

The Law of Azerbaijan Republic on Water Supply and Sewage

CHAPTER I GENERAL PROVISIONS

Article 1. The basic concepts

Concepts used in the present Law have the following meaning:

system of water supply – a construction or group of constructions, which take away water from a source, purify it and deliver to a consumer, including a network of main (common) and distributive (internal) water pipes (lines);

sewerage system - a network, transporting sewage formed in settlements or because of activity of industrial enterprises, in the point of treatment of wastes;

enterprises of water supply and sewerage (enterprises of water supply, enterprises of sewerage) - the legal entity, irrespective of ownership form and organizational - legal form, providing within the limits of determined territory (zone) water supply and disposal of sewage;

consumer - legal and physical person using service of the enterprise of water supply and sewerage;

objects of water supply and sewage disposal (object of water supply, object of sewage disposal, object) - any enterprise, establishment, organization, residential building, land plot, construction, building, network of internal (distributive) plumbing and sanitary which are connected or should be connected to systems of common (main) water supply and sewerage;

household (economic) potable water - water used by the population, living in settlement, and by workers of industrial enterprises in the household (economic) purposes and for drink;

water of industrial purpose - water used in industrial, production, technological and other technical purposes;

sewage - waters polluted by consumers at use of water, polluted in connection with industrial technology, and liquid substances mixed in settlement with physiological wastes (excretions) of people, conditionally pure waters that have been discharged in the environment and in sewerage system during occurred accidents;

agent of water enterprise (sewerage) - the official which powers are envisaged by the Articles 49 and 50 of the present Law;

local bodies - corresponding executive authorities and municipalities, which powers in the area of water supply are established by the Water code of the Azerbaijan Republic, other acts and the present law;

owners of object of water supply and water drain (object) - owners, tenants of objects of water supply and sewerage or objects (enterprises, constructions, buildings, houses, apartments), using service of water supply and sewerage.

Article 2. Purpose of the Law

Purpose of the present Law consists in regulation of relations in the area of maintenance of the population, enterprises, establishments and organizations by qualitative water meeting the requirements of state standards in necessary quantity, discharge sewage.

Article 3. The legislation on water supply and discharge sewage

1. The legislation on water supply and discharge of sewage consists of the present law, the Water code of the Azerbaijan Republic and other normative-legal acts.
2. In case of occurrence of contradiction between provisions of the present law and the international rules of law, which party the Azerbaijan Republic is, or the international contracts of the Azerbaijan Republic, the provisions of international law and the international contracts of the Azerbaijan Republic are applied.

Article 4. The rights connected to water use

1. Physical and legal persons in the order and on the conditions envisaged by the present law and other normative-legal acts, have the right to use water resources and with this purpose to build and maintain water pipes and sewer constructions, to remove sewage and wastes.
2. Water (treated sewage) received by the enterprise of water supply and sewerage is considered as its product and is used to destination.
3. Water received by legal and physical persons from the enterprises of water supply, is the property of the specified persons and is used under their discretion, except for the cases envisaged by the present law.

Article 5. Principles of rendering of services on water supply and discharge of sewage

1. The enterprises of water supply and sewerage at realization of the duties are guided by the following principles:
 - a) a) recoupment of the expenses in rendering services on water supply, discharge of sewage and discharge of wastes;
 - b) b) supply of consumers with water of proper quality and in necessary quantity, first of all –with potable water;
 - c) c) the most efficient use of water resources;
 - d) d) creation of reliable system of treatment and discharge of sewage and wastes.
2. The enterprises of water supply and sewerage carry out the rights, powers and duties with observance of the legislation and treaty provisions, concluded with consumers or corresponding executive authority (municipality) on rendering of the services envisaged by the Article 5.1.a.

Article 6. Functions of the enterprises of water supply and sewerage

The enterprises of water supply and sewerage carry out the following functions:

- a) a) render services in the order envisaged by their charter, and according to duties;
- b) b) operate water resources, constructions of water supply and sewerage, given in use to the enterprise;
- c) c) execute decisions of the corresponding executive authority concerning duties of the enterprises of water supply and sewerage.

CHAPTER II

STATE REGULATION IN THE AREA OF WATER SUPPLY AND SEWERAGE

Article 7. Schemes of location and development of systems of water supply and discharge sewage

1. Designing and construction of systems of water supply and discharge of sewage, provision of the population, enterprises, establishments and organizations with water with household (economic), industrial - technological and other purposes, and with potable water, removal, transportation, treatment of sewage, processes of neutralization and discharge of wastes, location and development of facilities on water supply and sewerage are carried out according to republican and regional schemes.
2. The republican schemes are prepared and approved for all territory of the Azerbaijan Republic in the order established by the corresponding executive authority.
3. The regional schemes of Nakhchyvan autonomous republic are prepared and approved by the corresponding executive authorities of Nakhchyvan autonomous republic.
4. The regional schemes of cities and districts are prepared and approved by the corresponding executive authorities with participation of municipalities in the order established by the corresponding normative-legal acts.

Article 8. The state aid to the enterprises of water supply and sewerage

1. With the purpose of ensuring of reliable activity and development of the centralized systems of water supply and sewerage, liquidation of consequences of natural disasters the state aid may be rendered to the enterprises of water supply and sewerage.
2. In case of inefficient use of the means envisaged for the enterprises of water supply and sewerage, the state aid based on decision of the corresponding executive authority may be reduced, and at use of means not to destination – may be completely terminated.
3. The state aid may be given as a subsidy and a credit. The corresponding executive authority establishes a concrete kind, conditions and amount of the state aid.
4. The payment of expenses, incurred by the enterprise of water supply and sewerage because of rendering preferential services to certain categories of the population, is carried out according to the legislation.

Article 9. Definition of territories (zones) and assignment of enterprises responsible for them

1. Based on the present law the corresponding executive authority provides division of territory of the country into zones of water supply and (or) discharge of sewage, including appointment of enterprises responsible for water supply and (or) discharge of sewage in one or several zones. The enterprise of water supply and sewerage, responsible for water supply and discharge of sewage in the certain territory, executes duties and carries out the powers envisaged by the legislation and the contract, made with the corresponding executive authority.
2. The corresponding executive authority in the order and on the conditions established by the corresponding normative-legal acts, in coordination with municipalities can give to the enterprise of water supply and sewerage power for realization of activity outside of zone of rendering of services.

Article 10. Granting of permission on use of water objects

The corresponding executive authority in the order and on the conditions envisaged by the legislation, in coordination with municipalities authorizes for the following:

- a) a) reception of ground and underground water in certain quantity;
- b) b) discharge of sewage in these or other ground and underground water pools, and transportation, burial of waste (including liquid wastes) in ground or in water pools;
- c) c) construction of water dams, water basins and other hydraulic engineering constructions.

