation of territorial waters that eventually extend as far as the external border of transitory waters.

84. "Groundwater" shall be all water which is below the surface of the ground or which flow directly to the surface of the ground in the form of a natural resource.

85. "Transboundary waters" shall be any surface water and groundwater, which are located or run between the boundaries of two or more states;

86. "Inland water" shall be all standing or flowing water on the surface of a terrain, and all groundwater on the landward side of the baseline on which the breadth of territorial waters is measured;

87. "Transitional waters" shall be bodies of surface water in the vicinity of river mouths which have a partly saline nature as a result of their proximity to coastal waters but which are mainly influenced by freshwater flows;

88. "Surface water" shall be inland waters, except groundwater; transitional waters, coastal waters and territorial waters.

89. "Discharge limit values" shall be the mass, expressed in terms of certain specific parameters, concentration and/or level of a discharge which may not be exceeded during any one or more periods of time.

90. "Exclusive economic area" takes its meaning from the provisions stipulated in the Marine Code of the Republic of Albania

91. "Protected area" shall be every defined area, according to the meaning that it has in the law for protected areas.

92. "Special conservation areas" shall be any areas as defined in the law on protected areas.

93. "Thermal mineral areas" shall be any area whose borders have been defined in accordance with the studies carried out by specialized, national or international institutions in conformity with the effective legislation and which contain thermal mineral resources along with

mineral natural water.

94. "Flood area" shall be the land on both sides of the riverbanks where temporary floods are forecasted to occur.

95. "General management, as part of the integrated water resource management cycle", shall be the coordination of all state institutions and/or structures whose activity rests on using, distributing, protecting, managing, controlling the quality and organizing activities on the coast or on the bed of the water resources.

Article 5

Ownership of water resources

1. Under ownership and management of state bodies shall be:

a) all water resources of the Republic of Albania;

b) all river beds and banks, streams and other natural flows, both transitional and permanent, curative, mineral, thermal mineral and geothermal waters, canals, lakes, ponds, lagoons and natural or artificial watersheds, islands as well as sand, stone and silt accumulation on river beds, lakes and watersheds, and the geological formations of groundwater;

c) land obtained as a result of water retraction or advances of land towards water, if adjacent to any land under state ownership;

d) all hydro technical structures and works developed by the state, such as dams, irrigation, draining and sailing systems, drinking water stations and canals, as well as any related works.

2. The right of state ownership, as defined by paragraph (1) sub-paragraphs (a), (b) and (c), of this Article, is irrevocable and inalienable.

Article 6

Principles of Water Resources Integrated Management

1. Water Resources Integrated Management shall be based on the following principles:

a) Respect for the integrity of river basins, based on social and economic demands for water resources, by protecting and preserving the quality of these resources and quality of the environment for future generations;

b) coordination of public control on water resources through territory planning and social, economic development projects, at national and local level;

c) rational use of water resources and control of water discharges;

d) Observing the cost recovery principle for water services, including environmental costs in accordance with the "polluter pays" principle;

e) Principles of environmental protection, as set out in Law no. 10431, dated 09.06.2011 "On Environmental Protection";

ç) the provision of a sufficient supply of good quality surface water and groundwater as needed for sustainable, balanced and equitable use of water;

f) Taking preventive measures to keep water resources undamaged, as a priority, especially at the source.

2. Integrated management of water resources contributes especially towards:

a) The provision of a sufficient amount of good quality surface water and groundwater, necessary for a sustainable, balanced and fair use of water;

b) The significant reduction of pollution in groundwater;

c) The achievement of the objectives, in compliance with relevant international agreements, including even those that aim to prevent and end pollution in the marine environment.

CHAPTER II

BODIES FOR THE ADMINISTRATION AND MANAGEMENT OF WATER RESOURCES

Article 7

National bodies for the administration and management of water resources

1. Central bodies for the administration and management of water resources shall include:
 - a) The Council of Ministers;
 - b) National Water Council;
 - c) Repealed;
 - ç) Water Resources Management Agency.
2. Water resource integrated management at basin level shall be the responsibility of:
 - a) River basin councils;
 - b) River basin management offices, AMBU branches.

Article 8

Council of Ministers

1. The Council of Ministers, upon the proposal of the Prime Minister, shall adopt:
 - a) the composition and operational regulation of the National Water Council;
 - b) the organization and operation of the Water Resources Management Agency.
2. The Council of Ministers shall, upon the prior approval of the National Water Council and upon the proposal of the Prime Minister:
 - a) adopt the National Water Resources Management Strategy;
 - b) appoint a special committee for the management of transboundary waters;
 - c) establish the territorial boundaries of each river basin of the Republic of Albania, as well as the center and composition of each council;
 - ç) adopt the hydrographic boundaries of river basins;
 - d) adopt the river basin management plans;
 - dh) define the areas, distances and the width of the shores of water resources.

Article 9

National Water Council

1. National Water Council shall be the central decision-making body responsible for water resource administration.
2. The National Water Council is an inter-ministerial body headed by the Prime minister and deals with issues related to water resources integrated management and administration.
3. The competences of the National Water Council shall be as follows:
 - a) Adopts inter-regional and national plans and projects in the sector of agriculture, urban planning, industrial and territorial development, as regards to water conservation and management
 - b) takes the necessary measures for the implementation of international agreements and conventions on water resources in which Albania is a party;
 - c) grants permits and authorizations for water use and discharges, when the activity shall be performed outside the border of a single basin;
 - d) each contracting authority shall, prior to initiating a concession procedure on use of water resources, have the approval, in principle, of the National Water Council. Upon the signature of the concessionary contract, the concessionary shall be granted with the permission of using water resources, signed by the Chair of the National Water Council. When water resources have a national significance, according to the designation of the Council of Ministers, the concessionary agreement will become effective after the ratification of the agreement by the Parliament.
 - e) Approves the regulation of the River basin Council.
4. The acts with a normative nature of the National Water Council shall be published on the Official Gazette.

Article 10

Repealed

Article 11

Water Resources Management Agency

1. The Water Resources Management Agency is a governmental legal person, funded by the state budget. The AMBU shall be organized on a central level and on a basin level through the river basin management offices.
2. The Water Resources Management Agency shall have the following competences:
 - a) Designs and implements policies, strategies, plans, programs and projects which aim the integrated management of water resources, preservation of their quality and quantity and their further consolidation;
 - b) Applies the provisions of international and transboundary agreements and conventions on water resources in which the Republic of Albania is a party;
 - c) Acts as the Technical Secretariat of the National Water Council;
 - d) proposes to the National Water Council the granting of concessions on water resources;
 - e) proposes to the National Water Council the issuance of permits and authorizations on the use of water and discharges when the activity is carried out outside the boundary of a single basin;
 - f) drafts the national inventory of water resources, both quantitatively and qualitatively
 - g) designs and monitors the implementation of river basin management plans;
 - h) designs and monitors the implementation of transboundary water management plans;
 - i) is responsible on the economic activity of water resources;
 - j) requests from public bodies and institutions, agencies and public entities, information, technical data, analyses or technical-consultative support to address the needs for water resources management and administration;
 - k) encourages the participation of water users in the governance and management of water resources;
 - l) fosters research and studies on the development of technical novelties related to the use, detection, use, storage, handling, protection, management and efficient use of water resources;
 - m) in cooperation with scientific research institutions identifies the research and study areas for water resources and relevant funding for them;
 - n) coordinates and controls the work of local water management bodies;
 - o) Opposes in court the decisions of the National Water Council.
3. The Council of Ministers, upon the proposal of the Prime Minister, shall define other competences than those provided for in paragraph (1) of this Article.

Article 12

River Basin Council

1. The river basin council shall be the responsible body at local level for integrated water resources management in the concerned basin
2. The river basin council shall have the following functions:
 - a) ensures the conservation and a more rational use of water resources within the borders of the concerned river basin;
 - b) ensures the equitable distribution of water resources within the borders of the concerned river basin, in compliance with the goals of use and their effective governance and administration;
 - c) ensures the protection of water resources from pollution, misuse and damages that impact their quality and quantity;
 - ç) Identifies the relevant water bodies which need protection.
3. Repealed.

Article 13

River Basin Administration Offices

1. The River Basin Administration Office shall be the structure depending on AMBU, which shall be established and operational at every river basin.
2. The River Basin Administration Office shall have the following duties:
 - a) Designs the project design of water resources for the relevant basin and submits it for the approval to the river basin council;
 - b) Designs the inventory of water resources regarding both quality and quantity, and updates it periodically;
 - c) promotes the participation of water users in the governance and administration of water resources;
 - d) compiles reports, provides suggestions on water resources and submits them for follow-up to the river basin council;
 - ç) prepares materials for the meetings of the river basin council;
 - e) monitors the implementation of the decisions of the National Water Council and the river basin council.

