

Law No. 18 of 1988  
Water Authority Law

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.

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Authority: The Water Authority established under this Law.

The Board: Board of Directors of the Water Authority.

set forth a water policy and submit it to the Cabinet of Ministers for approval.

#### Article 6

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.

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 waters, 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.

c. Draw plans, specifications and special requirements in relation to the preservation of water basins, protect them from pollution, and maintain the safety of water and sewerage structures, public and private distribution and disposal works, and take the necessary action to ensure technical control and supervision, including all necessary tests.

f. Carry out theoretical and applied research studies regarding water and public sewerage to achieve the Authority's objectives including the implementation of approved water quality standards

Sewerage Project: Construction of works for collecting, transporting and disposing of sewage including sewerage collection systems, water transmission pipes, 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 to be established as an autonomous corporate body, with financial and administrative independence is authorized to institute legal proceedings, own movable and real estate, acquire water rights by purchase or acquisition, conclude loans, accept grants or contributions, sign contracts. It may appoint Attorneys General

## Article 7

The Authority shall be entitled to carry out any projects or responsibilities determined by the Cabinet 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.

## Article 8

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. General Manager of the Budget Department
- i. The Secretary General
- j. Representative of the Natural Resources Authority appointed by the Minister of Energy and Mineral Resources.
- k. A Member with expertise and specialization appointed for two years by the Cabinet 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.

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 in accordance with their specialization.

## Article 10

The Board shall undertake the following duties and re

sponsibilities:

- 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.
  
- 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 sewerage networks.
  
- c. Study the Authority's draft bylaws and regulations and submit them to the Cabinet of Ministers for approval.
  
- d. Study the Authority's proposed annual budget.
  
- e. Obtain foreign and local loans with the approval of the Cabinet of Ministers.
  
- f. Recommend to the Cabinet of Ministers tariffs for connections, subscriptions, price rates and deposit fees that should be collected for various water and public sewerage uses.
  
- g. Invest the Authority's funds and revenues with the approval of the Cabinet of Ministers.
  
- h. Appoint members of Water Councils in the dis-

## 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 accordingly.

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 penalties 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

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

- 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



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

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 Cabinet 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 Cabinet of Ministers to be added to its Capital.

#### Article 15

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 Cabinet of Ministers.
- d. Any other sources of income of the Authority.

#### Article 16

The Authority funds are considered Amerie Funds and shall be collected according to the Amerie Funds Collecting Act in effect. Consequently the Secretary General is entitled to act as an Administrative Governor and as the Amerie Funds Collecting Committee stipulated

### 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 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 Cabinet 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 Cabinet 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 Cabinet of Ministers.

#### Article 20

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

#### Article 21

Notwithstanding what is stated in any other legislation, no governmental department, official or private corporation, or any natural or judicial 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

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 Cabinet of Ministers so decides.

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 fulfil these duties and obligations, the Authority shall be responsible for the following:

1. Establish specialized departments responsible for implementing the Authority's duties, responsibilities and obligations.

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 sewerage projects and plan for their implementation.

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 sewerage networks and the related buildings and construction.

4. Manufacture and produce commodities needed for the Authority's water and sewerage works, and provide all the equipment necessary for water and public sewerage projects.

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.

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,

b. Keep records, including detailed technical and financial information regarding the construction, maintenance and operation costs for all the Authority's projects.

b. All agencies described in paragraph (a) of this Article shall continue to fulfil the duties, responsibilities and obligations regarding water and public sewerage to which they were entitled under the existing laws and regulations until the Cabinet of Ministers decides to transfer such duties and responsibilities to the Authority, in accordance with the methods and stages deemed suitable to be practised under this Law, including the transfer to the Authority of all funds, movables and real estate, equipment, apparatus

and legal existence of such agencies shall terminate upon the transfer of their function to the Authority

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 fulfil their obligations as if they were concluded with the Authority

#### Article 24

The governmental land included within a strip 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 Cabinet of Ministers upon the recommendation of the Minister.

#### Article 25

a. All water resources available within the boundaries of the Kingdom, whether they are surface

are considered State owned property and shall not be used or transported except in compliance with this Law.

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.

c. All natural and judicial 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.

d. 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 comes into effect. Otherwise, such persons will be subject to the legal and other penalties stated in these Articles.

## Article 26

If any dispute occurs between the Authority and



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.

#### Article 27

No official or local person or party is permitted to carry out any works related to water and sewerage 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.

#### Article 28

The Cabinet of Ministers, upon the recommendation of the Minister, may assign part of the Authority's duties, projects or the execution of any stage or stages of such projects to any other governmental, local or municipal party.

#### Article 29

The Authority shall submit to the Cabinet of Ministers an annual report which shall include its works, general budget, accounts and the final balance sheet for the previous year.

## Article 30

a. Any one may be sentenced to not less than six months, and not more than two years, imprisonment or may be fined not less than JD 1000 and not more than JD 5000, or both penalties if he has committed any of the following deeds:

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.

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 within the period fixed by the Authority.

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

he sentenced to not less than one

month, and not more than

or may be fined not less than JD 100 and not more than JD 1000, if he has committed any of the following deeds:-

1. Any encroachment on State owned land within the prohibited areas defined in Article 7 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 sewerage 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 resource related projects or the public sewers, neglecting the provisions of this Law, 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, water related projects, or using the public sewers in a manner that conflicts with the provisions of this Law.
4. carrying out any works regarding water sewerage without obtaining the licenses, permits or approvals required under this Law.

c. Those who commit or start to commit any of the deeds prohibited 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 commitment of such deeds 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.

### Article 31

With regard to the provisions of Article 23 of this Law, all other legislation shall be repealed to the extent it conflicts with the provisions of this Law.

### Article 32

The Cabinet of Ministers shall issue the necessary regulations to execute the provisions of this Law concerning employment, financial affairs, supplies and other works related to the Authority, and duties, fees and deposits which the Authority collects against the services it renders under this Law.

Article 33

The Prime Minister and the Ministers are responsible for the implementation of the provisions of this Law.