Article 11. Activity at emergencies

1. In the present Article under emergencies are implied large-scale accidents, natural disasters that can result in the following consequences:

- a) a) gross damage of work of constructions on water supply and discharge of sewage;
- b) b) material damage, destructions covering all population or its greater part, and human victims, or extreme ecological crisis.

2. At occurrence of emergencies the corresponding executive authority, the corresponding enterprise of water supply and sewerage, and municipality operate together.

3. The corresponding executive authority allocates public funds with the purpose of payment of expenses, incurred by the enterprises of water supply and sewerage in connection with liquidation of consequences of emergencies.

CHAPTER III

WATER SUPPLY

Article 12. Duties of enterprises of water supply

Each enterprise of water supply, that creates and keeps within the limits of the zone effective and satisfactory system of water supply, provides the following:

- a) a) supply of consumers with water meeting the norms of quality and corresponding state standards depending on the purposes in necessary amount for household (economic), industrial and other purposes, and also with potable water;
- b) b) elimination of leakage of water from water pipes in the environment and prevention of occurrence of similar cases;
- c) c) storage and improvement in the necessary order of the fixed assets, expansion and improvement of services, and realization of other duties according to the present law.

Article 13. Supply of potable water and water with household (economic) purpose

1. The enterprises of water supply should provide objects in concrete territory in the zone of rendering of services with necessary quantity of water in the household (economic) purposes and with potable water, and also to carry out lines of water pipes in the following cases:

- a) a) at reception of the order of a consumer which is in the zone of rendering of services of the enterprise;
- b) b) at presence of objects, buildings, including being built or projected that are envisaged to provide with water supply by means of new lines of water pipes;
- c) c) at conclusion of necessary contracts providing performance of requirements, established by the corresponding normative-legal acts, and

payment of cost of services, before water supply of objects in the present territory.

2. The enterprises of water supply in the order envisaged by the legislation or corresponding contracts, can demand from the consumers which require water pipes, to give necessary guarantees (of financial and other character) for the enterprise of water supply at construction of a water pipe or guarantees on performance of other obligations, including obligations on annual payment of expenses during coordinated time after putting the water pipe in operation.

3. Terms and conditions on all questions concerning construction of new water pipes and putting in operation thereof, are established by the contract made by the parties, and in case of absence of such contract - in the order envisaged by the legislation.

4. The enterprises of water supply are obliged to provide objects with water in the household (economic) purposes and with potable water at performance of the above-stated requirements and only in case of supply of the objects envisaged by the present Article.

5. At delayed payment by consumers of the payments envisaged by the present Law, the enterprises of water supply can refuse performance of the duties envisaged by present Article.

6. It is forbidden to the consumers provided with water in the household (economic) purposes and with potable water, to use this water with the purpose not specified in the contract, and to grant the permission for similar use to other consumers.

Article 14. Water supply in industrial purposes

1. Provisions of the present Article can be applied in case of submission of application by the owner of object to the enterprise of water supply for his water supply and if:

- a) a) the object is completely or basically uninhabited building;
- b) b) water supply is envisaged not in the household (economic) purposes and supply with potable water, but for satisfaction of other requirements.

2. The enterprise of water supply is obliged to supply with water any object to which the given Article is applied according to the agreed periods and conditions.

3. The enterprise of water supply can refuse water supply in the following cases:

- a) a) if newly created system of water supply can become the reason of huge additional consumption, taking into account available (during application) and predicted obligations of the enterprise of water supply in the area of supply of other consumers with water in household (economic) and other purposes and with potable water;
- b) b) if this will create for the enterprise of water supply an obstacle in realization of its obligations before the current and future consumers, who use water in household (economic) purposes and potable water;
- c) c) if the condition of internal water-distributive network of the consumer does not meet the normative-legal acts on technical operation of water lines.

4. Conditions and terms of water supply of the objects envisaged in present Article, are established on the basis of a contract made by the parties, and in case of absence of such contract - in the order envisaged by the legislation.

Article 15. Water supply for public requirements

1. The enterprises of water supply based on applications supply with water for public needs the enterprises of sewerage, gardening, road facilities and local bodies (municipalities). This concerns treatment of sewer pipes and drainage effluents, washing and watering of highways, and water supply in other public purposes demanding huge consumption of water, including parks, pools, bath-houses, laundries and heating systems.

2. On the basis of the present Article water supply by the enterprises of water supply is provided in compliance with the provisions of agreement, considered mutually advantageous and acceptable for all interested parties.

3. In agreement with the present Article the enterprise of water supply is not obliged to carry out water supply providing these or other additional consumption and works, not specified in the contract. However, based on the arrangement of the parties such works may be carried out by the enterprise of water supply on the expense (in full or in part) of a customer.

Article 16. Wholesale water supply

1. The corresponding executive authority can make the decision on wholesale water supply by one (or several) enterprise of water supply of another (others) enterprises in the following cases:

- a) a) if as a result of delivery of water in the water supply of the enterprise, delivering water, does not emerges water famine and the given enterprise does not incur a material damage;
- b) b) at absence of possibility of conclusion of a contract on water delivery between the enterprises of water supply (parties).

2. According to the present Article in the decision made by the corresponding executive authority the charges incurred by the enterprise of water supply in connection with the given decision should be envisaged.

Article 17. Zones of sanitary protection

1. With the purpose of creation of zones and realization of the regime of sanitary protection, envisaged by the Water code of the Azerbaijan Republic, the enterprise of water supply in the order established by the legislation has the right to forbid in the specified zones activity of owners (users, tenants) of land plots, as well as of other persons.

2. The enterprise of water supply carries out regime of the zone of sanitary protection according to working building norms and rules.

Article 18. Quality of water supply

1. With the purpose of ensuring of the requirements made to quality of water for household (economic) needs and potable water, the enterprise of water supply carries out the following measures:

- a) a) ensuring of quality of water before its reception in the network of distributive water pipes;
- b) b) control of compliance of quality of supplied water with the corresponding state standards;
- c) c) control of water quality in a reservoir and, in case of incompliance of its quality with the corresponding state standards, prohibition of its use.

2. With the purpose of prevention of deterioration of water quality supplied in the main pipelines from one or several sources at maintenance of objects by water for household (economic) needs and potable water, the enterprises of water supply should carry out urgent measures in due time.
3. The enterprises of water supply do not bear the responsibility for deterioration of water after its supply from the main pipeline to consumers in the distributive network, except for the cases, which have occurred through their fault.
4. At occurrence of threat of water deterioration at the moment of its supply from the main pipeline in the distributive system of the consumer through fault of the enterprise of water supply the given enterprise should carry out necessary measures on its liquidation or minimizing.

Article 19. Stability of water supply

1. The enterprises of water supply should provide on main and other water pipes of household (economic) purpose and potable water or the outlets connected to them and used in the fire-prevention purposes, the minimal stable pressure meeting the established specifications.
2. On the basis of the present Article the enterprises of water supply at termination or restriction of water supply with the purpose of elimination of accidents and carrying out of repair - preventive works do not bear the responsibility for stability of water supply.
3. In the decision of the corresponding executive authority on additional maintenance of pressure and stability of water supply at higher level the necessary money indemnification should be envisaged for enterprise of water supply on realization of the specified decision.