CHAPTER III

WATER RESOURCES MANAGEMENT

SECTION I

THE DIVISION OF THE TERRITORY FOR WATER RESOURCES MANAGEMENT

Article 14

River basins

1. The Territory of the Republic of Albania, for purposes of the water resources management, shall be divided into river basins.
2. Groundwater, when not following completely a certain river basin, shall be identified as belonging to the nearest river basin.
3. Coastal waters shall be identified as belonging to the nearest river basin.

SECTION 2

PLANNING DOCUMENTS FOR WATER RESOURCES MANAGEMENT

Article 15

Policies

Policies represent the highest level of planning and integrated management of water resources. These documents contain:

- a) the planning and development goals of water resource management, in line with the economic, demographic, social, environmental, cultural and historical development;
- b) measures for implementation;
- c) necessary work plan and budget for its implementation.

Article 16

National Water Resources Management Strategy

1. National Water Resources Management Strategy is a planning document which defines the vision of state policies, the mission, the aims and objectives in the area of integrated water management on a long-term.
2. National Water Resources Management Strategy shall be based on scientific researches, constant monitoring of the situation and phenomena related to water and its use, by observing water specific problems and integrated protection of the environment in any river basin.

3. The National Water Resources Management Strategy is the framework document for water management, for the development of plans and other strategic documents in the area of territorial planning, environmental protection, biological diversity and landscape, agriculture, forestry, fishery, transport, tourism, public health and consists of other relevant documents.

4. The National Water Resources Management Strategy shall be reviewed every 15 years. The Strategy may be reviewed and updated even before the termination of this term, when dictated by changes in the water system and the economic and social development of the country.

5. Specialized bodies, entities and institutions in the water sector shall develop the National Water Resources Management Strategy under the guidance and supervision of AMBU.

6. The Council of Ministers, upon the proposal of the Prime Minister, and the preliminary approval of the National Water Council, adopts the requirements for the content, development and implementation of the National Water Resources Management Strategy.

Article 17

River Basin Management Plans

1. River basin management plans shall be designed in compliance with the National Water Resources Management Strategy and are implemented for a certain territory and period.

2. The Council of Ministers, upon the proposal of the Prime Minister, and the preliminary approval of the National Water Council, shall adopt the requirements for the content, development and implementation of river basin management plans.

3. The river basin management plans shall be revised every six years.

Article 18

International Cooperation

1. The Republic of Albania shall conclude agreements with neighboring countries, for the purpose of establishing and promoting cooperation between these countries for the protection of transboundary waters, to the effect of strengthening national and bilateral actions, as well as preventing the pollution of water resources.

2. Transboundary cooperation aims at protecting transboundary waters in their natural condition, ensuring appropriate conditions for development of life and its ecosystems by promoting useful activities in compliance with the requirements of the sustainable development principle.

Article 19

Implementation of International Agreements, Conventions and Protocols

1. All legal and sublegal acts in force with regard to environmental protection in the Republic of Albania shall apply for the protection of the natural status of transboundary waters, along with the international agreements, conventions and protocols, in which Albania is a party.

2. Transboundary waters shall be used only in a controlled way and within scientifically defined borders, without damaging natural conditions and their biological and ecological equilibrium.

3. Natural or legal persons, be them nationals or internationals, who use the aquatic, natural and biological attributes of water resources or perform different related activities on them, shall be obliged to protect transboundary waters from liable damages, and observe the provisions of this law.

4. Concerned entities shall compile a detailed report of the effect on aquatic environment to obtain an environmental permit for projects and activities they request to perform on transboundary waters.

Article 20

Measures for the protection of transboundary waters

The Water Resources Management Agency, in collaboration with the relevant ministries, shall coordinate the work for the protection of transboundary waters, control the implementation of the requirements of this law and participate in the:

:

- a) Design and implementation of transboundary waters management plans;
- b) Design and implementation of special monitoring programs;
- c) Design and implementation of plans for the rehabilitation of damaged and polluted transboundary water areas;
- d) Development of an up to date legal framework for the administration and protection of water resources;
- ç) provision and productive use of the needed financial tools;
- e) Constant control to ensure the protection of natural conditions of fauna and flora in transboundary waters.

Article 21

Transboundary Waters Administration and Management

1. The management of transboundary waters shall be carried out by the AMBU, based on transboundary waters management plans, adopted by the Council of Ministers.
2. Transboundary waters management plans shall consist of the:
 - a) repealed;
 - b) objectives of transboundary waters management;
 - c) identified tasks for different governmental bodies, research institutions and environmental organizations concerning the protection and management of transboundary waters;
 - d) measures to prevent or reduce the identified threats
 - e) conditions for scientific research, inventorying and monitoring;
 - f) other special conditions;
 - g) program of measures for the implementation of these plans.

Article 22

Special Commissions for Transboundary Waters Management

1. Special commissions shall be set up for transboundary waters protection and administration. Their composition, responsibilities and tasks shall be regulated by special legal and sub-legal acts.
2. Upon the proposal of the Prime Minister and prior approval of the Water National Council, the Council of Ministers shall appoint a special commission in charge of transboundary water management, and the administration of relations with border states for these waters conform to the Albanian legislation and other relevant international agreements.

Article 23

Repealed

Article 24

The details of the river basin strategy and management plan

The National Water Resource Management Strategy and management plan of the river basin comprises as follows:

- a) The environmental objectives, referred to in article 25 of this law;
- b) The chemical and ecological parameters for surface water, as defined in this law;
- c) The chemical and quantitative parameters of groundwater, as defined in this law;
- d) The conditions for designating heavily modified water bodies as referred to in article 27 in this law;
- e) The technical specifications and standardized methods regarding the monitoring program, as defined in this law;
- f) Technical specifications analyzing the characteristics of river basins, referred to in article 37 in this law;
- g) the content of the program of measures, referred to in article 37 in this law;
- h) The conditions and relevant measures on planning flood risk management, referred by articles 68 and 69 in this law;
- i) every other issue which is related to the implementation of the river basin strategy and management plan.

Section 3
Water Classification

Article 25
Environmental Objectives

1. Environmental objectives for bodies with surface water and groundwater and for protected areas shall be set with the aim of preventing the deterioration of water bodies and the protection, increase and rehabilitation of all water bodies, both surface water and groundwater.

2. The environmental objectives, mentioned in point 1 of this article, shall be defined by taking into consideration their chemical, ecological and quantitative status.

3. The Council of Ministers, upon the proposal of the Prime minister, shall approve of the criteria for setting the environmental objectives.

Article 26
Water classification

1. Surface water, with the aim of protecting and improving the status of the water, shall be classified according to their chemical and ecological status.

2. Groundwater, with the aim of protecting and improving the status of the water, shall be classified according to their chemical and quantitative status.

3. The Council of Ministers, upon the proposal of the Prime minister, and after the preliminary approval by the National Water Council, shall designate waters according to their classification.

4. The National Water Council, upon the proposal of the river basin council and specialized scientific institutions responsible for ground water and surface water, in conformity with the specifications of this article, shall designate artificial or heavily modified bodies of water and announces them in the Official Journal.

5. Water bodies, based on the classification of their waters, shall be components of the river basin management plan.

Article 27
Heavily modified water bodies

1. The National Water Council, with the proposal of the Water Resource Management Agency, and in conformity with the specifications of this law, shall have the competence to:

a) Designate certain bodies of water as artificial or heavily modified, when the environmental objectives that are related to their good statuses or good ecological potential cannot be achieved because that might be technically impossible or entails very high costs;

b) extend the deadlines for achieving the environmental objectives, on condition that no further deterioration takes place on the affected status of the water body;

c) set specific environmental objectives for certain water bodies, when they are heavily affected by human activity or when their natural conditions are such that make it impossible to achieve the overall environmental objectives or when the associated costs are too high.

2. The National Water Council, upon the proposal of the river basin council, shall determine appropriate measures for preventing the deterioration of the status of the body designated as a heavily modified water body.

3. Every designation made according to this article and the relevant reasons shall be defined in the river basin management plan.

4. Designations made in conformity with this article shall be reviewed every six years.

CHAPTER IV CONTROL OF POLLUTION

Section 1

Water Standards

Article 28

Environmental quality standards for water resources

1. The environmental quality standards for waters shall be defined in conformity with the requirements of the law for the protection of the environment, with the aim of preventing the deterioration of water quality.
2. Environmental quality standards for waters shall be set for all waters, including groundwater.
3. Environmental quality standards for waters shall be set for all water resources or by referring to:
 - a) the actual or potential use which every water body is subjected to;
 - b) activities that are normally carried out or are being carried out on such water bodies;
 - c) those water bodies which require protection to be able to withstand certain activities;
4. The Water Resources Management Agency shall identify the water bodies, referred to in point 3 of this article, according to the respective procedure and within time limits determined by the National Water Council.

