

PRESS RELEASE

3 December 2013

Report to the Parliament of the Brussels-Capital Region Water treatment plant of Brussels North – Concession operation from 2009 to 2013

The Belgian Court of Audit published on its website an audit report on the way the Brussels Society for Water Management (SBGE) operates, as a conceding authority, the concession agreement related to the water treatment plant of Brussels North. This is the fourth stage of the examination of the concession agreement on the design, construction and operation of this treatment plant.

The Court's report covers facts between February 2009 and April 2013 and discusses the questions that arose after the definitive closing of the water treatment plant in December 2009, the expert missions, the way the annual fees were collected and the follow-up by the SBGE.

Despite the gradual improvement of the treatment plant's performances, the conceding authority (the SBGE) and the operator (Aquiris) still disagree. The definitive closing of the facility in December 2009 contributed to these conflicting views that even the expert report could not solve as both parties chose to construe it in their own way, to such an extent that they decided to take legal action.

One difficulty was the changing Aquiris' role. First created as a dedicated company without any operational mission, Aquiris became an operating company itself, which at the same time affected its status as a partner and opposed it directly to the SBGE.

As a result, the public administrators' status of Aquiris became a source of conflict: according to the agreement, two administrators appointed by the conceding authority had to attend the procedure in order to see to it that both parties comply with the terms of agreement.

The Court of Audit recommends to replace this measure by a supervision mechanism based on the regular communication of crucial information, so that the conceding authority can fulfil its supervision role without taking part actively in the company's administration.

Finally, the Court of Audit feels that, given the financial and environmental issues at stake, the competent authorities within the Brussels-Capital Region should take long-term supervisory measures in order to guarantee, in their best interest, that this agreement be managed throughout its duration, i.c. to the end of March 2027. In this regard, the minister in charge of water policy points out that the government has seen to it that the new SBGE's management contract perpetuates the follow-up mechanism created within the institution and expands its composition.

Information for the press

The Court of Audit exerts an external control on the financial operations of the Federal State, the Communities, the Regions and the provinces. It contributes to improving public governance by transmitting to the parliamentary assemblies, to the managers and to the audited services any useful and reliable information resulting from a contradictory examination. As a collateral body of the Parliament, the Court performs its missions independently of the authorities it controls.

The full version of the audit report (in French) named *L'exploitation de la station d'épuration de Bruxelles-Nord de 2009 à 2013* and this press release can be found on the Court's homepage: www.courtofaudit.be.