
**WE, HUSSEIN THE FIRST, KING OF
THE HASHEMITE KINGDOM OF JORDAN**

In accordance with Article 31 of the Constitution and decisions of both Houses of Parliament, we ratify the following law, and order its promulgation and addition to the laws of the State.

**Law No. 18 of 1988
The Water Authority Law
& Amendments thereof**

Article 1

This Law shall be cited as the "Water Authority Law of 1988" and shall come into effect from the date of its publication in the Official Gazette.*

Article 2

The following words and expressions whenever used in this Law shall have the meanings assigned hereunder unless the context indicates otherwise.

Ministry:	The Ministry of Water and Irrigation.
Minister:	The Minister of Water and Irrigation.
Authority:	The Water Authority established under this Law.
The Board:	Board of Directors of the Water Authority.
Secretary General:	The Secretary General of the Water Authority.
Water Board:	Board of Directors of the Water Department at any area specified by the Board.
Water:	Surface and ground water from all sources including, seas, lakes, rivers, springs, rain

* Official Gazette No. 3540 of 17 March 1988.

water, dams, wells, pools, and reservoirs.
This word also includes mineral water and hot water.

Water Basin: Any geographical zone in the Kingdom that feeds a river or Its tributaries, ground water, and valleys with seasonal or perennial flows. It also includes a zone as defined by a resolution of the Board.

Pollution: Any change that occurs to the natural, chemical or biological characteristics of water that restricts its suitability for the intended use.

Sewage: Refuse liquid, effluent, and wastes resulting from different water uses.

Water Project : Any canal, dam, ditch, channel of running water or dry channel, bank, bridge, culvert, any building for regulating, or storing water, a spring well or any means for extracting lifting, pumping or distributing water, or any subsidiary work of any kind used to obtain water, lift it or transport it for different uses.

*** Wastewater Project:** Structures and works for collecting transporting and disposing of sewage including sewage collection systems,

* As amended by Law No. 62 of 2001 Official Gazette No. 4515 dated 1/11/2001.

transmission lines, inspection manholes, pumping, stations and treatment plants within or outside residential areas.

* Water Treatment: Elimination of harmful and polluting materials from water to make it conform to approved standards for its intended use.

Article 3

Under this Law, an authority known as the Water Authority is hereby established as an autonomous corporate body, with financial and administrative independence. It is authorized to institute legal proceedings, own movables and real estate, acquire water rights by purchase or acquisition, conclude loans, accept grants or contributions, and sign contracts. It may appoint the Attorney General or a lawyer to represent it in litigation as plaintiff or defendant. 1, 8

Article 4

The Authority shall follow the Rules in effect that are binding on Ministries, Governmental Authorities and Official Authorities.

Article 5

The Ministry shall carry the full responsibility for all water and wastewater systems and the related projects and shall set forth a water policy and submit it to the Council of Ministers for approval. ⁹

Article 6 ¹⁰

In order to achieve all the objectives intended by this Law the Authority shall exercise the following responsibilities and tasks:

- a. ^{*} Survey the different water resources, conserve them, determine ways, means and priorities for their implementation and use, except the use for irrigation. ³³
- b. ^{*} Set up plans and programmes to implement approved water policies related to domestic and municipal waters and sanitation, and to develop water resources in the Kingdom and to exploit them for domestic and municipal purposes, ^{37, 73}

^{*} As amended by Law 62 of 2001.

including digging of productive wells, development of springs, treatment and desalination of waters, and execute works to augment the potential of water resources and to improve and protect the quality thereof. For this purpose the term (municipal waters) means waters that are used for domestic, commercial, industrial and touristic purposes and which are supplied through the public net works. 38

- c. Direct and regulate the construction of public and private wells, investigate water resources, and drill exploratory, reconnaissance and production wells, and license well drilling rigs and drillers. 42
- d. Study, design, construct, operate, maintain, and administer water and public wastewater projects including collecting, purifying, treating, disposing of water and wastewater, and the methods of dealing with water. 43, 50
- e. Draw terms, standards and special requirements in relation to the preservation of water and Water basins, protect them from pollution, and ascertain the safety of water and wastewater structures, public and private distribution and disposal networks, and take the necessary action

to ensure technical control and supervision, including, all necessary tests. 57, 63, 67