Article 29

Technical standards of water discharge into the environment

The Council of Ministers, upon the proposal of the Minister responsible for the environment, shall approve the technical standards of discharge into the environment for water, hazardous substances, other substances and parameters, in accordance with the requirements of the law on environmental protection, in order to prevent deterioration of water quality and protect the environment.

Article 30

Industrial discharge and their treatment

1. River basin administration offices, in cooperation with the regional environmental agencies, shall prepare programs to prevent and avoid the pollution of receiving water resources from liquid discharges under their jurisdiction.
2. Discharge of industrial wastewater into the environment must be carried out in full compliance with the general and specific requirements for different types of activities that require that liquid be discharged in the environment, in order to protect groundwater or surface water from contamination or pollution.
3. Management of industrial wastewater should be carried out by entities that produce and discharge them in accordance with the “polluter pays” principle.
4. Management of industrial wastewater shall include their partial or complete treatment, near the area where the entity producing them is located or in a specific industrial area. Liquid, after treatment in wastewater treatment plants, can be discharged upon payment of a fee and in accordance with the quality standards for these waters.
5. The tariffs for liquid discharges, produced from treatment of industrial wastewater, shall be set based on the amount of discharge and their chemical composition.
6. Wastewater that does not meet the characteristics set out in the bylaws shall not be allowed to be discharged directly into the earth, water and the public sewerage system.
7. Monitoring of the quality and quantity of produced industrial wastewater and relevant discharges into surface water or groundwater after treatment should be carried out by bodies designated by special laws, under the general management of AMBU (as part of the integrated water resources management cycle).

Article 31
Drinking water quality

The Minister responsible for health, in cooperation with the Water Resources Management Agency, shall determine the quality requirements for drinking water.

1/1. The Council of Ministers, upon proposal of the minister responsible for health, shall adopt the quality requirements for drinking water.

1. Any natural or legal person, public or private, offering or publicly selling drinking water, shall be equipped with the relevant permit or authorisation, and fulfil drinking the water quality requirements, in conformity with the effective legal acts.

2. Local government units and any other institution, both public and private, with their own water supply system shall be obliged to take measures to control the quality of supplied water on regular basis.

3. The Minister responsible for health, in cooperation with the central institution responsible for supplying water to the population, through the inspectorate responsible for healthcare, shall order the termination of drinking water supply if it does not meet quality standards. This process shall run under the overall management of the Water Resources Management Agency, as part of the integrated water resources management cycle.

Section 2
Pollution control

Article 32
Combined treatment

1. Control of pollution is based on the principle of combined treatment and aims to prevent deterioration, and encourage the increase and restoration to a normal condition of surface water bodies.

2. Pollution shall be controlled by applying relevant limit discharge values, based on best available techniques or on best environmental practices when influences are spread out.

3. More detailed and complete controls on discharges shall be carried out, as needed, when an environmental objective or environmental water quality standard requires more specific conditions than those stipulated in point 1 of this article.

Article 33
Environmental permissions

Every natural and legal person, exercising an activity, which causes polluted waters to be discharge in water bodies, should have the relevant environmental permission in conformity with the requirements of the law for environmental permissions.

Article 34
Protected areas

1. In conformity to this law and other legal and sub-legal acts, protected areas shall be designated with the purpose of protecting water and aquatic ecosystems and shall include special protecting measures.

2. Protected areas shall include:

a) hygiene and sanitation areas for the protection of water resources, designated for the production of drinking water

b) protected areas, as defined by the law on protected areas;

c) fishing and shellfish farming areas in conformity to the legislation on fishing;

d) thermal bath areas for curative treatment and recreation;

- e) areas subject to eutrophication and areas at risk from nitrates and nitrites;
 - f) designated areas for the protection of plants or animals, along with the habitats, where conservation and enhancement of the status of the water is a significant element for their protection;
3. The Water Resources Management Agency, in cooperation with the Ministry responsible for protected environmental areas, shall identify the protected areas according to paragraph (2) of this article.
4. Upon the proposal of the Minister responsible for the protected environmental areas, the Council of Ministers shall designate the protected areas as specified in paragraph (2) of this Article.
5. The Water Resources Management Agency and river basin administration offices shall develop, manage and update the inventory of protected areas, as a component of the protected areas management plan.
6. The protected area management plan shall be included in the respective river basin management plan.

Article 35

Protection of Pollution-Prone Areas

1. Minister responsible for the environment, in collaboration with the Water Resource Management Agency, shall draft and submit for approval to the National Water Council the relevant sublegal acts for designation of areas vulnerable to contamination from harmful substances or elements, such as nitrates, phosphates, products for plant protection and biocides.
2. The minister responsible for environment, in cooperation with Water Resources Management Agency, the minister responsible for agriculture and the minister responsible for economy and the minister responsible for health, shall issue regulations, which define the programmes, measures and other relevant obligations, with the aim of reducing and preventing the contamination of water from hazardous substances, as defined in paragraph (1) of this Article, apart from what is caused or derived by other agricultural activities.
3. Combined treatment, as defined in article 32 of this law, shall apply to discharges from the distribution points and sources in the areas defined in point 1 of this article.

Section 3

Measures for the protection of water resources

Article 36

Characteristics of river basins

1. The Water Resource Administration Office shall conduct for each relevant river basin the assessment of human impact on the status of surface and groundwater, the economic analysis of water use, and the analyses after monitoring conducted by entities contracted by the responsible ministry for the environment.
2. The Council of Ministers, upon the proposal of the Minister responsible for the environment, shall determine by sub-legal act the technical specifications necessary for the performance of analyses and reviews, as defined in point 1 of this article.
3. The analyses and assessments set out in this Article shall be carried out after the approval of the river basin management plans and shall be regularly updated.

Article 37

Measure programs for environmental objectives

1. The Water Resources Management Agency and the River Basin Administration Office, in order to achieve the environmental objectives set out in Article 25 of this law, shall draft the program of measures for the river basin, taking into account the results of the analyses, as defined in Article 36. of this law
2. The river basin program of measures shall be reviewed every six years, and, if necessary, updated.
3. The National Water Council, on the proposal of the respective basin council, approves the

program of measures drafted by the River Basin Administration Office

CHAPTER V

USE OF WATER RESOURCES

Article 38

The purposes of using water resources

Water resources shall be used for:

- a) domestic, municipal, agricultural purposes, including irrigation and water for livestock;
- b) aquaculture, water and industrial transportation, hydropower production;
- c) commerce;
- ç) tourism, entertainment, including sailing for entertainment;
- d) other purposes, approved by the National Water Council.

Article 39

Use of water resources

1. Use of natural water resources shall be subject to both administrative controls by water resources administration and management bodies and inspections by inspectors responsible for controlling activities that use water resources, under the general management of AMBU, as part of the integrated water resources management cycle.

2. Every water user shall be obliged to allow for a minimum ecological flow in the natural flow and not include the former in the amount of water that is authorized to use.

3. The amount of minimum ecological flow for each natural water body shall be determined according to the basin management plans and other legal and sub-legal acts, based on the specific characteristics and natural and ecological values of the river basin.

4. Regardless of the amount of ecological flow specified in the basin management plans, it cannot be less than the 355-day sustainable flow (Q355)

Article 40

Free use of water resources

1. Everyone has the right to use freely surface water resources for drinking and other domestic and livestock needs, not exceeding the needs and as such using as much water as it is necessary to meet the individual and domestic needs of the user and in accordance with the relevant laws and plans of the basin councils.

2. Everyone has the right to use freely coastal waters for bathing and water sports.

3. Everyone has the right to use water resources for fire suppression.

4. Everyone has the right to use rainwater that falls on private property, on condition that it is not being collected by artificial installations.

5. Water resources management bodies have the right to restrict the free use of water during periods of water scarcity and droughts or when water quality is impaired, water-borne diseases are spreading or at risk of spreading all over the country or in specific areas.

Article 41

Water use by permission

1. Based on the administrative permit issued by the water resources administration and management bodies, the following activities can be performed within the territory of the Republic of Albania:

- a) Use of water, when used by permanent installations.
- b) Irrigation.

- c) Industrial use of surface water.
- d) Water for pools
- e) Packaged water.
- f) Curative, mineral, thermo-mineral and geothermal waters.
- g) Use of groundwater for different purposes.
- h) Granting use of water resources for the development of aquaculture.

2. Relevant permission from the National Water Council shall be required for the following uses:
 - a) Sailing
 - b) Construction of anchoring structures, defending coastal facilities and artificial Sea Islands.
 - c) Use of marine waters for hydropower production.
3. The Council of Ministers, upon the preliminary approval of the National Water Council, and upon the proposal of the Prime minister, approves the submitted request form for permitting use of water resources.

