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# LAW OF THE REPUBLIC OF MOLDOVA

of December 13, 2013 No. 303

## **About public service of water supply and the sewerage**

(as amended on 02-02-2023)

The parliament adopts this organic law.

### Chapter I General provisions

#### **Article 1. Law purpose**

The purpose of this law is establishment of the legal base for creation, the organizations, managements, regulation and monitoring of functioning of public service of supply with drinking water, technological water, the sewerage and purification of waste household and industrial waters (further - public service of water supply and the sewerage) in the conditions of availability, availability on hand, reliability, continuity, competition and transparency, with observance of regulations of quality, safety and environmental protection.

#### **Article 2. Subject and scope of application**

(This law regulates 1):

- a) activities for provision/delivery of public service of water supply and sewerage;
- b) operation, servicing, expansion and functioning of public water supply systems and sewerage;
- c) determination and approval of regulated rates for public service of water supply, sewerage and/or sewage treatment;
- d) safety and reliability of water supply of consumers;
- e) consumer protection of public service of water supply and sewerage;
- f) the guaranteed non-discriminatory access of all physical persons and legal entities to public service of water supply and the sewerage on contractual conditions and according to legal and other regulations in the field.

(2) This law establishes powers of the central and local authorities of the public power in the field of public service of water supply and the sewerage, regulating authority, the right and obligation of the consumers and operators who are providing/delivering public service of water supply and the sewerage in settlements, other provisions concerning functioning of public service of water supply and the sewerage.

(3) Provisions of this law are applied to the public service of water supply and the sewerage organized at the level of the area, municipium, the city, the village/commune.

(4) Provisions of this law are directed to the most complete satisfaction of requests of consumers, protection of their interests, strengthening of economic and social unity at the level of local communities, and also to sustainable development of administrative and territorial units.

### **Article 3. Public service of water supply and sewerage**

(1) the Public service of water supply and the sewerage includes set of the types of activity representing public advantage and general economic and social interest, performed for the purpose of fence, processing, transportation, accumulating and distribution of drinking or technological water for all consumers of one or several settlements and respectively for the purpose of acceptance, transportation, cleaning and dumping of sewage.

(2) the Public service of water supply and the sewerage is created, will be organized and is operated by bodies of local public authority for the purpose of satisfaction of needs of local communities. Under the organization, functioning and development of public service of water supply and the sewerage general interest of settlements and citizens is priority.

(3) the Public service of water supply and the sewerage is provided/is delivered by creation and operation of the specific technical infrastructure called by public water supply system and sewerages.

(4) In rural settlements only the public service of water supply can be organized if necessary.

### **Article 4. Basic concepts**

For the purpose of this law the following basic concepts are used in value:

supply - the constructive system providing water transportation in perfect security from its fence to the reservoir;

technological water - the water necessary for ensuring engineering procedure (sink, dilution, chilling, etc.);

household sewage - the sewer waters coming from use of water in farms, public organizations and services, which are result of human metabolism, and also implementation of household and sanitary and hygienic types of activity, dumped in sewer system;

industrial sewage - all sewage from the rooms used for the commercial or industrial purposes, other than household sewage or rain waters;

the notification on connection/accession - the written notice issued by the operator to the applicant in whom optimum technical and economic conditions, including connection/accession point, and also works which the applicant shall perform without fail for connection/accession of the internal installation of water supply and/or the sewerage to public water supply system and/or the sewerage are specified;

coordination of the main costs and rates - the activities for the analysis and check of correctness of calculation by operators of the main costs and rates performed by National regulation agency in power with observance of procedures for establishment, regulation, change of rates and with issue of the conclusions about the size of rates for approval by their local councils;

water input - the water supply system providing communication of public water distribution network and internal installation of water supply. Water input serves one consumer. In reasonable cases and when specifications do not allow to realize other decision, connection of several users to one input is allowed. Expenses on execution of water input are paid by the consumer. Execution of input is provided with either the operator, or the consumer;

connection/accession - accomplishment of public networks of water supply by the operator and sewerages of permanent connection of internal installations of water supply and/or the consumer's sewerage to public networks of water supply and/or the sewerage;

viewing well - the underground construction executed for protection and access to cranes of regulation of consumption of water, devastation, aeration, etc.;

illegal connection - unauthorized connection of internal installations of water supply by physical persons or legal entities and/or sewerages to public water supply system and/or the sewerage;

the consumer - the physical person or legal entity using directly or indirectly, individually or collectively public services of water supply and the sewerage according to the law;