Article 20. Water supply at water shortage

1. In case of absence of possibility of water supply in necessary amount and required quality on the main water pipe due to stipulated consumptions the enterprise of water supply on the basis of application of local bodies (municipalities) and at their expense provides water delivery (by means of water carriers or transportation of water tanks) in the places coordinated between the parties, or directly to objects in other ways.
2. Provisions of the Article 20.1 are applied in the event that:
 - a) a) quality of water supply for household (economic) needs and potable water is on a low level, or water shortage threatens human health and life. In the specified case local bodies (municipalities) notify about the specified the enterprises of water supply and put forward the requirements so that the enterprise of water supply could determine its possibilities for performance of the specified requirements;
 - b) b) enterprise of water supply possesses financial and technical resources for performance with the aid of alternative means of the requirements specified in the Article 20.2(a);
 - c) c) local bodies (municipalities) have concluded with the enterprise of water supply the contract on payment at a stated time of charges during alternative water supply and terms of indemnification.
3. Charges, besides cost of the centralized water supply, in connection with alternative water supply of the population are paid to the enterprise of water supply on the expense of corresponding budgetary funds.

Article 21. The announcement of commissioning of water supply system

The enterprise of water supply officially notifies local bodies (municipalities) on commissioning of water supply system in a zone of water supply or in its part and declares about the specified through mass media.

Article 22. Payment of building charges of water supply systems

Charges in connection with creation or construction of systems of water supply may be paid by the enterprise of water supply from the following sources:

- a) a) payments of owners of objects of water supply;
- b) b) aggregate profits and funds of the enterprise of water supply;
- c) c) public funds allocated for partial payment of expenses, spent for development and capital construction of system of water supply, and other payments.

Article 23. Tasks and terms following from connection to the water supply system

1. The enterprise of water supply on the basis of application of any consumer being in its zone of water supply, should connect him to the system of water supply on the following terms:

- a) a) the addressing consumer is the owner of existing or planned object or its part;
- b) b) the connection is carried out on the expense of the consumer.

2. The enterprise of water supply can demand in connection with the application the following:

- a) a) submission of the data necessary for connection to the system of water supply;
- b) b) observance of the corresponding norms, order and requirements concerning connection at execution of works by the consumer.

3. At rendering services the enterprise of water supply should not prefer unjustly this or that group of consumers or potential consumers. Separate consumers or group of consumers on terms and in the order, envisaged by the legislation, may be refused in rendering of preliminary services.

Article 24. The requirements to connection to water supply system

1. The enterprises of water supply within the limits of the zone of service can in the official order demand from consumers the following:

- a) a) connection to system of water supply on legal bases;
- b) b) liquidation of this or that illegal connection or the connection that does not comply with the established norms, order and requirements;
- c) c) realization of the works necessary for rendering of services on water supply.

2. Consumers can apply in writing to the enterprise of water supply about desire to be connected to the water supply system.

Having considered the application within ten days, the enterprise of water supply agrees to connection of object to system of water supply or refuses in the proved order.

Refusal in connection may be appealed against in the order envisaged by the legislation.

3. The enterprise of water supply can direct to consumers the notice on their joint connection to the water supply system, with indication of term of connection.

4. In case of non-fulfillment or partial performance by consumers of requirements of the enterprises of the water supply and works necessary for connection in envisaged terms, the enterprises of water supply can carry out these works on the expense of the specified consumers.

5. The charges incurred by the enterprises of water supply in respect to the connection, including joint connection, are paid by all consumers using water because of the specified connection.

Article 25. Expansion of water supply system

1. Owners of the objects which are in the territory where no system of water supply is, or local bodies (municipalities) can address in writing on the enterprises of water supply for expansion of available water supply system. Works on expansion of water supply system and connection of objects are carried out on the expense of the body, which has addressed in the specified occasion or the owner of object.

2. In case if cost of expansion of available of water supply system (including main water pipes) exceeds payment which is necessary to bring by consumers, the enterprise of water supply can demand from the addressed persons to pay beforehand a part of the charges required for expansion of water supply system. In the specified case, the given payment is levied in addition to the payment required for usual connection.

Article 26. Rights of the enterprises of water supply on restriction and suspension of water supply

1. The enterprises of water supply have the right to do not carry out the duties envisaged by the present law and other normative-legal acts, or to restrict water supply in the following cases:

- a) a) at use of water in the main pipelines envisaged for household (economic) needs, and potable water in other purposes;
- b) b) at occurrence of necessity for carrying out of the building, repair - preventive and emergency works demanding restriction or termination of water supply, and in purifying water basins;
- c) c) at increase of a degree of turbidity of superficial waters in reservoirs or occurrence in water basin of emergency ecological situation;
- d) d) in case if the consumer does not pay cost of services of the enterprise of water supply. After payment by the consumer of all duties, including the charges connected to termination of delivery of water, water supply can be restored;
- e) e) in case if the network of distributive water pipes, water reservoirs (water basin), connecting devices, gates, taps on the object are in a unsuitable condition or do not meet the requirements of the corresponding state standards;
- f) f) at non-fulfillment of necessary measures against leakage and pollution of water on the object and non-fulfillment by the consumer of well-founded demands of the enterprise of water supply;
- g) g) at infringement by the consumer of provisions of the present law on rational use of water and its protection from pollution;

- h) h) at illegal connection;
- i) i) in case if the consumer interferes the authorized person in realization of the duties connected with prevention and suspension of infringement by him of the requirements of the present law;
- j) j) at non-fulfillment by the consumer of other requirements envisaged by the present Law;
- k) k) under the written request of the consumer.

2. At termination or restriction of water supply based on the Article 26.1. (a, d, h) the enterprise of water supply can demand from the consumer to pay expenses, connected with suspension, restriction and restoration of water supply.

3. In case if these or other objects belong to the consumer and are provided by means of one distributive pipe, rights of the enterprise of water supply on suspension of water supply of this or that object may be applied in respect to other objects.

4. At failure to meet requirements of the present Article by one or several consumers taking place on the object (in one building, house) the enterprise of water supply can suspend water supply of the given object. In the specified case the organization responsible for operation of the object can demand from the consumer which become the reason of termination of water supply, to compensate all charges incurred by the enterprise of water supply in connection with the termination of water and renewal of its supply, including possible additional charges if normative-legal acts do not establish other conditions of suspension of water delivery.

Article 27. Duties of the enterprise of water supply in case of restriction and suspension of water supply

1. In case of suspension of water supply in connection with necessary works the enterprise of water supply carries out the following duties:

- a) a) provides performance of the pointed out works at a stated time;
- b) b) carries out suspension of household (economic) water supply of object and supply with potable water for the term of more than 24 hours for performance of corresponding works only with a condition of provision of emergency water supply (by means of time water pipes or other ways) of the given object.