Article 42

Use of water with authorization

1. The following activities can be performed only after relevant entities are provided with an authorization by the water resources administration and management bodies:
 - a) giving water to livestock when this is followed by the installation of pipes and construction of facilities;
 - b) Use of groundwater for domestic purposes;
 - c) Use or reuse of wastewater even when applied in the ground.
2. Use of water resources for fishing purposes and activities shall be regulated by laws and bylaws governing these activities.
3. All types of research, studies and explorations on surface and groundwater, even when they do not have water as their object, shall be carried out with authorization from relevant water bodies for an area and for a certain period of time.
4. This requirement does not apply to monitoring institutions of ground and surface water, and to scientific institutions, which activities do not affect the deterioration of water qualitative and quantitative equilibriums.
5. The Council of Ministers, upon the preliminary approval of the National Water Council and the proposal of Prime Minister, shall approve the request form for authorization of water resource use.

Article 43

Concession granting for water resource use

1. Granting of concessions for use of water resources shall be determined by the law for concessions and public-private partnership and the sublegal acts, which have requirements and procedures for granting of concessions.
2. The contracting body of national water resources management shall be responsible for the register of concessions. This register shall be administered and maintained by the relevant contracting body, according to the requirements of the law on archives.

Article 44

Use of solid materials

1. Water resources management bodies shall issue administrative permits for the use of solid materials, such as sand, gravel, extracted from the beds of rivers, streams, lakes with or without water, only if the legal conditions and criteria set by the acts of the National Water Council are fulfilled.
2. The Council of Ministers, upon the prior approval by the National Water Council and on the proposal of the Prime Minister, shall approve the application form for a permit and renewal for the use of solid materials on riverbeds.

Article 45

The tasks of water users

Water users should:

- a) Use water in a rational and economic way;
- b) observe the conditions and obligations set on the right of using water;
- c) observe the conditions and obligations set on the right of ownership;
- d) secure protection of water from pollution, keep under control water quality and protect the environment from different polluters;
- e) observe the rights of other legal users of waters and third parties.

Article 46
Drought and lack of water

The National Water Council, in a situation of drought or lack of water, shall issue a decision on taking necessary measures to address the drought, which is then published in the Official Journal. The decision determines:

- a) the limitations in some or in all of the activities that entail use of water resources;
- b) a limitation in the use of water, in compliance with the licenses, authorizations, permissions and concessions on water use;

Article 47
Water bodies used as drinking water

1. The River Basin Administration Office for the respective river basin must especially identify:
 - a) all water bodies intended for human consumption, yielding on average 10 m³ of water per day or supplying more than 50 people;
 - b) all water bodies intended for such future uses;
2. The River Basin Council and the relevant water resources administration and management bodies shall ensure the protection of water resources referred to in this Article, in order to avoid deterioration of their quality and provide them with the necessary treatment so that drinking water is obtained.
3. Repealed

CHAPTER VI

THE SOURCES OF CURATIVE, MINERAL, THERMO-MINERAL AND GEOTHERMAL
WATERS

Article 48
**Management of natural sources of curative, mineral, thermo-mineral and geothermal
waters**

1. Integrated management of the natural resources of curative, mineral, thermo-mineral and geothermal waters is about creating a framework for the protection of these resources with the aim of:
 - a) monitoring the quality of curative, mineral, thermo-mineral and geothermal waters by the ministry, the ministry responsible for health and the ministry responsible for the economy;
 - b) promoting the rational and sustainable use of these waters, which is done based on long-term protection of natural resources of curative, mineral, thermo-mineral and geothermal waters;
 - c) reducing progressively pollution of natural resources of curative, mineral, thermo-mineral and geothermal waters, in order to prevent their further pollution;
 - d) prohibiting constructions near the areas with natural resources of curative, mineral, thermo-mineral and geothermal waters without the permission of the water resources management bodies;
 - e) preventing discharges on land, water and the public sewerage system of curative, mineral, thermo-mineral and geothermal waters be it used or untreated.
 - f) assessing the causes of pollution of curative, mineral, thermo-mineral and geothermal waters;
 - g) drafting a management plan for curative, mineral, thermo-mineral and geothermal waters by water resources management bodies;
 - h) controlling the areas near the natural resources of curative, mineral, thermo-mineral and geothermal waters which is performed by water resources management bodies;
 - i) prohibiting the modification of the intended use of curative, mineral, thermo-mineral and geothermal waters;

j) Prohibiting drillings and interventions in the area with natural resources of curative, thermal, thermos-mineral and geothermal waters;

k) Prohibition of suction with pumps of curative, thermal, thermo-mineral and geothermal waters directly from the mouth of the spring.

2. Every natural or legal person, who uses the natural resources of curative, mineral, thermo-mineral and geothermal waters, must obtain a permit from the water resources management bodies, which is awarded in accordance with the management plan of these waters.

3. The Council of Ministers, upon the proposal of the Prime minister, approves the tariffs for using the curative, thermo-mineral and geothermal waters.

Article 49

Suspension and temporary change of permit conditions for natural resources of curative, mineral, thermos-mineral and geothermal waters

1. The permission can be changed, suspended or repealed when its relevant authority does not fulfill the criteria for obtaining the permit or it has violated the obligations that it entails.

2. Conditions shall be modified and permit might be suspended or repealed as needed by the body which has issued the permit or the highest ruling body:

- a) changes have occurred because of force majeure;
- b) upon the request of the holder of the permit;
- c) conditions have not been observed by the holder of the permit;
- d) curative, mineral and thermal waters the permission is related to have not been used according to term defined in the respective permission;
- e) death of the natural person or termination of the legal status.

CHAPTER VII

AUTHORISATIONS, PERMITS AND CONCESSIONS ON USING WATER RESOURCES

Article 50

Water Resources administration and management bodies competent for granting of permits, authorizations and concessions

1. Water resources administration and management bodies shall grant authorisations, permits and conclude concession contracts for the use of waters, based on the principles of proportionality, efficiency and de-bureaucratization, to reduce administrative barriers and in compliance with the procedures defined by a special law or by decision of the Council of Ministers in pursuance of this chapter.

2. The river basin council shall issue authorisations and permits when the activity shall take place within the territory of the Republic of Albania and within the borders of a single basin

3. The National Water Council shall issue permits and authorisations when the activity shall take place within the territory of the Republic of Albania but in an area that is beyond the borders of a basin.

4. The Water Resource Management Agency shall identify the concessionaire project based on the classification of water resources, river basin management plan and in conformity to the procedures, criteria and conditions set out in legal and sub-legal acts.

5. Authorisations, permits and concessions for water use:

- a) shall be personal and belong to the holder of the relevant licence, authorisation, permit and concession;
- b) shall not be transferred without the approval of water resources administration and management authorities;
- c) shall be valid for a certain period of time and shall be renewed according to a defined procedure;
- d) shall be changed, refused, suspended or repealed on the basis of this law and sub-legal acts in pursuance of the former;
- e) shall be issued upon payment of a fee for administrative costs;
- f) shall be registered in the National Register of Permits and Authorisations in conformity to the relevant legal and sub-legal provisions;
- g) shall not be refused without a justified decision of the administrative body examining the request for authorisation or permit.

6. In pursuance of this law and the law on licenses, authorisations and permits, the Council of Ministers shall determine the:
- a) special conditions for obtaining a licence, authorization and permission and the necessary accompanying documents that shall be submitted for this purpose;
 - b) validity period of the license, authorization and permission;
 - c) procedures and deadlines for administrative examination and decision making;
 - d) procedures of repeal by the administrative bodies.

Article 51

General principles for granting authorization, permissions and concessions

An authorization, permission or concession shall be issued only if:

- a) the activity of the natural or legal person, who is the holder of the authorisation, permit or concession does not have a negative impact on water use;
- b) complies with the relevant river basin management plan;
- c) does not lead to the violation of water quality standards set out in this law;
- ç) does not affect the relevant environmental objectives set out in this law;
- d) does not have a conflict with the programme of measures set out in accordance with this law.

