

**Water Services Act (119/2001)  
(amendments up to 979/2015 included)**

Chapter 1

**General provisions**

Section 1

*Objective*

The objective of this Act is to ensure water services which provide access to a sufficient amount of good-quality water for household use with respect to health and otherwise at reasonable cost and appropriate sewerage in terms of the protection of health and the environment.

Section 2

*Scope of application*

(681/2014)

- (1) This Act applies to water services for settlement and, unless otherwise provided, water services for business and leisure activities similar to settlement with regard to water services.
- (2) This Act also applies to the sewerage for rainwater or meltwater (*runoff water*) accumulated on soil surface in built areas or the roof or other surface of a building as far as this is the task of the water utility. The provisions on runoff water in this Act also apply to drainage water from foundations.

Section 3

*Definitions*

(681/2014)

(1) In this Act:

- 1) *water services* mean the conducting, treatment and supply of water for household use and disposal and treatment of wastewater;
- 2) *water for household use* means water intended for human consumption as provided in the Health Protection Act (763/1994);
- 3) *water utility* means a plant which manages the water services of a community in an area of operation approved by the municipality;
- 4) *customer* means the owner or occupier of a property or other party who enters into a contract with the water utility on connecting the property to the network of the water utility or on the provision and use of the services of the water utility;
- 5) *consumer* means a person referred to in Chapter 1, section 4 of the Consumer Protection Act (38/1978) who enters into a contract referred to in this Act with the water utility;
- 6) *general service conditions* mean the general conditions to be attached to contracts concluded on connecting to the network of a water utility and the provision and use of the services of the water utility;
- 7) *sewerage for runoff water* means the disposal of runoff water and drainage water from foundations in the runoff water sewer and treatment of such water;
- 8) *population centre* means an area with at least 200 inhabitants living in buildings located close to each other.

Section 4  
*Authorities*  
(681/2014)

- (1) The general steering and monitoring of the implementation of this Act is the responsibility of the Ministry of Agriculture and Forestry.
- (2) The control authorities referred to in this Act in their respective spheres of operation are the Centre for Economic Development, Transport and the Environment and the municipal health protection authority and municipal environmental protection authority.
- (3) The Consumer Ombudsman supervises the lawfulness of the conditions in the contracts referred to in Chapter 5 with regard to consumer protection.

Chapter 2

**Development and organisation of water services**

Section 5  
*General development of water services*  
(681/2014)

A municipality shall develop water services and sewerage in its territory in accordance with the development of communities so as to meet the objectives of this Act in cooperation with the water utilities in its territory and those supplying water to the water utilities and treating their wastewater and with other municipalities, and participate in the general regional planning of water services.

Section 6  
*Organisation of water services*

- (1) The owner or occupier of a property is responsible for the water services of the property as provided in this Act and other law.
- (2) When required due to the need of a relatively large number of inhabitants or health or environmental protection reasons, a municipality shall see that appropriate measures are taken to establish a water utility to meet the need, to expand the area of operation of a water utility, or to otherwise secure the access to sufficient water services.
- (3) Before taking the measures referred to in subsection 2, the municipality shall give the property owners and occupiers in the area the opportunity to be heard.

Section 7  
*Areas of operation of water utilities*  
(681/2014)

Within the territory of a municipality, the areas of operation of water utilities shall cover areas where connecting the properties to the water main or wastewater sewer is necessary due to the realised or planned development of communities.

Section 8  
*Approval of the area of operation of a water utility*  
(681/2014)

- (1) A municipality shall approve the area of operation of a water utility and, where necessary, alter an approved area of operation on the submission of water utility suitable for managing water services or, if the water utility has presented no such submission, after hearing the water utility. Before the approval or altering of the area of operation, information on the matter shall

be provided to a sufficient extent and the control authority shall be given the opportunity to give a statement and owners and occupiers of properties in the area shall be given the opportunity to be heard.

- (2) An area of operation shall be such that:
  - 1) the water utility is capable of managing the water services it is responsible for in an economical and appropriate manner; and
  - 2) the charges for water services collected to cover the costs of water services are reasonable and equitable.
- (3) When approving an area of operation, a municipality shall determine areas to be included in the water main network of the water utility and areas to be included in the wastewater sewer network of the water utility, taking into account the needs for water services in the different parts of the area. In connection with the decision on approval a target timetable that meets the needs relating to the development of communities shall be established for including the different parts of the area of operation into the networks.
- (4) The area of operation, population centres located within it and areas to be included in the water main network and wastewater sewer network shall be shown on a map which shall be publicly available online. Information on the approval of the area of operation shall be provided to a sufficient extent.

#### Section 8 a

##### *Securing water services when the area of operation is reduced* (681/2014)

When making a decision on reducing the area of operation of a water utility the municipality shall at the same time decide how water services are secured for properties connected to the networks of the water utility which are excluded from the area of operation.

#### Section 9

##### *Management of water services*

A water utility shall manage the water services in its area of operation in accordance with the needs relating to development of communities as set out in the decision on the approval of the area of operation referred to in section 8.