2. At preliminary reception from the consumer of the application on refusal of water supply with the indication of date the enterprise of water supply should suspend water supply.

Based on provisions envisaged by the Article 28 of the present Law the enterprise of water supply can suspend water delivery only after the preliminary warning about specified the consumer, except for emergency circumstances or cases of insignificant restriction of water supply.

Article 28. The warning on restriction of water supply

1. In the cases envisaged by the present law, the enterprise of water supply terminates, restricts or regulates water supply under the condition of obligatory warning of the consumer.

2. In the warning the following is underlined:

- a) a) zone of water supply to which the warning applies;
- b) b) period (if days and hours are not specified) of suspension, regulation or restriction of water supply;
- c) c) rules of performance of requirements of the warning;

- d) d) purposes of realization of the specified activity;
 - e) e) other questions connected to the specified activity.
3. The consumers may be warned in the following ways:
 - a) a) through mass media;
 - b) b) by means of mobile loudspeakers in the zone of water supply;
 - c) c) by mail or through other communication facility.
 4. All consumers should carry out the requirements envisaged by the warning.

Article 29. Temporal interdictions on water use

1. At occurrence of serious shortage of potable water supply the enterprise of water supply can suspend or restrict delivery of water for the following purposes:
 - a) a) irrigation of private gardens;
 - b) b) public purposes.
2. The enterprises of water supply should preliminarily through mass media inform on terms, territory and date of restriction or suspension of water supply.
3. The persons who violate provisions of the present Article within terms of suspension or restriction of water supply, bear the responsibility in the order envisaged by the legislation.
4. At announcement according to the present Article on suspension or restriction of water supply the payment due to deduction by the enterprise of water supply during the specified period, should be reduced in the proved form. In case the advance payments have been withheld, the given sum concerns to payments, which will be withheld during the subsequent period.

Article 30. Calculation of volume of delivered water

1. The enterprise of water supply establishes volume of water delivered to the consumer by means of water metering devices or by calculation in the order envisaged by the corresponding normative-legal acts.
2. Delivery of new objects without installation of water metering devices is forbidden.

Article 31. Installation and operation of water-metering devices

1. Water-metering devices are installed on the expense of a consumer based on requirements of the enterprise of water supply corresponding to the present law or the application of the consumer.
2. In the cases envisaged by the legislation, water-metering devices are installed on the expense of the means of the enterprise of water supply.
3. The enterprise of water supply should keep account of all installed water-metering devices.
4. Authorized agent of the enterprise of water supply in the order established by the legislation has the right to be admitted to the device of water supply with the purpose of fixation of parameters of water-metering devices, installation, repair, replacement, removal, change of place, service thereof and cancellation of their parameters.
5. With the purpose of maintenance of correct gauging and registration of water supply the change of place, repair, removal, installation of the water-metering device, elimination of factors preventing its work or other works are carried out by authorized agent of the enterprise of water supply or with his participation.
6. The consumer has the right to address in writing to the enterprise of water supply for check of accuracy of the water-metering device. The enterprise of water supply is

obliged to carry out such check on the expense of means of the consumer within three weeks from the date of reception of the application.

Article 32. The duties of consumers connected to calculation of volume of delivered water

1. In connection with calculation of volume of delivered water consumers are obliged to carry out the following:

- a) a) to provide protection of water-metering device and to keep it in necessary technical condition;
- b) b) to carry out necessary measures with the purpose of prevention of distortion of parameters of the water-metering device;
- c) c) to provide admission of the authorized agent envisaged by the Article 31 of the present law to the water-metering device;
- d) d) to present to the enterprise of water supply parameter of the water-metering device reflecting amount of consumed water, and necessary information on a state of the device.

2. At non-observance by the consumer of requirements of protection of water-metering devices the authorized agent of the water supply enterprise can on the expense of the consumer carry out their repair, repeated installation and elimination of the reasons preventing their work, or other works necessary for measurement and maintenance of correct registration of water supply.

In case of infringement of parameter of the water-metering device the enterprise of water supply establishes volume of water consumed in the specified period taking into account a parameter of the previous corresponding period based on throughput of the pipe. The corresponding executive authority approves the order of determination of the period of infringement of parameter of the water-metering device.

3. The consumer who feels necessity of repeated installation of the water-metering device, should preliminarily address in writing about specified in the enterprise of water supply not later than seven days from the date of occurrence of such need. The parameter of the water-metering device is removed at the moment of its repeated installation.

Article 33. Rights of consumers

Consumers have the following rights:

- a) a) to erect corresponding installations and structures for realization of use of water objects with the special purposes;
- b) b) to demand indemnification for water that was not received in amount, envisaged by the contract, except for the cases envisaged by the legislation;
- c) c) to conclude the contract with the water supply enterprises for connection to a water pipe for reception of water;
- d) d) to receive potable water and water with the household (economic) purposes according to the quality standards;
- e) e) to use water repeatedly in connection with industrial necessity;
- f) f) to carry out other rights envisaged by the Water code and other acts of the Azerbaijan Republic.

CHAPTER IV

DISCHARGE OF SEWAGE

Article 34. The basic duties of sewerage enterprise

1. The basic duties of sewerage enterprises are:
 - a) a) transportation, treatment, neutralization of sewage and discharge thereof into the environment or water basins;
 - b) b) expansion and provision of reconstruction of sewer constructions being in common use, maintenance thereof;
 - c) c) taking of measures on elimination and preliminary prevention of leaking-out of sewage from sewer systems in the environment.

2. Discharge of sewage by sewerage enterprise in water objects is carried out in the order envisaged by the legislation.

Article 35. Delivery in operation of new sewer constructions

1. The sewerage enterprises after end of construction of sewer constructions having accepted them on their balance, announce readiness to accept sewage in territory of rendering of services by these constructions and provide connection of objects to these constructions.
Putting in operation of new sewer constructions is carried out in the order established by the corresponding normative-legal acts.
2. After connection of objects to sewer constructions their owners should carry out the payments established according to the present law.
3. After the announcement of putting in operation of sewer constructions all built and reconstructed objects being in the territory of rendering of services by the enterprise of sewerage, should be connected to sewer system. Any private constructions used for discharge of sewage, may be maintained only with a condition of observance of corresponding state standards and the rules established by the corresponding normative-legal acts based on permission of the enterprises of sewerage.
4. Even in a case of refuse of object from connection to the sewer system the sewerage enterprise has the right to demand from the owner of the object payment for use of sewer system in the order envisaged by the legislation.

Article 36. The right of connection to the sewer system being in common use

In case of absence in territories of construction and planning of objects of the sewer systems being in common use, the local bodies (municipalities) or owners of objects with the purpose of connection of objects to the sewer system being in common use, can address to the sewerage enterprise with the written application about provision on their expense of carrying out of sewer pipelines or building of sewer constructions.