Article 52

Priorities in granting of permits, authorizations and concessions

The relevant water resources administration and management bodies shall be based on the following priorities for granting permits, authorisations and concessions:

- a) water supply to the population including the demands of the industries within the borderline of residential areas and with a low level of consumption;
- b) uses of water for irrigation, agriculture and aquaculture;
- c) uses for hydropower generation;
- d) other industrial uses, which are not included in the above-mentioned categories, including uses in mines;
- e) fishing;
- f) water transportation;
- g) entertainment and tourism, including recreational sailing;
- h) other uses

Articles 53

General conditions for authorizations, permissions and concessions and their use

1. The authorisation, permit or concession contract for the use of waters shall contain the following general data:

- a) the series number, number and date of approval and date of becoming effective;
- b) data for the identification of the holder;
- c) type of activity allowed and the purpose water is going to be used;
- ç) quantity of water that might be used, referring either to an exact amount or to part of a flow;
- d) volume of return flow, if there is one, and where the return flow will be discharged;
- e) the surface area of the land related to water use when the latter is used for irrigation;
- f) place where activity is to be carried out, action taken or public good used;
- g) restrictions on the activity taking place, action taken or use of public good;
- h) validity period of the license, authorization or concession.

2. The license, authorisation, permit or concession contract shall contain by all means the following general conditions, based on which the operator shall be obliged to:

- a) use water rationality by avoiding waste and without affecting the environment;
- b) use water only for the purposes that the licence, authorisation, permit or concessionaire contract has been granted;
- c) pay all costs, taxes and fees related to water use;
- d) install or allow the installation of equipment for measuring the quantity of used water, in conformity to the requirements defined by the relevant body, which has issued the permit, authorisation or concession;
- e) register the volume of used water, including the return flow;
- f) provide data and information on water use whenever requested by bodies responsible for water resources management.

3. The special conditions, accompanying documents, validity periods and the examination and decision-making procedures shall be determined by decision of the Council of Ministers.

4. The licence and permit granted by central or independent institutions shall become effective upon its publication in the Register of Licences and Permits, unless the effective act of approval shall be related to the publication in the Official Journal.

5. Water use permits shall be included under the relevant category of licenses, authorizations and permits.

Article 54

Suspension and temporary change of the conditions of permits, authorizations and concessions

1. The authorisation, permit and concession shall be suspended or changed when its holder shall not fulfil the award criteria for this entitlement or violates its obligations defined within.

2. The issuing body shall suspend and change the conditions of licences, authorisations, permits and concessions:

- a) because of an order for drought issued in conformity with this law;
- b) when changes have taken place as a result of force majeure;
- c) upon the request of the holder of the entitlement;
- ç) when the holder fails to observe the conditions of the authorisation, permit or concession.

Article 55

Cancellation, repeal of authorizations and permits and termination of the concession contract

1. The dissolution of the concession contract and repeal or cancellation of authorisations and permits may be done when:

- a) based on public interest and in accordance with the river basin management plan, use of water is essential for another primary purpose, conform to the classifications, according to the priorities set out in article 52 of this Law;
- b) the holder of the authorisation, permit and concession does not adhere to the relevant conditions even after the suspension of the authorisation or permit for a certain period of time;
- c) upon the request of the holder of the authorisation, permit and concession;
- d) waters, for which the authorisation or concession has been granted, have not been used for three years;
- e) holder has passed away or the legal person has terminated.
- f) it is stipulated in the provisions of the Administrative Procedure Code.

2. The legislation in force on concessions shall be applicable for complaints against the award concession procedures and the dissolution of the concession contract

3. The decisions of the water resources management bodies for the dissolution or cancellation of the authorization/permit can be contested in the competent court, according to the legislation in force.

4. Repealed.

5. The legislation in force on concessions shall be applicable for complaints against the award of concession procedures and the dissolution of the concession contract.

Article 56

Professional Drillers

1. A professional water driller, who carries out business on a commercial basis, must have the relevant license, according to the provisions of the law on licenses, authorizations and permits.

2. Water resources management bodies shall issue the drilling permit after the professional driller has submitted the drilling technical and hydrogeological project drafted by licensed legal entities, pursuant to the legislation in force.

3. Not any later than one month following termination of drilling, the professional driller shall submit to the water resources administration bodies, in two copies, a detailed hydrogeological report in relation to drilling, along with the drilled strata samples, as well as relevant documentation, the initial drilling project and the report after the completion of drilling. The water resources administration bodies shall send a copy to the Central Geological Archive.

4. The Albanian Geological Service shall provide to the water resources management bodies relevant information in relation to the hydrogeological projects and the drilling reports submitted by the entities to this institution.

5. The permit for water extraction shall be issued by water resources management authorities, after the professional driller has submitted the technical and hydrogeological report for the potential use of the well, drafted by licensed legal entities conform to the legislation in force.

6. The drilling activity for water extraction by natural, legal subjects or unlicensed individuals shall not be permitted without the relevant drilling permit issued by the water resources management bodies.

CHAPTER VIII

PROTECTED AREAS AND ZONES

Article 57

Hygiene and Sanitary Protection Zones

1. Hygiene and sanitary protection zones shall be designated around surface and groundwater resources supplying the urban and rural population with water, to preserve water quality near the source.

1/1. The Water Resources Management Agency, in cooperation with the ministry responsible for environmental protected areas, the ministry responsible for health and the ministry responsible for water supply and sewerage infrastructure and the Albanian Geological Survey, shall define the protection boundaries of hygienic-sanitary zones.

2. Upon the proposal of the minister responsible for environment, the minister responsible for economy, the minister responsible for healthcare and the minister responsible for water supply and sewerage infrastructure, the Council of Ministers shall adopt the borders of these areas.

3. Hygiene and sanitary protection zones shall consist of:

a) the primary protection zone around the source controlled by the operator extracting, producing and distributing drinking water. This area shall be encircled;

b) the near protection zone, where constructions, industrial development, agricultural and livestock related activities, well drilling, digging of ditches, storage or discharge of waste, wastewater, chemical or toxic substances, use of chemical waste and pesticides, construction of burial sites or burial of dead animals shall be prohibited;

c) the distant protection area, where the activities set out in subparagraph (b) of this paragraph shall be subject to special administrative authorisations.

d) Natural and legal persons whose interests are affected by the designation of hygiene and sanitation protection areas shall be compensated in conformity to the Civil Code of the Republic of Albania.

Article 58

Protection of pollution prone areas

1. With the aim of protecting the health of people, agriculture and environment, the Water Resource Management Agency shall draft and submit for approval to the National Water Council the relevant sublegal acts related to the designation of areas vulnerable to contamination from harmful substances or elements, such as different chemical substances and biocides

2. The minister responsible for environment, in cooperation with the minister responsible for agriculture and the minister responsible for economy shall issue regulations, which define the programmes, measures and other relevant obligations, to reduce and prevent the contamination of water from hazardous substances, as defined in paragraph (1) of this Article, and from what is caused or derived by other agricultural, industrial and human activities.

Article 59

Areas of imminent protection

1. Based on the evidence received from competent bodies, the water resources management authorities shall define and designate protected zones and areas at any time when surface water and groundwater are seriously affected both in quantity and quality, and when there is an outbreak risk of communicable diseases.

2. The regime of these zones or areas and their boundaries shall be set out and modified according to specific circumstances, which shall be specified by a sub-legal act.

Article 60

Special conservation areas

1. The Water Resources Management Agency, in cooperation with the Minister responsible for protected environmental areas, shall designate basins, sub-basins, streams and rivers as "special conservation areas".

2. The Council of Ministers, upon the proposal of the minister responsible for protected environmental areas, shall approve the special conservation areas as referred to in paragraph (1) of this Article.

Article 61

Coordination of territorial regulation and water resource plans

Authorities drafting plans and studies on territorial regulation shall take into consideration water resources management plan.

Article 62

Land covered by water

1. Swamps or areas covered by water pursuant to the definitions of this Law, including those developed artificially shall be defined as lands covered by water. The National Water Council shall determine their borders

2. All activities carried out or affecting them shall be subject to authorisations, permits and concessions.

Article 63

Hazardous Areas for Human Health

The National Water Council in cooperation with the relevant health and environmental protection authorities shall determine the areas that are dangerous for human life, designated as harmful to public interest, and shall decide on draining the land under water.

CHAPTER IX

PROTECTION OF BANKS

Article 64

Protection of banks

Protection of banks shall be a public task carried out through construction, reconstruction and maintenance of dams, infrastructural coating works and other technical measures and works, including biological ones.

Article 65

Temporary Protection

Local and foreign natural and legal persons upon receiving the approval from the water resources administration and management bodies can undertake temporary protection activities in cases of emergency.

Article 66

Construction activities on banks

1. Bodies responsible for territorial planning in the local government units shall issue permits for the construction, reconstruction or demolition of riverbank protection facilities, walls, dams and other bankside works, only if they shall be equipped with a special authorisation from the water resources administration and management bodies.
2. The water resources administration and management bodies shall issue a special authorization for construction activities on the shores, only for public purposes. Activities for public purposes are determined on a case-by-case basis by water resources management bodies.