- f. Carry out theoretical-and applied research and studies regarding water and public wastewater to achieve the Authority's objectives including the preparation of approved water quality standards for different uses and technical specifications concerning materials and construction in order to apply the findings to the Authority's projects in coordination with other concerned departments; and publish the final findings and standards so as to generalize their application by all means available to the Authority. 34, 64
- g. Issue permits to engineers and licensed professionals to perform public water and wastewater works; and participate in organizing, special training courses to qualify them in order to improve the standard of such works and to reduce water losses and pollution. All those involved in water and wastewater works are requested to adjust their practice in accordance with the provisions of this Article and to obtain the specified permit accordingly. 32, 39
- h. Regulate the uses of water, prevent its waste, and conserve its consumption. 58

Article 7

The Authority shall be entitled to carry out any projects or responsibilities assigned thereto by the Council of Ministers, upon the recommendation of the Minister, in addition to the tasks and duties it is entrusted with in accordance with the provisions of this Law. 11

Article 8 2

The Authority shall have a Board of Directors, which shall consist of the following members:

- a- The Minister - Chairman
- b- Secretary General of the Jordan Valley Authority -Vice- Chairman
- c- Secretary General of the Ministry of Planning
- d- Secretary General of the Ministry of Agriculture.

- e- Secretary General of the Ministry of Municipal Rural and Environmental Affairs.
- f- Secretary General of the Ministry of Health.
- g- Secretary General of the Ministry of Industry and Trade.
- h- Director General of the Budget Department.
- i- The Secretary General.
- j- Representative of the Natural Resources Authority appointed by the Minister of Energy and Natural Resources.
- k- A Member with expertise and specialization appointed for two years by the Council of Ministers upon the recommendation of the Minister.

Article 9

- a. The Board shall meet when called by the Chairman. A quorum shall consist of at least seven members, one of whom shall be the Chairman, or the Vice-Chairman in the Chairman's absence. Decisions shall be taken by unanimous vote or by the simple majority of

- the members present. If the votes are equal, the Chairman shall cast the deciding, vote. 3, 12
- b. Whenever necessary, the Minister may call for a joint meeting, under his chairmanship, of the Board of the Authority and the Board of Directors formed in accordance with the law of the Jordan Valley Authority then in effect or any substituted law. The legal quorum of both boards is necessary. This Joint meeting of the Boards shall study all matters presented by the Minister, such as the mutual tasks and duties assigned to both Authorities. The decisions taken shall be by unanimous vote or by simple majority and shall be considered effective under this Law and the Jordan Valley Authority Law then in effect and shall be carried out by both Authorities each within its own competence. 13, 69

Article 10 14

The Board shall undertake the following duties and responsibilities:

- a. Set forth a water policy that reserves the rights of the Kingdom in all its water resources including the development, maintenance, and use of the resources. 22

- b. Approve the water policy of the kingdom and the plans for the development and conservation of water resources, specify water distribution and uses, provide additional water resources and approve plans regarding, the construction of water and public wastewater networks. 44
- c. Study the Authority's draft Regulations and submit them to the Council of Ministers for approval.
- d. Study the Authority's proposed annual budget.
- e. Obtain foreign and local loans with the approval of the Council of Ministers. 25
- f. Recommend to the Council of Ministers tariffs for connections, subscriptions, price rates and deposit fees that should be collected for various water and public wastewater uses. 26
- g. Invest the Authority's funds and revenues with the approval of the Council of Ministers.
- h. Appoint members of Water Councils in the districts.