Article 37. Connection to the sewer system being in common use and discharge of sewage

1. For connection of separate sewer systems and objects of discharge of sewage to the sewer systems being in common use:
 - a) a) owner of object in accordance with established procedure should address to the sewer enterprise;
 - b) b) sewerage enterprise should guarantee, that such connection does not render adverse effect on a condition of operation of the sewer system being in common use;

- c) c) sewerage enterprise on the expense of applicant carries out necessary check for confirmation that the condition of sewer constructions and designs of connected object meets the corresponding requirements;
- d) d) the applicant should pay all expenses (including expenses on excavations on roads) on connection to the sewer system being in common use.

2. In case of infringement by the applicant of rules and requirements of connection to sewer systems the sewerage enterprise can refuse connection of object, implementation in this territory of discharge of sewage and carrying out of drainage works.

3. The applicant in the order envisaged by the legislation can appeal against the decision on refusal of connection of his object to the sewer system being in common use and discharge of sewage.

Article 38. The coordination of issues of connection to sewer systems being in common use, and discharge of sewage

1. With the purpose of connection to the sewer system that is in common use :
 - a) a) owner of connected object within one month from the date of reception of the answer of the sewerage enterprise or from the date of the application submits the plan (project) of connection of the object to the given enterprise. The sewerage enterprise within a month considers the specified plan and approves it (with modification in case of need). The owner of object carries out connection according to the authorized plan;
 - b) b) sewerage enterprise in order to prevent unreasonable refusal in connection should consider objectively the application about connection;
 - c) c) in case of significant excess of cost of expansion of available sewer system, with the purpose of connection of object of the applicant, the sum due for discharge from object of sewage, the sewerage enterprise can demand from the applicant to pay preliminary a part of the sum required for expansion of the sewer system;
 - d) d) in case the owner of object cannot provide performance of the works connected to connection of object, at a stated time, such works may be carried out by the sewerage enterprise on the expense of the owner of the specified object.

Article 39. Prohibition of disposal (discharge) in sewer system

1. It is forbidden for consumers to remove (discharge) in the sewer systems being in common use of:
 - a) a) rain waters;
 - b) b) all substances interfering processing or discharge of sewage, wrecking sewer pipes;
 - c) c) mineral oil and calcium carbide;
 - d) d) substances representing hazard to health of people;
 - e) e) not neutralized sewage of isolation hospitals;
 - f) f) forbidden wastes, sewage and substances, except for the cases envisaged in the contract concluded with the sewerage enterprise about discharge of household and industrial sewage.
2. Discharge of sewage in rain sewer system is forbidden.

3. Kinds of manufacture and enterprises or concrete enterprises, disposal (discharge) of which industrial wastes are forbidden, are established by the normative-legal acts.

Article 40. Transfer of separate sewer constructions (equipment, systems) to sewerage enterprises

1. The owner of a separate sewer construction can apply with the request for transfer of a sewer construction belonging to him to the enterprise of sewerage.
2. The sewerage enterprise informs the owner of separate sewer construction on intention to receive the given construction. After that, within two months, the sewerage enterprise and the owner of separate sewer construction will coordinate conditions of transfer of the construction, including the opportunity of payment of indemnification.
3. After delivery of separate sewer construction to the sewer enterprise of the right and a duty of the former owner together with land plot necessary for its operation, maintenance service and repair, is passed to the sewerage enterprise. .

Article 41. Requirements concerning separate sewer systems

1. Construction of separate sewer system or installation of equipment with the purpose of connection to the sewer system being in common use, is carried out with the consent of the sewerage enterprise according to the corresponding normative-legal acts.
2. Authorized agent of the sewerage enterprise has the following rights:
 - a) a) to enter on object of sewage discharge with the purpose of control over observance of requirements concerning norms and rules of construction of separate sewer system, installation and safe operation of equipment;
 - b) b) to take samples of waters and sewage;
 - c) c) to demand in the terms established in the notice, directed to the owner of object in relation with connection of object to the sewer system being in common use, of implementation of the following measures:
 - - realization of purification, repair or maintenance service of the equipment;
 - - suspension (full or partial, permanent or temporal) of operation of the equipment at discrepancy to its established norms;
 - - realization of other necessary measures with the purpose of prevention or suspension of pollution of waters.
3. In case of non-fulfillment by the owner of the object removing sewage, or the separate water drain of the requirements envisaged by the Article 41.2.c, the sewerage enterprise can carry out necessary works on the expense of the owner of object.

Article 42. The right of survey of the damaged separate sewer systems

1. The sewerage enterprise being in common use, has the right to carry out survey of separate sewer systems and carry out necessary works with this purpose, including excavations, in the following cases:
 - a) a) in case if technical condition of sewer systems and the constructions connected to sewer systems, being in common use, creates threat to human health and is a reason of serious anxiety;
 - b) b) at leaking-out of sewage from sewer systems and pollution of underground waters.

2. All expenses related to works on elimination of revealed malfunctions, specified in the Article 42.1, are paid by owners of the separate water drain (object), except for the following proved cases:

- a) a) exact execution by the owner of object of all requirements made to him earlier about execution of necessary works in target dates;
- b) b) at insufficiency of the bases at the sewerage enterprise to demand from the owner of object of execution of the specified works;
- c) c) at absence of necessity in works executed by the sewerage enterprise or inefficient use of means for performance of the specified works.

Article 43. Suspension of operation of sewer system

1. The sewerage enterprise can forbid use of sewerage or suspend its operation only in the following cases:

- a) a) at installation of the equipment, carrying out of repair works and works on maintenance service on it;
- b) b) at connection of the equipment and its delivery in operation;
- c) c) in necessity of prevention of leaking-out of sewage and pollution of waters.

2. At arising of necessity to liquidate a sewer system in the certain territories or in a long-term suspension of its activity the sewerage enterprise in the order envisaged by the present law should connect objects in the present territory to other sewer system at own expense.

Article 44. Industrial sewage

1. The sewerage enterprises can sign a contract with any consumer (legal or physical person) about discharge, storage and purification of industrial sewage from their objects.

2. With the purpose of control of composition of sewage removed from object in sewer system, being in common use, the sewerage enterprise on a regular basis carries out supervision on the specified objects.

3. The sewerage enterprise before discharge of this or other industrial sewage in sewerage can demand from the owner of object its preliminary purification. The sewerage enterprises can refuse signing of contract for discharge of industrial sewage in case if this sewage (or in connection with other substances) creates threat:

- a) a) to life, health, property of people being in contact with these waters, and to the environment;
- b) b) to safe operation and technical condition of the equipment of the sewerage enterprise;
- c) c) to technological processes of purification and treatment of sewage.

Similar refusal may be done in case of absence of the arrangement in connection with expenses on transportation and treatment of industrial sewage.

4. In case if consumers disagree:

- a) a) with refusal of the sewerage enterprise to conclude contract about discharge of industrial sewage;
- b) b) with conditions of such contract;
- c) c) sum of payments connected to discharge of industrial sewage; -

they can in the order envisaged by the legislation, appeal against the decision of the sewerage enterprise in court.