Article 67

Activities prohibited on banks and beaches

1. The following shall be prohibited on banks, beaches and flood areas:
 - a) change or displacement of natural or artificial plant layers;
 - b) extracting of solid materials, sand, gravel, pebbles or silt;
 - c) construction of parking lots for waters vessels and vehicles;
 - d) development of dry places for nets;
 - e) digging, drilling or rinsing;
 - f) disposal or storage of solid materials as a result of demolishing constructed facilities, digging and other waste-generating activities;
 - g) discharge of untreated urban and industrial wastewater.
2. With the aim of securing and maintaining the banks, the water resources administration and management bodies in cooperation with the bodies responsible for territorial planning and regulation, shall be entitled to restrict or prohibit use of the beach, sea bottom, dunes, slopes and any other area designated for the protection and maintenance of the bank.

CHAPTER X

WATER NEGATIVE EFFECTS

Article 68

Floods

1. The water resources management and administration bodies shall take all necessary measures within the areas affected by floods to ensure people's lives, animals and properties. In cases of extended floods, in collaboration with the responsible civil emergencies bodies, they shall order emergency works, asking from water users for all necessary equipment and materials to meet this goal.

2. Water resource management and administration bodies, in cooperation with local government structures and bodies, shall be responsible for preventing, coping with and rehabilitating the situation.

3. Every natural or legal person, holder of a permit, authorization, and concession shall be obliged to cooperate by providing any assistance and information to the responsible authorities defined in this article for eliminating the consequences of floods and other harmful water effects.

4. Water users shall carry out maximum discharges in accordance with the conditions and criteria set out in the basin management plans, and in other bylaws.

5. Discharges forced by maximum flows are an exception to point 4 of this article.

6. Conditions and criteria for maximum discharges shall be approved by Decision of the Council of Ministers.

Article 69

Flooded lands

1. Lands, which might be flooded because of overflowing lakes, ponds, reservoirs, rivers, streams and other flows shall keep their previous legal status.

2. In special cases when human life, livestock or private and public property are at risk, the National Water Council, upon considering the opinion of local governmental structures and bodies and structures responsible for civil emergency, shall impose restrictions on the use of flooded areas or other areas under the harmful effects of water.

3. Storage of materials and substances that can be dissolved in water and the construction of new facilities in flood-threatened areas shall be prohibited.

Article 70

Flood risk management plan

1. The Water Resources Management Agency, in cooperation with the ministry responsible for civil emergencies, shall draft bylaws on flood risk management plans and rules, in conformity with the applicable civil emergency legislation and the National Civil Emergency Plan.

2. The Water Resources Management Agency in cooperation with the river basin management offices shall draft for its river basin districts a flood risk management plan, which focuses on prevention, protection, preparedness, including flood forecasting and early flood warning systems, which it delivers for coordination to structures responsible for civil emergencies

3. The flood risk management plan shall be drafted by taking into account the relevant characteristics of the river basins. Flood management plans shall also include the promotion of sustainable land use practices, improvement of water holding capacities and flood control of certain areas in the event of flooding.

4. The flood risk management plan shall be an integral part of the river basin management plan.

5. The Council of Ministers, on the proposal of the Minister responsible for civil emergencies, after prior approval by the National Water Council, shall approve the sub-legal act for plans and rules on flood risk management drafted by the Water Resources Management Agency.

CHAPTER XI

WATER FACILITIES AND STRUCTURES

Article 71

Construction

1. The construction of facilities and structures for use of water resources and the prevention of harmful actions of water, done for public services, shall be subject to authorizations, permits or concessions, according to the legislation in force.

2. The legal person responsible for construction, within 30 days from the completion of the facility or structure, must inform the water resources administration or management bodies, which have allowed the activity, to perform the final inspection on this water facility or structure.

Article 72

Competences of Water Resources Management and Administration Bodies

1. Water resources administration bodies, in collaboration with the inspectorate responsible for the environment and local government bodies, shall have the right to supervise and mandate physical or legal entities or persons to install equipment that control and measure the quantity of water used on private land, as well as the servitudes needed to access such installations for preparatory and construction work.

2. Water resources administration bodies, in collaboration with the inspectorate responsible for the environment, shall have the right to control the operation and maintenance of water structures/facilities within the terms set out in the permit; in addition, they shall impose sanctions and mandate the installation of drinking water transportation pipelines or sewerage pipelines.

3. Water resources administration bodies, in collaboration with the inspectorate responsible for the environment, shall perform periodical controls on water structures and facilities. Thus, their authorised individuals shall have the right to inspect structures and facilities and shall request information and documentation related to them.

CHAPTER XII

DISCHARGES AND SEWERAGE

Article 73

Liquid Discharges

1. To discharge on water, on the ground and underground it is necessary to have a permit or authorization, issued by the management and administration water resources bodies, in conformity with the applicable law.

1/1. The Water Resources Management Agency, in cooperation with the ministry responsible for the environment and the ministry responsible for water supply and sewerage, shall draft liquid discharge norms and general and specific requirements for different types of activities which result in the release of liquid discharges on the environment.

2. The Council of Ministers, on the proposal of the Minister responsible for the environment and the Minister responsible for water supply and sewerage, shall approve the norms of liquid discharges and the general and specific requirements for different types of activities, which result in the release of liquid discharges in the environment.

Article 74

Wastewater sewerage system

1. Wastewater sewerages are necessary to be installed and used for all activities that generate wastewater, in pursuance with the legislation governing water supply and sewerage services, and with the bylaws applicable to this field.

2. The Water Resources Management Agency, in cooperation with the ministry responsible for the environment and the ministry responsible for water supply and sewerage, shall draft the environmental criteria for the construction and operation of sewerage systems.

3. The Council of Ministers, upon the proposal of the Minister responsible for the environment and the Minister responsible for water supply and sewerage, shall approve the environmental criteria for the construction and operation of sewerage systems.

4. The wastewater system shall be planned in such a way as to quickly dispose and discharge sewage water, produced in public or private buildings, on certain places, away from human settlements.

5. The construction of the sewerage system should be made in such a way as to avoid spills, which could end up and pollute surface water, groundwater, as well as coastal waters.

6. Certain entities may assume the responsibility of collecting, transporting, treating and discharging sewage at designated sites.

Article 75

Individual and collective sewerage canals

1. When several individuals use a common sewerage system, the entity responsible for the collective sewerage system shall be responsible to the water resources management bodies.

2. In case of an individual sewerage system, the individual discharging entity, domestic or non-domestic, shall be responsible to the water resources management bodies.

Article 76

Wastewater treatment facilities

The Council of Ministers, on the proposal of the Minister responsible for the environment and the Minister responsible for water supply and sewerage, shall approve regulations and normative acts for the design, construction and use of wastewater treatment plants.

CHAPTER XIII

PERMITS, AUTHORISATIONS FOR WASTEWATER DISCHARGE

Article 77

Common provisions for permits and authorizations

1. Applications for permits and authorisations of discharge shall contain in details the criteria that should be met by the discharger, as set out in the sublegal acts in force. They should contain a description of the treatment plant, monitoring equipment and procedures to ensure its appropriate operation, as well as the definition regarding the chemical composition and bacteriological concentration of the discharge.

2. The characteristics of discharge permits and authorizations shall be the same as those for water use. In any case, they contain the conditions related to treatment and monitoring plants, and the standards of treated water will be decided based on them.

3. Permits and authorizations for activities that may cause discharges to be accumulated or infiltrated with time in surface water, natural or artificial beds, water bearing strata or groundwater, will be granted only after a complex study done within one year from the date of application for a discharge permit. Licensed or accredited institutions shall conduct the study in compliance to the legislation in force.

4. Reuse of wastewater shall be subject to administrative permits. If an entity different from the first shall reuse the water, then both entities shall be equipped with separate permits. The National Water Council shall define the rules of wastewater direct reuse based on treatment and quality processes and on the purpose of use of treated waters.

Article 78

Administrative permits

The permit, authorisation for discharges by associations or industries that might or shall perform wastewater discharge, shall be issued in compliance with respective bylaws, provided that the permit, authorisation for water use, has already been obtained.

Article 79

Refusing to grant permits and authorisations

Water administration bodies shall have the right to refuse granting permits and authorisations for industrial activities or processes, when their discharges, even if already treated, pose a serious risk for the pollution of water resources, ecological system and environment.

Article 80

Changing the Permit

1. When it is under its authority, the river basin council shall be entitled to decide about the temporary, permanent or changing of the permit and authorisation, if the circumstances, on the basis of which the permit had been granted, shall change, or new conditions shall arise, which, if they had existed at the time when the permit was issued, the permit would have been denied or issued with other terms and conditions.

2. In cases when the National Water Council shall have the authority to temporarily or permanently suspend or change the permit and authorisation, the River Basin Council shall make its relevant proposals by a formal decision, which is then sent to the Water Resource Management Agency to be examined by the National Water Council.