Article 11

- a. No member of the Board of Directors or any employee of the Authority is permitted to participate for his own benefit in any tender,

construction contract or procurement contract that the Authority may conclude, announce or award for the execution of its projects or works. He is not permitted to work on such projects or benefit financially from them, directly or indirectly, except for his earnings as salaries from the Authority or other remunerations for any mission he may perform in accordance with the provisions of this Law and within the limits specified explicitly in it or in any regulations issued thereunder.

- b. Any member of the Board or any employee of the Authority who does not abide by the provisions of paragraph (a) of this Article shall be subject to legal punishments and procedures and be compelled to pay back all the amounts he received illegally and to compensate the Authority or any other person affected by his violation.

Article 12 4, 15

The Secretary General shall be the executive manager of the, Authority, responsible to the Minister. He shall implement the Authority's policy and plans and administer its affairs, and shall be entrusted with the following tasks and responsibilities:

- a. Implement the Board's resolutions.
- b. Prepare and submit to the Board the proposed annual budget.
- c. Coordinate the performance of the Authority's projects and maintain efficiency, cooperation and harmony between its technical and administrative departments.
- d. Administer the affairs of the Authority's officials and employees.
- e. Supervise the Authority's administrative and financial affairs and control its supplies.

Article 13 ⁵

- a. The Authority shall have its own cadre of officials and employees. conditions of employment, including appointment, termination of services or dismissal, definition of salaries, allowances, compensations, duties, rights and all other administrative matters related to them shall be set in accordance with the regulations issued under this Law and any modifications thereof, until the provisions of the Civil Service Law of 1988, or any substituted law, are applied.
- b. Officials and employees working, for other Governmental or Municipal Departments, Corporations or Agencies shall be transferred in accordance with paragraph (a) of Article 23 of

this Law upon the decisions of the Minister and to the extent sufficient for the needs of the Authority. Upon their transfer, they shall retain all their rights and the obligations imposed on them. Their service with the Governmental or municipal departments, corporations and agencies shall be counted as service with the Authority; but the provisions of the Civil Pension Law shall be applied only to the employees who were previously classified for pension and who choose to continue in the same rank and at the same salary in accordance with the Civil Service Law in effect. All pension deductions from their previous salaries before they were actually transferred to the Authority shall be transferred to the Pension Fund at the Ministry of Finance.

- c. The services of officials and employees who are not to be transferred to the Authority shall be terminated upon resolutions issued by the Minister in accordance with the Personnel Provisions of the Civil Service Law in effect.

Article 14 27

The capital of the Authority shall consist of:

- a. Government contributions.
- b. The movables and real estate transferred from the Government to the Authority.
- c. The funds agreed by the Council of Ministers to be added to the capital of the Authority, according to recognized accounting methods.
- d. Donations and subsidies to the Authority agreed by the Council of Ministers to be added to its Capital.

Article 15 28

The Financial Resources of the Authority shall consist of:

- a. Revenues from water prices, subscriptions, deposits and other fees the Authority may collect for its services.
- b. The income from movables and real estate owned by the Authority and the income of its investment projects.
- c. Loans, donations and subsidies to the Authority agreed by the Council of Ministers.
- d. Any Other sources of income of the Authority.

Article 16

The Authority funds are considered State Funds and shall be collected according to the State Funds Collection Law in effect. Consequently the Secretary General is entitled to exercise the powers of the Administrative Governor and of the Collection of State Funds Committee provided for in the said Law. 29

Article 17

- a. The Authority, upon the resolution of the Board, may deposit its funds in one or more licensed banks in the Kingdom.
- b. The Authority's financial affairs shall be regulated by a special regulation to be issued under this Law; and until then, all financial affairs shall be regulated in accordance with the instructions of the Board.

Article 18

The accounts and records of the Authority shall be organized according to recognized accounting methods and shall be audited by qualified auditors. The Board shall appoint the said auditors and specify their fees. The Council of Ministers may also entrust the Audit Bureau to check the Authority's accounts.

Article 19

The Authority, upon the recommendation of the Minister of Finance and the Governor of the Central Bank and with the approval of the Council of Ministers, shall have the right to issue Debt Bonds or Loan Certificates or any other bonds according to the laws in effect. The terms and rates of interest for such bonds shall be determined by the Council of Ministers.