CHAPTER V RIGHTS AND DUTIES COMMON FOR ENTERPRISES OF WATER SUPPLY AND SEWERAGE

Article 45. The right of land use

1. With the purpose of implementation of their duties the enterprises of water supply and sewerage provide building of constructions of water supply and sewerage and for present purposes have the right to use land in the order envisaged by the corresponding legislation.

2. Allotment of lands being in the property of the state or municipalities, is carried out based on the permit of the corresponding executive authority and (or) municipal body in the order envisaged by the legislation.

In the cases that do not contradict the land legislation, use of lands being in private property for present purposes is carried out based on conclusion of contract with the landowner by means of their purchase, reception in rent or delivery of indemnification.

Article 46. Restriction of propriety right on land

In the cases which do not contradict the land legislation, at absence of opportunity to come to the arrangement with the landowner, with the purpose of keeping of the state and public interests, liquidation of consequences or threats of natural disasters the land plot, can be redeemed in the compulsory form from its owner in the order established by the legislation. In the specified case in the order established by the legislation, indemnification is paid to the former landowner with the account of the benefit not received by him, or at his desire, other land plot is given to him.

Article 47. Property of enterprises of water supply and sewerage

1. Non-production constructions, water pipes, equipment and other property, being a component of water or sewer system and acquired or constructed by the enterprise of water supply and sewerage, are considered as their property if the separate contract does not envisage other conditions.

2. In the cases that do not contradict the legislation, constructions and other property, installed by the enterprise of water supply and sewerage or under his order on the land plot, which is in the property of other person, are considered as the property of the enterprise. Such constructions do not transfer to the land owner and the right of reception of share from the income received from their operation is not given to him, if the contract between the enterprise and the land owner made in cases and in the order, established by the legislation, does not envisage other terms.

3. The non-production constructions built, acquired or maintained by the enterprise of water supply and sewerage may be located some distance away from a zone of water supply and discharge of sewage of the given enterprise.

Article 48. The warning on elimination of infringements

1. The enterprise of water supply and sewerage has the right to demand from the owner of object by means of the notice the following:

- a) a) to remove in target dates defects of equipment, used for connection of internal system of water supply and sewerage to systems of water supply and sewerage, being in common use. In case of consecutive connection to the common system of internal systems of several owners the enterprise of water

supply and sewerage can demand elimination of such defects from several owners or from all owners;

- b) b) according to the present law to execute in due time the provisions of contract on rendering of services and duties necessary for execution of provisions of the present Law.

2. In case of non-fulfillment of conditions of the notice the enterprise of water supply and sewerage can:

- a) a) to carry out works necessary for elimination of defects on the expense of the owner who received the notice and is responsible for performance of corresponding requirements;
- b) b) to disconnect object from the system of common water supply or to stop rendering services and to demand from the owner of object to pay the cost of the done works in the order envisaged by the present law;
- c) c) to address in court for performance of the requirements specified in the notice in the order established by the legislation.

Article 49. Authorized agents of enterprises of water supply and sewerage

1. The enterprises of water supply and sewerage according to the present law appoint the authorized agents with imposing on them realization of the rights and duties.

2. The certificate of the established form is given out to authorized agent with his photo and personal signature.

3. In case of need the authorized agent or enterprise of water supply and sewerage that has authorized him with the purpose of rendering assistance can address in corresponding executive authority. The corresponding executive authority in cases and the order, envisaged by the legislation, should render him the necessary aid.

Article 50. The right of admittance on the object using services of water supply and sewerage

1. Preliminarily having notified the owner in the order established by the legislation, the authorized agent, having presented the certificate, has the right to be admitted on object of water supply and discharge of sewage for realization of the following:

- a) a) connection of object to systems of water supply and (or) water drains or with the purpose of reception of debts to disconnect it from systems;
- b) b) taking samples of water or sewage, carrying out of analysis, examination and measuring works, photographing and collection the information;
- c) c) carrying out control over performance by the owner of object or workers of the enterprises rendering services of water supply (water drain), duties and corresponding requirements established by the present law;
- d) d) repair of water-metering devices, disassembling it or reading of its indications;
- e) e) carrying out examination of constructions, devices, mechanisms and units concerning to the area of water supply and discharge of sewage;
- f) f) carrying out all necessary works connected to functions of the enterprise of water supply and sewerage;
- g) g) examining of land plots and water sources on them with the purpose of determination of expediency of purchase of land for needs of water supply;
- h) h) carrying out of control over execution of provisions of the present law or interests of the enterprise of water supply and sewerage on which he works.

2. In the order established by the legislation authorized agents of the enterprises of water supply and sewerage can enter on objects without prior notification with the purposes envisaged by the present Article in the following cases:

- a) a) at force majeure;
- b) b) if the owner of object does not object execution of work;
- c) c) for prevention of water pollution, water use not to destination and misallocation, and suppression of infringement of provisions of the present law.

3. Authorized agents of the enterprises of water supply and sewerage are not authorized to enter into residential buildings since 21:00 P.M. up to 9:00 A.M., except for cases of presence of the proved information on non-observance by owners (tenants) of residential buildings and apartments of the restrictions entered on water use, misallocation of water and its use not to destination, and also infringement of provisions of the present law.

Article 51. Rights of the enterprises of water supply and sewerage on performance of works

1. On performance of works the enterprises of water supply and sewerage have the following rights:

- a) a) to carry out excavations;
- b) b) to install, use and maintain technical constructions necessary for execution of their functions, bore holes;
- c) c) to take necessary samples of ground, waste and sewage;
- d) d) to build constructions of water supply and sewerage, to maintain them or to operate them and to carry out other corresponding activity within the limits of the powers according to the present law.

Article 52. Performance of works on the state lands and roads

1. According to requirements of the corresponding normative-legal acts the enterprises of water supply and sewerage carry out measures for carrying out of necessary works on the state lands and roads.

2. The enterprises of water supply and sewerage are obliged:

- a) a) at carrying out and after end of works to carry out all necessary measures with the purpose of elimination of the danger menacing the citizens and other users of the state lands and roads;
- b) b) to take away construction waste;
- c) c) to bring a place of work in a former condition;
- d) d) to pay expenses of corresponding bodies, road service and citizens in connection with restoration of roadway coverings;
- e) e) to carry out works in the shortest terms and with maximum efficiency.

3. In case of realization by the enterprises of water supply and sewerage of the measures envisaged by the present Article connected to water pipes, drainage systems and other property belonging to others, they have the right to demand compensation of the charges on the expense of the owner of the specified property.

Article 53. The notice on the done works

In case of execution of works, touching interests of consumers, the enterprises of water supply and sewerage should warn them in the following terms:

- a) a) in usual cases - not later than 7 days prior to the beginning of works;
- b) b) at force majeure - prior to the beginning of works as soon as possible and if it is not possible - just after the beginning of works.