the residential customer - the physical person using the public service of water supply and the sewerage which is provided/delivered by the operator on contractual basis for the domestic needs which are not connected with business or professional activity;

illegal consumption - water consumption or dumping of sewage by unauthorized connection of internal installations of water supply and/or the sewerage to water supply system and/or sewerages of the operator bypassing the counter or with intervention in functioning of the counter, abuse of regulations of use of public service of water supply and the sewerage, and also in the absence of the contract for provision/delivery of public service of water supply and the sewerage;

the counter (hydrometer) - gage of amount of consumption of the drinking/technological water delivered to the consumer or amount of the fulfilled waters dumped in public system of the sewerage;

the agreement on delegation of management - the agreement signed in writing by means of which territorial administrative units delegate for certain period to the operators/operators acting under the responsibility, the right and obligation to provide/deliver public service of water supply and the sewerage in full, or, on circumstances, to perform certain types of activity, specific to service, including the right and obligation to manage and operate the technical infrastructure connected with the provided/delivered service or the performed activities, in exchange on compensation. The agreement on delegation of management is the administrative agreement and falls under operation of the Administrative code of the Republic of Moldova;

delegation of management of public service of water supply and the sewerage - action by means of which the territorial administrative unit awards to one or several operators according to this law the right to provide/deliver service of water supply and the sewerage or one of its components for which the operator bears responsibility. Delegation of management of service includes the actual implementation of service, concession of the public system connected with the delegated service and also the right and obligation of the operator to manage and operate the corresponding system;

internal installations of water supply - set of the installations of water supply which are in property or in management of the consumer, located behind differentiating Item by means of which water use by the consumer is provided;

internal sewer installations - set of the installations which are in property or in management of the consumer including sewer release which provide acceptance and transportation of sewage from internal installations of water supply to connecting well of public system of the sewerage;

the operator - the legal entity who is capable to provide/deliver public service of water supply and / or the sewerage and to provide direct management and operation of public water supply system and the sewerage according to provisions of this law;

the regional operator - the operator organized in the form of commercial society which authorized capital completely belongs one or several administrative-territorial to units which provides provision/delivery of public service of water supply and the sewerage within competence of several administrative and territorial units, including management and operation of public water supply systems and the sewerage;

preliminary cleaning - cleaning of any amount of sewage, except household sewage if they have no the qualities meeting the operating local standards before dumping of these waters into public sewer network;

differentiating Item - the place in which internal installations of water supply and/or the sewerage of the consumer are connected to public water supply system and/or the sewerage, or the place in which the property of two operators is differentiated depending on the property right. The differentiating Item is established in the agreement on provision/delivery of public service of water supply and the sewerage. In individual apartment houses the differentiating Item is established at exit from the counter which is located in the connecting well which is in limits of the territory of the consumer. The connecting well is component of internal installation of water supply and belongs to the consumer. In apartment apartment houses the differentiating Item is established at exit from the counter which is located in the cellar of the apartment apartment house, according to the conclusion about branch issued by the operator. For sewer networks differentiating Item is the connecting well of connection to public network in the direction of drain of sewage;

sewer release - the collector channel providing connection between internal sewer installation of the consumer and the public collecting pipe;

compensation - the payment for transfer of the property use right of the public or private sphere of administrative and territorial unit connected with public service of water supply and the sewerage, provided by the agreement on delegation of management;

sewer network - the construction consisting of collector channels, adjacent constructions, etc., providing acceptance and transportation of sewer water to treatment facilities;

public sewer network - the part of public sewer system consisting of collecting pipes and pipelines, wells and the enclosed designs, providing acceptance, branch and transportation of sewage from two or more consumers. The water inputs, sewer releases, networks of water supply and sewer networks located behind differentiating Item, internal networks of water supply and the sewerage of the apartment apartment house even if that is property of several physical persons or legal entities, the networks adjacent to the room which is private property, or belonging to public organization in the territory of which there are several real estate objects irrespective of appointment of those, the networks relating to industrial platform even if it is operated by several legal entities are not public networks;

public water distribution networks - the part of public water supply system consisting of pipeline network, armature and the enclosed designs between water intake and distribution network, providing water distribution to two or more consumers;

public water water networks - the part of public water supply system consisting of network of bulk distribution lines, armature and the enclosed designs, providing water transportation;

additional service - the support service which is provided/delivered by the operator to consumers for providing their right to public service of water supply, the sewerage and sewage treatment;

public service of water supply - set of the types of activity necessary for intake of unboiled water from superficial or underground sources, processings of this water, transportation of drinking and/or technological water, accumulating of water and distribution of drinking and/or technological water;