



Audit of the implementation of Water Act in Slovenia

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Purposes of the Water Frame Directive

- prevents further deterioration and protects and enhances the status of aquatic ecosystems and, with regard to their water needs, terrestrial ecosystems and wetlands directly depending on the aquatic ecosystems;
- promotes sustainable water use based on a long-term protection of available water resources;
- aims at enhanced protection and improvement of the aquatic environment, inter alia, through specific measures for the progressive reduction of discharges, emissions and losses of priority substances and the cessation or phasing-out of discharges, emissions and losses of the priority hazardous substances;
- ensures the progressive reduction of pollution of groundwater and prevents its further pollution, and
- contributes to mitigating the effects of floods and droughts



Sustainable water use

- To ensure sustainable water use each Member State shall ensure that for each river basin district or for the portion of an international river basin district falling within its territory an analysis of its characteristics, a review of the impact of human activity on the status of surface waters and on groundwater, and an economic analysis of water use is undertaken.

By 2010 Member States shall ensure

- that water-pricing policies provide adequate incentives for users to use water resources efficiently, and thereby contribute to the environmental objectives of this Directive;
- an adequate contribution of the different water uses, disaggregated into at least industry, households and agriculture, to the recovery of the costs of water services, based on the economic analysis conducted according to Annex III and taking account of the polluter pays principle



The causes to conduct an audit of implementing principles of Water Framework Directive

- legally unsettled situation about conditions in water use;
- big delays in carrying procedures of granting water rights;
- delays in adopting water-use regulation;
- water pricing policy is not defined;
- undetermined recovery of costs for water services.



Main findings of the Audit of the implementation of Water Framework Directive and Water Act in Slovenia

- The Court of Audit assessed that the Ministry:
- exceeded the time limit for issuing the permits for water use, particularly for *own drinking water supply*
- did not prepare the proposal of temporary water management plan, which is fundamental for granting of water rights according to sustainable use of water resources;
- did not prepare and adopt a methodology for determining ecologically acceptable flow regulation which is necessary for granting of water rights;



Main findings of the Audit of the implementation of Water Framework Directive and Water Act in Slovenia

- did not make a proposal of criteria to determine the date, the method and the amount of payment for water rights when the water right is granted under the Water Act permit, and it failed to provide the Government of the Republic of Slovenia for its adoption;
- has not adopted regulation governing the form and method of keeping data in the *water paper and water cadastral register* and
- did not transform the existing *water paper and water cadastral register* and set them up in accordance with the provisions of the Water Act, therefore it is difficult to decide on new water rights and to maintain the *completeness* of information on users subject to *water charges*.



Main findings of the Audit of the implementation of Water Framework Directive and Water Act in Slovenia

The Court of Audit determined whether the Ministry put in place an efficient and transparent system of *water charges* assessment and efficient and transparent system of water charges, charged to end users. The *systems of water charges* are not efficient and transparent because of the following findings:

- the basis of water charges assessment, which would allow determination of the equal obligations to all persons subject to water charges is not defined; the basis for calculation of the water charges is determined in different ways and through different methodologies, which does not allow their equal treatment in determining the assessment basis for water charges, therefore different amounts of water charges per unit of water sold may be charged;



Main findings of the Audit of the implementation of Water Framework Directive and Water Act in Slovenia

- the definition of person liable to pay water charges for public water supply is not clear and unified;
- a uniform assessment of water charges for all persons who were liable to pay the water charges have not been assured, especially not for those persons for their own drinking water supply; water charges was not charged to them, although they have been granted water rights; the Ministry has not established records of granted water rights and records of water charges according to uniform criteria that these records could be compared, and it does not have adequate control and assurance that water charges has been charged to all persons liable to pay it;
- the conditions for a uniform system of charging water charges to end users of drinking water supply were not establish, therefore the water chareges were charged to end users in different ways; amounts of water charges per unit of water sold, which were paid by end users were therefore very different, reflecting the inequality of their treatment.



Main findings of the Audit of the implementation of Water Framework Directive and Water Act in Slovenia

- The Court of Audit also assessed that the Ministry did not establish an effective and transparent system of financing activities related to the elimination of problems in water charges funds, and it did not successfully address the problem of water losses:
- The Ministry did not set goals and priorities of resource from water charges collected in the Water fund transparently, aims and priorities of spending of the accumulated water charges were not determined by the different water uses for which the funds were collected from the water charges; The current method of planning and resource use from water charges did not make possible to finance projects in the area of different type of water use, as well as not to calculate the appropriate amount of water charges for each purpose of water use;



Main findings of the Audit of the implementation of Water Framework Directive and Water Act in Slovenia

- The Ministry did not specify the criteria for determining the base price of water charges for each type of water use in relation to the objectives and priorities;
- The Ministry did not provide a unified definition of water loss, therefore they can not be measured and monitored in a uniform manner, the real situation of water loss can not be determined and effective measures to tackle this problem can not be planned.



Recommendations

- to prepare an in-depth analysis of possible reasons for delays in granting water permits;
- to prepare an in-depth analysis of possibilities to acquire different documentation from other state agencies more quickly; to prepare an in-depth analysis of granting water use concessions and licenses as well as finding reasons for delays in these procedures;
- to bring into line the inspection procedures of unauthorized use of water resource with the Inspectorate for Environment;
- prepare a plan to reduce water losses and
- establish complete and reliable evidences of water resources and water uses.