### Chapter 3

#### **Connecting to the network of a water utility and management of water services**

#### Section 10

##### *Connecting a property to the network of a water utility* (681/2014)

- (1) A property located in the area of operation of a water utility shall be connected to the water main and wastewater sewer of the water utility.
- (2) However, outside a population centre a property need not be connected to the water main if:
  - 1) the water service equipment of the property has been built before the approval of the area of operation of the water utility; and
  - 2) the property has access to a sufficient amount of water for household use that meets the quality requirements laid down in the Health Protection Act.
- (3) Outside a population centre a property need not be connected to the wastewater sewer if:
  - 1) the water service equipment of the property has been built before the approval of the area of operation of the water utility and the provisions laid down in the Environmental Protection Act (527/2014) are complied with in the conducting and treatment of wastewater; or
  - 2) the property does not have a water closet and the provisions laid down in the

Environmental Protection Act are complied with in the conducting and treatment of wastewater.

- (4) Notwithstanding the provisions of subsection 1, a water utility may refuse to connect to the water main or wastewater sewer a property if its water consumption or quality or quantity of wastewater conducted from the property to the wastewater sewer would interfere with the operations of the water utility or its ability to satisfactorily manage the water services of other properties.

## Section 11

### *Exemption from the connecting obligation*

(681/2014)

- (1) Under the grounds provided in this section the municipal environmental protection authority may upon application grant a property an exemption from the connecting obligation referred to in section 10 that is in force until further notice or for a specific time period. Before granting the exemption, an opportunity shall be given to the water utility and owner or occupier of the property to be heard. In addition, the municipal environmental protection authority shall request a statement on the exemption from the municipal health protection authority.
- (2) Exemption from the connecting obligation shall be granted if:
  - 1) connecting to the network would cause unreasonable burden to the owner or occupier of the property, taking into account the costs arising from constructing the water service equipment of the property, costs arising from the connection, minimal need for water services or another similar special reason; and
  - 2) exemption does not compromise the economical and appropriate management of water services in the area of operation of the water utility.
- (3) In addition to the provisions in subsection 2 above, a condition for the exemption from the obligation to connect a property to the water main is that the property has access to a sufficient amount of water for household use which meets the relevant requirements. In addition to the provisions in subsection 2 above, a condition for the exemption from the obligation to connect a property to the wastewater sewer is that the conducting and treatment of wastewater from the property can be organised in accordance with the requirements laid down in the Environmental Protection Act.

## Section 12

### *Connection points*

(681/2014)

A water utility shall determine the connection points, located in the immediate vicinity of the property, for each property to be connected to its network. Connecting the property to the network of the water utility shall not cause unreasonable costs to the owner or occupier of the property due to the location of the connection points.

## Section 13

### *Design, construction, maintenance and use of water service equipment*

- (1) The owner or occupier of a property to be connected to the network of a water utility is responsible for the water service equipment of the property up to the connection point. The equipment shall be designed, located and constructed in a way that it is compatible with the equipment of the water utility. The water service equipment of the property shall be maintained and used in a way that it causes no risk or inconvenience to the use of the equipment of the water utility or health or the environment.
- (2) The owner or occupier of a property connected to the network of a water utility shall allow a representative of the water utility to inspect the type, condition and functioning of the equipment connected or to be connected to the equipment of the water utility. The inspection shall be carried out in a way that it causes minimum inconvenience to the use of the property.

- (3) The provisions on the design, construction, maintenance, use and supervision of the water service equipment of the property and the equipment of a water utility laid down in other law and what is agreed in the contract concerning connecting the property and the provision and use of the services of the water utility shall also apply.
- (4) In an area with a valid zoning plan referred to in the Land Use and Building Act (132/1999) or where such a plan is being prepared, the equipment of a water utility shall not be constructed in a way that interferes with the preparation of the plan or the implementation of the valid plan.

#### Section 14

##### *Obligation of a water utility concerning the quality of water for household use*

A water utility shall ensure that the water for household use supplied by the water utility meets the quality requirements laid down in the Health Protection Act.

#### Section 15

##### *Obligation of a water utility concerning knowledge and monitoring*

(681/2014)

- (1) A water utility shall have knowledge of the risks concerning the quantity or quality of the raw water it uses and the condition of its equipment. For this purpose the water utility shall monitor the quantity and quality of the raw water it uses, the condition of its equipment and amount of leakage water in the water main and sewer network of the water utility. Information on the location of the networks shall be made available in electronic form.
- (2) The provisions in subsection 1 also apply to a plant supplying water to a water utility or treating wastewater of a water utility.
- (3) Further provisions on the obligation concerning knowledge and monitoring may be issued by Government decree.

#### Section 15 a

##### *Securing services of a water utility in the event of incidents*

(681/2014)

- (1) A water utility is responsible for the access to water services of properties connected to its network in the event of incidents. To secure the services the water utility shall cooperate with the water utilities connected to the same network, municipality, municipal control authorities, rescue authorities, contract partners and customers.
- (2) A water utility shall draw up and keep up-to-date a plan on the preparation for incidents and undertake the necessary measure on the grounds of the plan. The water utility shall submit the plan to the control authorities, rescue authorities and municipality.
- (3) The provisions in subsections 1 and 2 also apply to a plant supplying water to a water utility or treating wastewater of a water utility.
- (4) Further provisions on the grounds according to which a water utility plans the preparation for incidents may be issued by Government decree.