Article 81

Interrupting Wastewater Discharge Activities

Water administration bodies shall have the right to order the immediate interruption of all activities or some of their components, in relation to wastewater discharge, which might cause unauthorised discharges affecting public interest.

Article 82

Payments for administrative costs

Authorised activities for discharges shall be subject to administrative payments in accordance with the criteria and fees defined by the Council of Ministers.

CHAPTER XIV

SERVITUDES

Article 83

Servitudes

Landowners shall refer to the definitions set out in the provisions of the Civil Code, with regard to issues servitude that are related to water flow and provision.

Article 84

Activities at / alongside the banks

Near coastal activities shall be defined in the studies and research for regulatory territorial planning. These documents shall be approved in advance by the National Water Council.

CHAPTER XV MONITORING

Article 85

Monitoring the status of inland marine waters, surface water, groundwater and protected areas

1. The River Basin Council shall carry out the water status monitoring program, in order to establish a coherent and understandable water status review in each basin.
2. For surface water, such programs shall cover:
 - a) The ecological, chemical and microbiological status, the ecological potential and biodiversity
 - b) the volume and level or degree of flow required to achieve the relevant ecological and chemical status, ecological potential;
3. Repealed.
4. Depending on the case, the specifications stipulated in the legislation on protected areas supplement the programs mentioned in points 1, 2 and 3 of this article.
5. The groundwater program covers and addresses chemical and quantitative status monitoring.
6. These programs should come to life not later than six years from the approval of this law.
- 6/1. The Water Resources Management Agency, in cooperation with the ministry responsible for the environment, shall draft the requirements for monitoring programs.
7. The Council of Ministers, on the proposal of the Minister responsible for the environment, shall approve the requests for monitoring programs, in conformity with this article.

Article 86

Data monitoring and management

1. The Council of Ministers, upon the proposal of the Minister responsible for the environment, shall approve the regulation for drafting the systematic monitoring program of the conditions of surface water, groundwater and protected areas.
2. The regulation shall set out the parameters to be monitored, the necessary procedures and technical measures, including, but not limited to, the requirements for sampling and making analysis for each parameter, quality control, laboratory practices, recording and data management.
3. The regulation shall set out the criteria for the publication of annual and perennial periodic bulletins, with public access, with the monitoring results of surface water, groundwater and protected areas.

Article 87

Monitoring of water bodies designated for the production of drinking water

The River Basin Administration Office is the institution responsible for monitoring surface and groundwater bodies, designated for the production of drinking water.

KREU XVI

NATIONAL WATER RESOURCES CADASTRE AND THE NATIONAL REGISTER OF PERMITS, AUTHORIZATIONS AND CONCESSIONS FOR USE OF WATERS

Article 88

National Water Resources Cadastre

1. The Water Resource Management Agency shall be the responsible institution for establishing, managing and updating the National Water Resources Cadastre.
2. The National Water Resources Cadaster shall contain information on:
 - a) surface water classified according to their chemical and ecological status;
 - b) protected areas;
 - c) heavily modified water bodies;
 - d) environmental permits for activities that result in wastewater discharged into bodies of water;
 - e) areas susceptible to eutrophication and nitrate vulnerable zones;
 - f) hygiene and sanitation protection areas;

- g) areas of imminent protection;
- h) areas of special protection;
- i) healthcare risk areas;
- j) bodies of water designated for drinking water production.

3. Upon the proposal of the Prime minister, the Council of Ministers shall adopt the requirements, conditions, procedures and necessary funds for establishing, maintaining, managing and updating the Water Resources National Cadastre.

4. All institutions, entities and other subjects, public or private, dealing with water resources management shall be obliged to assign a representative, who shall keep contact with the Water Resource Management Agency and shall send the data to the Water Resources National Cadastre, in accordance with the relevant forms and procedures set out by decision of the Council of Ministers.

5. The National Water Resources Cadastre and its data shall be stored, maintained, managed and updated through an electronic system and archive.

Article 89

Functions of the National Water Resources Cadastre

1. Information in the National Water Resources Cadastre shall be organized according to water resources integrated electronic data, independently and in relation to each other. Responsible bodies for water resources management shall set up, maintain and manage respectively the database.

2. The National Water Resources Cadastre and its data shall be published in the official website of the Water Resource Management Agency.

3. The data of the National Water Resources Cadastre shall be used by other public, national or local institutions and authorities in compliance with this law and other legal and sublegal acts.

4. Any institution shall enter their data in the National Water Resources Cadastre and shall publish them in their electronic website.

Article 90

National Register of Authorizations, Permits and Concessions for Use of Water

1. The River Basin Administration Office shall hold the register in which records are made of all licences, authorisations, permits and concessions granted in compliance to this law and the sublegal acts in its pursuance.

2. The Water Resource Management Agency shall establish, maintain, manage and update the National Register for all permits, authorisations and concessions granted by the water resources management and administration bodies.

3. Any register shall contain the following:

- a) data on all applications, authorisations, permits and new concessions required in compliance with this law, or data on changing, renewing or waiving the existing ones;
- b) procedures for the application of these authorisations, permits and concessions.

4. The River Basin Administration Offices shall provide the Water Resources Management Agency with the data available in their registers in conformity to the provisions of this law.

CHAPTER XVII

PUBLIC INFORMATION AND CONSULTATION

Article 91

The right to receive and use information on water resources

1. Every natural and legal person has the right to be provided with available information on water resources.

2. The public shall be provided with information on basic documents and data used for drafting basin management plans, and with the opportunity to participate in the consultation and feedback processes on river basin management plans.

CHAPTER XVIII

FINANCIAL PROVISIONS

Article 92

Fees for Use of Waters

1. The Council of Ministers shall adopt the fees for water use by taking into consideration the following factors:

- a) type of water required for use;
- b) purpose of water use;
- c) season when water is used;
- d) quantity of water to be used;
- e) line items for the costs of designing, construction, use, maintenance and amortisation of water structures/facilities and foreseen revenues for the water user generated by use of this water structure/facility.

f) suitability of plants for treatment and disposal of water after its use, in the sense of considering its effect on human health, water and environment quality.

2. The fees for use of transboundary waters shall be defined by a decision of the Council of Ministers

3. The fire fighting forces, be they public or private entities, shall be exempted from the water fees, if water is used in cases of fire suppression.

Article 93

Administrative Costs

1. Anyone requesting to perform activities related to water use or discharge, for the construction of water structures and facilities in accordance with this Law, shall be obliged to pay for administrative costs.

2. Upon the proposal of the Prime Minister, the Council of Ministers shall adopt the fees for administrative costs.

Article 94

Collection of fees and payments for administrative costs

1. The water resources management bodies shall collect the fees for water use and the payments for administrative costs.

2. Revenues generated through administrative costs, fines and water use fees shall be transferred to the State Budget.

Article 95

The bodies responsible for implementation of the Law

1. Water resources administration bodies, local government units, structures of the ministry responsible for healthcare, agriculture, civil emergency structures and bodies, territorial regulation and planning shall be responsible for taking measures and implementing the provisions of this Law under the overall management of the AMBU

2. Inspectorates responsible for the environment, healthcare and agriculture shall be in charge for the implementation of the provisions of this Law, under the overall management of the AMBU (as part of the integrated water resource management cycle).

3. The inspectorate responsible for environmental protection and regional environmental agencies shall be in charge for the implementation of the provisions of this Law, in compliance with the provisions of the law on environmental protection.

4. Users involved in the area of water management, on whom this law applies, shall provide necessary assistance to inspectors responsible for environment, so that they can perform inspections on a given activity such as taking, analysing and collecting all necessary information, carrying out their tasks related to this Law, in conformity with the requirements of law on environmental protection.

5. The inspection to verify that legal requirements are observed shall be carried out pursuant to this law, law on environmental protection and law on inspection in the Republic of Albania, under the overall management of the AMBU (as part of the integrated water resource management cycle).

CHAPTER XIX ADMINISTRATIVE OFFENCES

Article 96

Inspection and identification of administrative offences

1. National inspectorates responsible for territorial, environmental and water control shall exercise control to verify that legal requirements are met in accordance with this law, the law on inspection and legal and sub legal acts for their operation, under the overall management of the AMBU (as part of the integrated water resource management cycle)

2. When identifying a violation of the provisions of this law, the responsible inspectorate shall impose a fine as a main punishment, as well as additional penalties, including the obligation to reverse the consequences on water sources or the obligation to compensate for the relevant damage.

3. The Council of Ministers shall adopt the procedure for damage assessment and reversing the consequences on water resources.