Article 20

The Authority shall enjoy the same exemptions and facilities enjoyed by other Ministries and governmental departments.

*** Article 21 30**

A. All existing buildings in the kingdom, on the coming into effects of this law, and those erected thereafter, except buildings of worship, are subject to an annual contribution of 3% three percent on the net rent as evaluated in accordance with the tax on buildings and lands Law within the municipality boarders, whether the building is

* As amended by Laws No. 16 of 1998 and No. 62 of 2001.

exempted therefrom or not. This contribution shall be levied together with the tax on buildings and lands, by the Ministry of Finance or any authorized official body or municipality delegated by the Minister of Finance within the municipality areas, and shall be transferred to the Water Authority as part of its financial revenues.

- B. The annual contributions that were in the process of collection, or were levied by any of the municipality or official bodies in the Kingdom after the lapse of twenty years of their accrual until the date of the coming into effect of this Law, shall be considered as deposits in the accounts of the tax payers, and shall be deducted from the amount of the taxes that accrue for the Water Authority at the Ministry of Finance or the Greater Amman Municipality or at any other municipality.
- C. Notwithstanding what is stated in any other legislation, no governmental department, official or private corporation, or any natural or corporate body is exempted from the Authority's fees or charges for supplying, water or rendering services or from the costs of construction or pipelaying or from the contribution to the costs of any project or from the prices and fees charged for services rendered by the Authority, according to the provisions of this Law.

Article 22 31

The Authority shall:

- a. Allocate an amount not less than 10 percent of its net profit per annum as a Compulsory reserve, provided that the total of this reserve shall not exceed 20 percent of the Authority's Capital at the end of the fiscal year.
- b. Allocate the balance of the net profit to finance the Authority's projects and transfer the excess to the Government Treasury, if the Council of Ministers so decides.

Article 23

- A) With regard to the contents of paragraph (b) of this Article, all duties, responsibilities and obligations related to water and public sewerage , which were previously the responsibility of any governmental department, corporation or any public commission or municipality, shall be transferred to the Authority. To fulfill these duties and obligations, the Authority shall be responsible for the following: 16
1. Establish specialized departments responsible for implementing, the Authority's duties, responsibilities and obligations. 6

2. Establish Water Departments in all parts of the Kingdom. Each Department shall have a Water Council composed of representatives from the governmental and private sectors concerned with water and public sewerage . This is to allow citizens and local authorities to participate in deciding priorities regarding water and wastewater projects and plan for their implementation. 7, 24
3. Purchase, acquire or lease properties, land and the related easement rights and the water rights required for the various projects of the Authority, and provide a prohibited area as deemed necessary for its water and wastewater networks and the related buildings and construction.
4. Manufacture and produce commodities needed for the Authority's water and wastewater works, and provide all the equipment necessary for water and public wastewater projects. 45
5. Take the necessary action to ensure technical control and supervision regarding the construction, operation and maintenance of all water projects and public or private sewers. 46, 51
6. **a.** Obtain and continue to obtain data and information regarding the needs of the Kingdom and the actual consumption of water for different uses, and utilize such data for future planning, to provide for the Kingdom's needs for water and to conserve its consumption. 35

- b.** Keep records, including detailed technical and financial information regarding the construction, maintenance and operation costs for all the Authority`s projects. **36**
- B) All agencies described in paragraph (a) of this Article shall continue to fulfill the duties, responsibilities and obligations regarding water and public wastewater to which they were entitled under the existing, laws and regulations until the Council of Ministers decides to transfer such duties and responsibilities to the Authority, in accordance with the methods and stages deemed suitable to be practiced under this Law, including, the transfer to the Authority of all funds, movables and real estate, equipment, apparatus and instruments, managerial units and sections and any other assets related to such agencies. The actual and legal existence of such agencies shall terminate upon the transfer of their functions to the Authority. **17**
- C) The Authority is considered to be the actual and legal successor of the agencies, corporations, commissions and municipalities described in paragraph (a) of this Article after the completion of all procedures regarding the transfer of all their duties and responsibilities to the Authority. Upon such transfer, the Authority shall be responsible for all the rights and obligations

possessed by them and shall perform and execute contracts and agreements previously concluded by such agencies and fulfill their obligations as if they were concluded with the Authority. 18

