

## Water Governance Benchmarking Criteria

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### **A. GOVERNANCE FUNCTIONS**

- 1. Organizing and building capacity in the water sector**
  - 1.1 Creating and modifying an organizational structure
  - 1.2 Assigning roles and responsibilities [1, 2, 3, 4](#)
  - 1.3 Setting national water policy [5](#)
  - 1.4 Establishing linkages among sub-sectors, levels, and national sub-regions
  - 1.5 Establishing linkages with neighboring riparian countries
  - 1.6 Building public and political awareness of water sector issues
  - 1.7 Securing and allocating funding for the sector
  - 1.8 Developing and utilizing well-trained water sector professionals
- 2. Planning strategically**
  - 2.1 Collecting, managing, storing and utilizing water-relevant data
  - 2.2 Projecting future supply and demand for water
  - 2.3 Designing strategies for matching expected long-term water supply an demand and dealing with shortfalls (including drought mitigation strategies)
  - 2.4 Developing planning and management tools to support decision making
- 3. Allocating water**
  - 3.1 Awarding and recording water rights and corollary responsibilities
  - 3.2 Establishing water and water rights transfer mechanisms
  - 3.3 Adjudicating disputes
  - 3.4 Assessing and managing third party impacts of water and water rights transactions
- 4. Developing and managing water resources**
  - 4.1 Constructing public infrastructure and authorizing private infrastructure development
  - 4.2 Forecasting seasonal supply and demand and matching the two
  - 4.3 Operating and maintaining public infrastructure according to established plans and strategic priorities
  - 4.4 Applying incentives and sanctions to achieve long and short term supply/demand matching (including water pricing) [6](#)
  - 4.5 Forecasting and managing floods and flood impacts
- 5. Regulating water resources and services**
  - 5.1 Issuing and monitoring operating concessions to water service providers [7](#)
  - 5.2 Enforcing withdrawal limits associated with water rights
  - 5.3 Regulating water quality in waterways, water bodies, and aquifers (including enforcement) [8](#)
  - 5.4 Protecting aquatic ecosystems
  - 5.5 Monitoring and enforcing water service standards [9, 10, 11, 12](#)

## **B. GOVERNANCE PROCESS CHARACTERISTICS**

- 1. Transparency.**
- 2. Participation.**
- 3. Accountability and Integrity.**
- 4. Rule of law.**
- 5. Coherency and Integration.**
- 6. Responsiveness.**

## **C. CROSS CUTTING CATEGORIES**

### **1. Water Sources**

- 1.1 Surface water
- 1.2 Groundwater
- 1.3 Derivative water (reclaimed, reused, desalinated) 13, 14

### **2. Water Uses**

- 2.1 Irrigation
- 2.2 Municipal
- 2.3 Industrial
- 2.4 Environmental
- 2.5 Hydropower
- 2.6 Fisheries, navigation, recreation
- 2.7 Other uses (including social, esthetic, and religious uses)

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**- Unofficial translation of the articles relevant for the water sector -**

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**Article 3:**

Chapter One

The Ministry's Functions

And Responsibilities

The Ministry shall be responsible for all health affairs in the Kingdom, and its function shall, in particular, include the following:

- A- Maintain the public health by providing protective, therapeutic, and supervisory health services.
- B- Organize the health services provided by both public and private sectors, and supervise them.
- C- Provide health insurance to the nationals, within the limits of the capabilities available to it.
- D- Set up educational and training health establishments and institutes affiliated to the Ministry and supervise their management, with due regard to the provisions of the relevant legislations in force.

**Article 38:**

Chapter Eight

Potable Water

The following terms, wherever they occur in this chapter shall have the meanings assigned thereto below, unless the contract otherwise indicates:

Potable water: The water conforming to the technical rule or to the approved standard specifications concerning potable water, bottled water, are mineral water.

Water resource: All public and private underground or surface water resources.

Water network: All facilities, installation, and equipment used for the treatment and transmission of water, including the treatment station, distribution tanks, and reinforcement stations.

**Article 39:**

The Ministry shall in coordination with the relevant authorities, and in conformity with its own legislations, control the potable water, regardless of its source, in order to ensure its fitness from the health aspect, and take the necessary procedures to prevent the use of any undrinkable water. This would include the taking of samples there from and their testing at its laboratories or any other laboratories approved by it. **1**

**Article 40:**

No potable water may be imported and brought into the Kingdom, unless it has been examined and permitted by the Ministry. The rates to be charged in such case shall be determined in accordance with the instructions issued by the minister for this purpose. 6, 9

**Article 41:** 2, 10

The Ministry shall be entitled to control the following:

- A- Potable water resources and their networks, in order to ensure that they were not exposed to pollution.
- B- The method to be used in the treatment, transmission, distribution, and storage of potable water, in order to ensure the availability of health conditions in such processes, including the quality of materials used in the potable water processes, its transmission, distribution, and packing, as well as the prevention of using any material that may harm the consumer's health.

**Article 42:**

Any person who is responsible for a water resource, network, station, or potable water bottling factory must inform the ministry or the water Authority, or both of them, as the case may be, of the occurrence of any pollution to the water placed under his supervision. 11

**Article 52:** 13

Chapter Eleven:

Sewage Water

The following terms, wherever they occur in this chapter, shall have the meanings assigned thereto below, unless the context otherwise indicates:

Sewage water: The used water arising from household and municipal activities, which conform to the conditions set out in the technical rule, on the relevant standard specifications.

Sewage water network: All installations, facilities, and equipment through which the Sewage water flows inside the buildings.

Water treatment station: All the activities and equipment used in sewage water treatment, as well as the land on which the said facilities and equipment are erected, within the limits specified thereto.

**Article 53:** 3, 8, 12, 14

- A- The ministry shall, in coordination with the relevant authorities and in conformity with its own legislations, control the Sewage water, the Sewage networks, the internal installation, and the treatment stations, in order to ensure the availability of health conditions therein and guarantee that no harm would be caused thereby to the public health.
- B- If it becomes evident to the ministry that the Sewage water, the networks, the installations, or the treatment station constitute or may constitute a threat to public health, then it must take all the necessary measures to prevent the occurrence of the anticipated detriment to health.

**Article 54: 5**

Chapter Twelve:

Professions, Industries, and small businesses

- A- The provisions of this chapter shall apply to the professions and industries, and their practitioners, as well as any other works having relation with public health, including :
  - 1- The small businesses and persons who practice any small professions, such as groceries, bakeries, restaurants, and the like.
  - 2- Major Businesses, which include factories, industries, and the public places which are frequented by people, and the like.
  
- B- It shall be prohibited to practice any of the jobs provided for in paragraph (A) of this article, unless the approval of the Minister of Health or his designee has been obtained, and after ensuring the availability of the hygienic conditions prescribed under this law, or any regulations issued in accordance therewith, or provided that any of such jobs will obtain a license from the competent and relevant authority, in conformity with the applicable legislations. **7**
  
- C- The Minister may, at the recommendation of the physician, cancel the approval granted according to the provisions of this Article, if it becomes evident that any of the conditions specified for its granting no longer exist. He may also renew the approval, when the reasons which led to its cancellation disappear **4**