Article 97

Administrative Sanctions

Violations of the provisions of this law, if they are not a criminal offence, shall be administrative contraventions and shall be punished as follows:

1. Discharge on the environment of industrial used waters, contrary to the provision of point 7 of article 30 of this law, is an administrative contravention and shall be punished by a fine from 1 000 000 lek to 5 000 000 lek.

2. Actions that are in contradiction to article 39 of this law, regarding the amount of the minimum ecological flow for each natural water body, are administrative contraventions and shall be punished by a fine from 1 000 000 lek to 2 000 000 lek.

3. Actions in contradiction to letters "a", "b", "c", "d", "e", "f", "h" and "i" of paragraph 1 of Article 41 of this law, are administrative offenses. When for a certain activity the law foresees issuance of a permit by the River Basin Council, the administrative violation shall be punished by a fine from 500 000 lek to 1 000 000 Lek. When the law foresees issuance of a permit by the National Water Council, an administrative offense shall be fined from 1 000 000 lek to 2 000 000 lek.

3/1 Actions in contradiction to letters "a", "b" and "c" of paragraph 2 of article 42 of this law are administrative contraventions and shall be punished by a fine from 1 000 000 lek to 2 000 000 lek.

4. Failure to obtain an authorisation from the water administration and management bodies for activities set out in letters "a", "b" and "c" of paragraph 1, Article 44 of this Law, shall be considered an administrative contravention and shall be punished by a fine from 1 000 000 Lek to 500 000 Lek.

5. Extraction of solid materials such as sand and gravel, which are extracted from the beds of rivers, streams and lakes, with or without water, in contradiction to Article 48 of this Law, shall be considered an administrative violation and shall be punished with a fine from 1 000 000 Lek to 2 000 000 Lek.

6. Drilling and interventions in the area with curative, thermal, thermal-mineral and geothermal natural water resources, as well as pumping directly from sources of curative, thermal, thermal-mineral and geothermal waters, in contradiction to letters “g” and “h” of paragraph 1, Article 48 of this Law, shall be considered an administrative contravention and shall be punished by a fine from 500 000 Lek to 1 000 000 Lek.

7. Use of curative, mineral, thermal/mineral and geothermal natural water resources without the permission of water resources management bodies, and change of the intended use of these resources in contradiction to paragraph 2 of Article 58 of this Law, shall be administrative contraventions and shall be punished by a fine from 500 000 Lek to 1 000 000 Lek

8. Commercial activity by professional well drillers without a licence from the QKB, in contradiction to paragraph 1 of Article 56 of this Law, shall be an administrative contravention and shall be punished by a fine from 100 000 Lek to 500 000 Lek.

9. In the case professional drillers fail to submit on time the drilling report to the water resources administration bodies, after drilling is completed, as set out in paragraph 3 of Article 56 of this Law, shall be an administrative contravention and shall be punished by a fine from 100 000 Lek to 300 000 Lek.

10. Drilling activities for water extraction by natural, legal entities or unlicensed individuals conducting drilling operations without obtaining beforehand a drilling permit from water resources management bodies, as set out in paragraph 6 of Article 56 of this Law, shall be administrative contraventions and shall be punished by a fine from 300 000 Lek to 500 000 Lek.

11. Activities carried out without relevant permits or authorizations in the areas of hygienic-sanitary protection, set out in letters "a", "b" and "c" of point 3 of article 57 of this law, are considered administrative contraventions and shall be punishable by a fine from 500 000 lekë to 1 000 000 lekë.

12. Activities conducted in contradiction to Articles 67, 69, point 3 and 84 of this law, with regard to actions for the protection of banks, activities performed on banks without relevant permits, activities prohibited on banks and beaches, storing of materials and substances and the construction of new facilities in the areas vulnerable to flooding, and the construction of water facilities and structures without the relevant permits, shall be administrative contraventions and shall be punished by a fine from 1 000 000 Lek to 2 000 000 Lek.

13. Actions performed in contradiction to point 4 of article 68 of this law, regarding maximum discharges by water users, which are not done in accordance to the conditions and criteria set out in the basin management plans and other bylaws, shall be administrative contraventions and shall be fined from 1 000 000 ALL to 2 000 000 ALL

14. Actions performed in contradiction to point 1 of article 71 of this law, related to the construction of structures and facilities for the use of water resources, without a relevant permit or authorization, shall be administrative contraventions and shall be punished by a fine from 500 000 ALL to 1 000 000 ALL

15. Failure to inform the water resources administration or management bodies on the completion of a facility or structure within the legal deadline, as referred in paragraph 2, Article 71 of this Law, shall be an administrative contravention and shall be punished by a fine from 100 000 Lek to 300 000 Lek

16. Discharges on water, land, underground or in pits, without the approval issued by the water resource management body, stipulated in point 1 of article 73 of this law, shall be administrative contraventions and shall be punished by a fine of 500,000 to 1,000,000. ALL

17. In addition to fines, depending on the level of pollution or damage, decisions might be taken which might result in the partial or total suspension of the activity, the obligation to reverse the negative consequences on water resources by restoring previous conditions or the obligation to compensate for relevant damages in case rehabilitation shall be carried out by management bodies of water resources, or the appropriation of tools and equipment which become then property of state reserves.

18. The Council of Ministers shall adopt the procedure for regulating the consequences on water resources and the way damage shall be compensated.

Article 98

Classification of administrative measures

Fines, suspension of activity up to 10 days, suspension of activity for two months, or repeal of permit as provided for by this Law, shall be the main punishments, whereas other measures such as the appropriation of tools, equipment and solid materials shall be complementary punishments.

Article 99

Appeal

1. The decision of water resources management and administration bodies can be appealed at the competent court within the deadlines set by the legislation from the date of the notification of the decision.

2. The decision of national inspectors responsible for territorial, environmental and water control may be appealed or specifically appealed in accordance with the legislation in force.

Article 100

Enforcement and administrative violations

The enforcement of administrative measures in application of this law shall comply with the Law on administrative offences.

CHAPTER XX

TRANZITIONAL AND FINAL PROVISIONS

Article 101

Proposal and adoption of sublegal acts

1. The Council of Ministers shall approve of the sublegal acts in pursuance of articles 8; 11, point 2; 16, point 6; 17, point 2; 22, point 2; 25, point 3; 26, point 3; 29; 31, point 1/1; 34, point 3; 36, point 2; 41, point 3; 42, point 5; 44, point 2; 48, point 3; 50, point 1 and 6; 53, point 3; 57, point 2; 59, point 2; 60, point 2; 68, point 6; 70, point 5; 73, point 2; 74, point 2; 76; 78; 82; 85, point 7; 86, point 1; 88, point 3; 92, point 1 and 2; 93, point 2; and 96, point 3, of this law, within six months from the day of becoming effective.

2. The National Water Council shall approve the acts in pursuance of articles 9, point 3, letter “d”; 26, point 4; 27, points 1 and 2; 28, point 4; 35, point 1; 37, point 3; 44, point 1; 46; 58, point 1; 62, point 1; 63; 69, point 2; and 77, point 4, within six months from the day of becoming effective.

3. The Minister responsible for environment, in cooperation with the Minister responsible for agriculture, the Minister in charge of economy and the minister responsible for health, shall issue regulations for the implementation of point 2 of Article 35 of this law.

4. The Minister responsible for environment, in cooperation with the Minister responsible for agriculture, the Minister in charge of economy and the minister responsible for health, shall issue regulations for the implementation of point 2 of Article 58 of this law.

Article 102

When a permit or authorization issued before the entry into force of this law is contrary to the provisions of this law, the former shall be revoked, but without depriving the holder of the right to continue the activity to the end of the term and, upon its expiration, to apply for a new permit or authorization.

Article 103

Repeals

With the entry into force of this law, law no. 8093, dated 21.3.1996 "On water reserves", as amended, as well as any other provision that is inconsistent with the provisions of this law shall be repealed.

Article 104

Entry into force

This law shall enter into force 1 year following its publication in the Official Gazette.

Approved on 15.11.2012

Approved by decree no. 7845, dated 03.12.2012 of the President of the Republic of Albania, Bujar Nishani

TRANZITIONAL AND FINAL PROVISIONS

Article 66

1. Natural and legal entities using groundwater without being provided with a permit or authorization, according to the provisions of law no. 111/2012 "On integrated management of water resources", shall be obliged to declare their activity at the river basin administration office, within 12 months from the date of entry into force of this law.

2. Entities that self-declare their activity within the deadline defined in point 1 of this article shall not be punished for the administrative offense committed.

3. The Council of Ministers shall specify the procedure to be followed and documentation that self-declaring entities should fulfill within six months from entering into force of this law.

4. The functions currently held the relevant structures of the ministry responsible for integrated management of water resources will continue to be performed by this same institution, until when the relevant budget of 2018 is transferred to the Water Resources Management Agency.