Article 54. Duties on change of places of pipelines

1. Legal or physical persons, in which property (use, rent) the land plot is, in connection with planning of carrying out in territory of location of pipelines or constructions of the certain works (including building) can demand from the enterprise of water supply and sewerage to change a place of pipelines (collectors, channels), being on the specified site and belonging to the given enterprise, or pipelines served by this or other constructions in the cases which do not contradict the legislation. At specified cases expenses on replace of pipelines and other constructions and the damage caused to the enterprise of water supply due to a break in water supply, are paid on the expense of persons who have put forward the similar requirement.
2. At reception of similar requirements the enterprise of water supply should execute all requirements, except for requirements which execution is not possible, and inefficient requirements.
3. The enterprise of water supply and sewerage should on demand of the enterprises of road service or other municipal services (electric power supply, gas, heating, telecommunication) to transfer or remove the constructions if it is caused by urgent need. In the specified case, all works after replacing of constructions and equipment are carried out on the expense of the enterprises, which put forward such requirement.
4. The enterprise of water supply and sewerage in the order established by the legislation can demand from the legal and physical persons who have put forward the requirement about replace of constructions, to pay money or to give mortgaging guarantees in other form. The size of a guarantee depends on cost of the planned works.

Article 55. Rights of the enterprises of water supply (sewerage) in the area of rendering of additional services

The enterprises of water supply and sewerage at the request of this or that consumer at their expense or under the initiative (at own expense) within the framework of the powers can carry out the following:

- a) a) modernization or repair of this or that equipment;
- b) b) carrying out of this or that research or survey;
- c) c) carrying out of these or other works concerning to their powers.

Article 56. Coordination of designing and civil works

1. Designing and construction of objects of water supply and sewerage are carried out in the order envisaged by legislation in coordination with the corresponding executive authority.

The corresponding executive authority considers corresponding applications about designing and construction and within one month from the date of reception of the application informs on the accepted decision.

2. Building and economic activities of consumers rendering direct and indirect influence on water supply, discharge sewage, prevention of flooding, are carried out in the order envisaged by the legislation in coordination with the enterprises of water supply and sewerage and municipalities.

Article 57. Observance of construction norms and rules

1. The enterprises of water supply and sewerage, and owners of separate systems (objects) of water supply and sewerage should observe the state standards and norms in the sphere of construction and architecture.
2. The works carried out with observance of the given norms and standards, should:
 - a) a) be carried out by the experts of corresponding qualification having the permission on work, or under supervision;
 - b) b) be began after reception of consent of the enterprises of water supply and sewerage with notification of the specified enterprises;
 - c) c) be carried out with participation and under the control of authorized agent of the enterprise of water supply and sewerage in agreement with his instructions;
 - d) d) be accepted by authorized agent of the enterprise of water supply and sewerage.

CHAPTER VI ECONOMIC REGULATION AND FINANCIAL ISSUES

Article 58. Payments for receipt of water and discharge of sewage

Payments are established depending on the following:

- a) a) for receipt of water - on the basis of permission given out according to the present law;
- b) b) for discharge of sewage and wastes - based on permission given out according to the present law.

The size of payments, rules of their calculation and payment are established by the corresponding normative-legal acts.

Article 59. The rights connected to payments for rendering of services by the enterprises of water supply and sewerage

1. The enterprises of water supply and sewerage on conditions and in the order envisaged by the corresponding normative-legal acts, have the following rights:
 - a) a) according to the present law to put forward offers concerning an establishment of the size of payments and preliminary payments (advance payment) for any kind of services specified in the contract, made during their activity;
 - b) b) to receive from this or that consumer using services of the enterprise of water supply and sewerage, payments established according to the present law and to demand their payment;
 - c) c) to receive in the order envisaged by the legislation additional collections for nonpayment of the specified payments in target dates, and also non-fulfillment of duties in this or that form, or penalties as percent on the delayed debts;
 - d) d) to establish, demand and receive payments for the first or repeated connection of objects of water supply and discharge of sewage in the order envisaged by the legislation.
2. The enterprises of sewerage under a condition of payment of the rendered services in the corresponding order can sign a contract with road service (enterprise) on discharge of waters by means of rainwater drainage.

3. The sum of payments for services of the enterprises of water supply and sewerage is calculated based on the following:

- a) a) taking into account volume of water, according to parameters of water-metering devices, or amount of the sewage removed from objects;
- b) b) rules established by the corresponding normative-legal acts.

Article 60. Payments for services of water supply and sewerage

1. The enterprises of water supply and sewerage for rendering of services can offer in a contract to all categories of consumers the following kinds, terms and sums of payment:

- a) a) payments for amount of water received according to working rules, on the basis of parameters of water-metering devices or parameters of calculations, and the removed sewage;
- b) b) payments for connection to systems of water supply and sewerage;
- c) c) single payment for connection to systems of water supply and sewerage;
- d) d) preliminary payment (advance payment) of the enterprises of water supply and sewerage for installation of industrial gages, including water-metering devices.

2. Depending on quality of water, properties of sewage and wastes, place and season of rendering of services, water supply within 24 hours or regime (with breaks) water supply the enterprises of water supply and sewerage can apply higher or lower factors to the payments (tariffs) established by the corresponding normative-legal acts, specified in the Article 60.1.

3. In case of need the enterprises of water supply and sewerage for rendering of additional services to this or that consumer can suggest to pay to him an additional payment, signing with him the additional contract.

4. The given contract can provide obligations of the consumer on payment of services and regulate the relations arising between the enterprises of water supply and sewerage and the consumer during rendering of services, including the first and repeated connections.

5. According to the contract, the consumer pays the account presented based on actual expenses incurred on the first connection, including work and purchase of materials by the enterprise of water supply and sewerage.

6. In the order established by the legislation the enterprise of water supply and sewerage has the right to write off the sum of delayed payments from the credit account of the consumer. If the sums of credit accounts are insufficient for payment of liabilities, the enterprise of water supply and sewerage can solve the problem with nonpayment of liabilities in the judicial order. The given order is applied after thirty days from the date of representation of the payment account to payment.

7. In case if the sum of credit will be decreased in volume of liabilities for the rendered services the consumer on the basis of the requirement of the enterprise of water supply and sewerage should replenish the depositary sum of the credit up to the envisaged level.

8. The sum of the credit is established at a level of the double sum of all payments for the services envisaged by the present Law within a month. Calculation of monthly average payments is conducted based on average estimation of consumption for the last six months or parameters of the water-metering device taking into account norms of use of a category into which the given consumer enters.

The sum of the credit based on the consent of the enterprise of water supply and sewerage may be paid in installments.

9. The issues of credit calculations for services of the enterprises of water supply and sewerage, which were not reflected in the present law, are determined by the current legislation.

Article 61. Obligations of consumers on payment of services

1. Irrespective of availability of a contract between the enterprise of water supply and sewerage and an individual consumer, duties of consumers on payment of services are based on the fact of their residing on object, rent of object or use of objects of water supply in those or other purposes.