Article 24

The Governmental land included within a strip of 1000 meters in width on each side of the center line of the water mains and the main irrigation canals is designated for the development of the governmental irrigation projects, socially and economically. This prohibited land shall not be disposed of or dispossessed or used in any way except with the approval of the Council of Ministers upon the recommendation of the Minister. 52

*** Article 24 (dual):-**

A)

1. The Water Authority has the right to install private or public pipelines, or maintain them, through public roads. In case this is not possible for technical reasons, according to its sole evaluations, the Authority has the

* As added by Law No. 62 of 2001.

- right to install these pipes within private lands and real estates. ⁴⁷
2. The Water Authority shall take precautions to avoid causing loss during installation of the sewerage pipelines within private lands and real estates in accordance with rules set by instructions issued by the Minister for this purpose, The Water Authority or its agents shall restore in all cases the conditions as they were before implementing the installations.
 3. The water Authority shall assess the amounts of compensation to be paid to the owner if he suffered any loss.
- B) The Water Authority has the right to enter private lands and real estates to carry out its above mentioned works stated in clause (1) of paragraph (A) of this Article. The Authority has the right to receive assistance for this purpose from the governors or the police whenever needed.

Article 25

- a. All water resources available within the boundaries of the Kingdom, whether they are surface or ground waters, regional waters, rivers or internal seas are considered State owned property and shall not be used or transferred except in compliance with this Law. ^{23, 70, 71}

- b. Any water resources that are not under the management, responsibility or supervision of the Authority, shall not be used in excess of personal or domestic needs or other acceptable private usage; nor in excess of legal water rights in accordance with the laws and regulations in effect including drinking, and irrigation rights applicable to the area of land which contains that resource. 59, 72, 74
- c. All natural and juridical bodies are prohibited to sell water from any source, or grant or transport it, without obtaining in advance the written approval of the Authority and within the conditions and restrictions decided or included in the contracts or agreements concluded between them and the Authority. All persons on whom the provisions of paragraphs (b) and (c) of this Article are applicable, shall adjust their conditions to suit these provisions within a period of three months of the date this Law becomes effective. Otherwise, such persons will be subject to the legal and other punishments stated in these Articles. 55

Article 26

If any dispute occurs between the Authority and landlords concerning the amount of compensation to

be paid against the acquisition of properties, land and related rights, or the rights of water projects and public sewerage , then either party may appeal to the Court to specify the amount in accordance with the provisions of the Acquisition Law in effect. They may also agree to refer the case to arbitration in accordance with the Arbitration Law in effect. ⁴¹

Article 27

No official or local person or party is permitted to carry out any works related to water and wastewater of any nature, if these works are considered to be within the sole responsibility of the Authority under this Law and the regulations issued in accordance with it, except after obtaining the Minister's written approval. ⁴⁸

*** Article 28**

A) The Council of Ministers, upon the recommendation of the Minister, may assign any of the Authority` duties or projects or the execution of any stage or part thereof to any other body from the public or private sector, or to a public shareholders company, or to a limited-liability company owned totally by the Authority or in which the Authority

* As amended by Law No. 62 of 2001.

contributed to the capital. Such assignment may include the transfer of the management of these projects or the lease thereof, or the transfer of ownership to any of these bodies, in accordance with the conditions and for the durations to be set in the

contracts that shall be concluded for this purpose, provided that they abide with the legal provisions in force relating to leases and transfer of ownership. 40

B) In the case of conclusion of contracts to transfer the management of the projects or the lease thereof, the decisions of the Council of Ministers may include the authorization to the officials of the bodies contracted therewith, to exercise the same powers bestowed on the authority's officials in pursuance of legislations in force relevant to the execution of these contracts.