2. According to the current legislation the enterprise of water supply and sewerage can receive a payment for actually rendered services and after suspension of use the consumer object, except for a case when the consumer not later than within four working days notifies the enterprise of water supply and sewerage on suspension of use of object.

Article 62. Receipt of liabilities for rendering of services

In case of nonpayment by the consumer to the enterprises of water supply and sewerage of the debt for the services rendered by them within 30 days from the date of representation of the account for payment the enterprise of water supply and sewerage has the right, having warned the debtor not later than three days to disconnect his object from water supply system if the legislation does not envisage other cases. In case of failure to meet requirements about payment of all sum of debt and after switching-off of object the enterprise of water supply and sewerage has the right to demand the unpaid sum in the judicial order, including in the cases which do not contradict the legislation, to claim about payment of the sum of the debt on the expense of property of the debtor.

Article 63. Exemption from payment for water used with the fire-prevention purposes

1. The enterprises of water supply and sewerage do not receive a payment for services on water supply and discharge of sewage and for amount of the used water in the following cases:

- a) a) at fire extinguishing or satisfaction of needs of fire services at force majeure;
- b) b) at creation of water resources for the above-stated purposes.

2. In the cases envisaged by the Article 63.1 expenses of the enterprises of water supply and sewerage are paid on the expense of the state budget in the order established by the corresponding normative-legal acts.

Article 64. Obligations on payment of the enterprises, establishments and organizations financed from the budget

1. The enterprises, establishments and organizations financed from the budget (the budgetary enterprises) in the order envisaged by the present law, are obliged to pay cost of all services rendered to them by enterprises of water supply and sewerage.

2. In case the budgetary enterprises will not transfer payments in the stipulated term, the enterprise of water supply and sewerage in the order established by the legislation can replace financial obligations to the budget based on the mutual agreement with the budgetary enterprise.

CHAPTER VII

RESPONSIBILITY FOR INFRINGEMENT OF THE LEGISLATION IN THE SPHERE OF WATER SUPPLY AND DISCHARGE OF SEWAGE

Article 65. General facts entailing legal responsibility

1. According to the legislation legal and physical persons bear the responsibility for the following:

- a) a) at misallocation, conspicuous consumption of water or creation of opportunity to others for this;
- b) b) at water use with the purpose different from purposes envisaged in the permission on use water, or envisaged by the enterprise of water supply;
- c) c) at impeding to performance of those or other works on receipt and treatment of water;
- d) d) at impeding to performance by authorized agents of the enterprises of water supply and sewerage of their duties within the framework of the present Law.

2. The persons causing a material damage in cases, envisaged by the present Article, are obliged to indemnify it in the order established by the legislation.

Article 66. Illegal water delivery to third persons

Delivery of water by a consumer to a third person which is not a lawful consumer of the enterprise of water supply, or granting of permission of water use is forbidden to him, except for the following cases of water use:

- a) a) water use on the object connected to a network of water pipes;
- b) b) water use for fire extinguishing;
- c) c) water use based on the contract with the enterprise of water supply.

Article 67. Illegal connection

1. Connection to a system of water supply and sewerage without consent of the enterprise of water supply and sewerage is forbidden, except for the cases envisaged by the present law.

2. Water is authorized to be taken in from the water-distributive hydrants installed on streets only in the household (economic) purposes and for drink or with other purposes established by the enterprise of water supply.

Article 68. Damage of equipment

1. It is forbidden to carry out those or other works in territories where technical constructions of the system of water supply and sewerage are installed, without consent of the enterprises of water supply and sewerage, except for the cases, which do not contradict the present law and the corresponding legislation.

2. Damage (deliberate or careless) or lay-up of technical constructions of systems of water supply and sewerage entail the responsibility according to the legislation.

3. This or that structure or equipment, able to displace, damage or destroy this or that technical construction of systems of water supply and sewerage and taking place in its sanitary - security zone, may be accepted as the proof of damage of technical construction because of the specified structure and equipment if opposite proofs are absent, to entail the following legal proceedings following from here and envisaged by the legislation.

4. The commitment of the following facts is forbidden:

- a) a) destruction of protective barriers of water pipes and sewer pipes, and also underground technical constructions in a sanitary - security zone;

- b) b) lay-up (deliberately or on imprudence) of underground technical constructions, water pipes and sewer pipes, communications, their opening, damage or influence on them in other form;
- c) c) connection of technical water pipe to water pipe of potable water;
- d) d) change of parameters of water-metering devices;
- e) e) realization of works and the activity, rendering influence on normal activity of water-metering devices and demanding their removal.

Article 69. Water use not to destination, conspicuous consumption and pollution

Physical and legal persons in the order envisaged by the legislation bear the corresponding responsibility in the following cases:

- a) a) at leaking-out of water through fault of the person, use of water not to destination;
- b) b) in case of excess of the allowed norm of volume of water received by the person;
- c) c) at pollution of a source of potable water as a result of his deliberate activity or after imprudence, or emergence of threat of its pollution;
- d) d) at failure on fault of the person of a network of water pipes taking place in his submission and as a result pollution of water being in water main or in the pipes connected to it or arising of threat of pollution.

Article 70. Building of constructions impacting plumbing and sanitary systems

Without official (written) permission of the enterprise of water supply and sewerage it is forbidden:

- a) a) to carry out those or other excavations and civil works within the limits of the territories established around technical constructions of systems of water supply and sewerage, and also on distance less than five meters from the main concerning to systems of water supply and sewerage, pipelines and other technical constructions;
- b) b) to destroy or take out ground, stone and other coatings, protections and supports of water and sewer technical constructions.

Article 71. Planting of trees and agricultural plants

1. Planting of trees, bushes and agricultural plants (hereinafter - "plantings") on distance up to five meters on both sides of technical constructions or sewer collectors, central water pipes and sewer mains being in submission of the enterprises of water supply and sewerage is forbidden.

2. In case if plantings prevent approaching to water main, a sewer collector or other technical construction, or become the reason of their damage, the enterprise of water supply and sewerage can make to the owner (user, tenant) of the land plot where the plantings are, the following requirements:

- a) a) grubbing of plantings;
- b) b) compensation of damage in connection with damage of constructions;
- c) c) restoration of the damaged object at own expense in time, specified in the requirement.

3. In case of non-fulfillment by the land owner (user, tenant) of this requirement the enterprise of water supply and sewerage has the right to carry out necessary works at its expense.

Article 72. The responsibility for infringement of the Law

The persons guilty of infringement of requirements of the present Law, compensate material damage put to the enterprise of water supply and water sewerage as a result of infringements committed by them, bear other responsibility in the cases and the order established by the legislation.

The enterprises of water supply and sewerage bear the responsibility for infringement of requirements of the present Law according to the legislation.

The president of the Azerbaijan Republic GEIDAR ALIYEV

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