Article 29

The Authority shall submit to the Council of Ministers a report on its activities, general budget, and the balance account covering the preceding year. 68

Article 30 56

- A) Any one shall be sentenced to no less than six months, and no more than two years imprisonment or to a fine no less than JD 1000 and no more than JD 5000, or both punishments if he has committed any of the following acts:
1. Established any buildings or construction of any kind on State owned land within the prohibited land strip defined in Article 24 of this Law.
 2. Caused damage to any of the Authority` projects, or ruined or destroyed any water resources or the Authority`s public sewers or acted in any way which may cause the damage or destruction of construction, equipment, vehicles or materials related to the Authority or any of its projects or public sewers. **53**
 3. Polluted any water resource, which is under the management or supervision of the Authority directly or indirectly, or caused its pollution and failed to remove the causes thereof within the period fixed by the Authority. **65**

4. Drilled unlicensed ground water wells or violated the conditions of the license issued to him. 49, 60

B). Any one shall be sentenced to no less than one month, and no more than six months, imprisonment or shall be fined not less than JD 100 and not more than JD 1000, if he has committed any of the following acts:

- 1 .Any encroachment on State owned land within the prohibited areas defined in Article 24 of this Law without obtaining in advance the written permission of the Authority, even if such act did not cause any harm to the Authority or any damage to its water resources and public wastewater systems.
2. Carrying, out works or duties which are considered the sole responsibility of the Authority under this Law, without obtaining, in advance the written approval of the Authority.
3. * The illegal usage of water, water resources, related projects or the public sewers, contravening the provisions of this Law, or regulations issued thereunder,

* As amended by Law No. 62 of 2001.

including the selling granting or transporting water, using or utilizing it or committing any act that may cause harm or damage to any of these resources or water related projects, or using the public sewers in a manner that conflicts with the provisions of this Law. 54, 61, 66

4. Carrying, out any works regarding water or wastewater without obtaining the licenses, permits or approvals required under this Law. Or carrying out any of these works in violation of the regulations issued thereunder. 62
- C) Initiation of acts to commit any of the crimes under this Law shall be subject to punishment.
- D) If any person is found guilty of committing any of the deeds defined in paragraphs (a) and (b) of this Article, the Court shall convict him and make him pay the total of the damages caused by his violation and compel him to eliminate the damage caused and restore the conditions as they existed before the commission of such acts within the period specified by the Court. If he fails to do so, the Authority shall have the right to carry out the necessary works and repairs and

charge the convicted person with the total cost plus 50 percent.

* E) **1-**The Authority`s officials nominated by the Minister or the Secretary General, as the case may be, shall have the authority of judicial police in relation to the restraint of any of the crimes that are committed in violation of the provisions of this Law. The Secretary General may issue a

decision to remove by administrative means the violations and contraventions that are inflicted on the property, water and projects that fall within the Water Authority`s jurisdiction, and may, if the need arises, seek the assistance of members of the security forces for this purpose. He shall also have the right, through the competent court which considers the cases that contravene this Law as expedite cases, to go back on the contravener to reimburse the Authority for the expenses incurred to repair the damage and to restore the situation to its previous condition. **19**

2- The officials of the Ministry and the Water Authority that are nominated by the Minister or the Secretary General, as the case may be, shall have the right to follow up the criminal cases before the competent courts, to obtain

* As amended by Law No. 62 of 2001.

authenticated copies of the courts decisions relating thereto, and to follow up their implementation.

*** Article 31**

Without violation of the provisions of Article (23) of this Law, any other legislation is hereby repealed to the extent it contradicts with the provisions of this Law, including Municipalities Wastewater law No. (12) of (1977), and the Sewage and Water Authority law of Amman Municipality no. (48) of (1977), and the amendments thereof.

Article 32

The Council of Ministers is hereby authorized to issue the necessary Regulations for the execution of the

* As amended by Law No. 62 of 2001 Official Gazette No. 4515 dated 1/11/2001.