#### Section 16

##### *Obligation to provide information and publicity of documents*

(54/2005)

- (1) When requested, a water utility and customer shall provide each other with the information necessary with regard to connecting to the network of the water utility and managing water services.
- (2) A water utility shall provide sufficient information concerning the quality of water for household use supplied by the water utility and level of wastewater purification and how the charges collected for water services are formed.
- (3) The provisions of the Act on the Openness of Government Activities (621/1999) apply to the

access to information in the documents of the water utility which contain environmental information concerning the quality or quantity of raw water or water for household use or treatment and conducting of wastewater and to the obligation to promote access to such environmental information. (54/2005)

- (4) A decision of a water utility by which a matter concerning access to a document has been resolved may be appealed to the competent administrative court referred to in section 12 of the Administrative Judicial Procedure Act (586/1996) as provided in the Administrative Judicial Procedure Act. (54/2005)

## Section 17

### *Use of the customer's property*

- (1) Where necessary, a representative of the water utility has the right to gain entry to a customer's property and undertake measures necessary with regard to the construction, maintenance and use of the water service equipment of the water utility. In the absence of special reasons to the contrary, advance notification of the entry to the property and measures shall be provided to the owner or occupier of the property.
- (2) A water utility shall ensure that the entry to the customer's property and the measures undertaken there cause minimum inconvenience or damage to the property or its use. A water utility shall compensate the customer for any inconvenience and damage.
- (3) Separate provisions have been laid down on gaining right of use and ownership to areas necessary for buildings, equipment and constructions needed in water services. Provisions on the right to groundwater abstraction and conducting water and on research necessary to examine the feasibility of a measure referred to in the Water Act are laid down in the Water Act (587/2011).

## Chapter 3 a

### **Organisation and management of sewerage for runoff water**

(681/2014)

## Section 17 a

### *Organisation of sewerage for runoff water*

(681/2014)

- (1) A municipality may decide, after having negotiated with the water utility, that the water utility manages the sewerage for runoff water within an area to be specified in the decision in accordance with the needs relating to the development of communities. Sewerage is part of the management of runoff water referred to in section 103 b of the Land Use and Building Act.
- (2) A condition for a decision referred to in subsection 1 above is that:
  - 1) the water utility is capable of managing the sewerage for runoff water in an economical and appropriate manner; and
  - 2) the charges collected to cover the costs of sewerage are reasonable and equitable.
- (3) In addition, a condition for a decision referred to in subsection 1 is that the municipality and water utility have concluded a contract on the sewerage for runoff water and, if no such contract exists, the sewerage for runoff water in the area referred to in the decision is managed in accordance with a zoning plan, runoff water plan, street plan or general local plan referred to in the Land Use and Building Act.
- (4) A map showing the areas with a runoff water network of a water utility and areas to which a network is to be constructed shall be annexed to the decision.

## Section 17 b

### *Connecting a property to the runoff water sewer of a water utility*

(681/2014)

- (1) A property located in the area with runoff water sewerage of a water utility decided by a municipality shall be connected to the runoff water sewer of the water utility.
- (2) Notwithstanding the provisions of subsection 1, a water utility may refuse to connect a property to the runoff water sewer of the water utility if the quality or quantity of the runoff water from the property to be conducted to the sewer would interfere with the operations of the water utility or its ability to satisfactorily manage the sewerage of runoff water of other properties.

#### Section 17 c

##### *Exemption from the obligation to connect to the runoff water sewer*

(681/2014)

- (1) The municipal environmental authority may upon application grant a property an exemption from the obligation to connect to the runoff water sewer referred to in section 17 b that is in force until further notice or for a specific time period. Before granting the exemption, an opportunity shall be given to the water utility and owner or occupier of the property to be heard.
- (2) Exemption from the obligation to connect to the runoff water sewer shall be granted if:
  - 1) connecting to the runoff water sewer would cause unreasonable burden to the owner or occupier of the property, taking into account the costs arising from managing the runoff water of the property, costs arising from the connection, minimal need for runoff water sewerage of the water utility, or another similar special reason;
  - 2) the exemption does not compromise the economical and appropriate management of runoff water sewerage in the area with runoff water sewerage of the water utility referred to in section 17 a; and
  - 3) runoff water of a property to be exempted from the connection can be appropriately removed by other means.

#### Section 17 d

##### *Prohibition to conduct runoff water of a property to the wastewater sewer*

(681/2014)

- (1) Runoff water shall not be conducted from a property to the wastewater sewer of a water utility.
- (2) If runoff water of a property is not removed from the property by other means, the property may, however, be connected to the wastewater sewer for the removal of runoff water if:
  - 1) the wastewater sewer was constructed before 2015 and it has been dimensioned for the removal of runoff water as well;
  - 2) there is no runoff water sewer network in the area to which the property can be connected; and
  - 3) the water utility is capable of managing the runoff water to be conducted to the wastewater sewer economically and appropriately.

#### Section 17 e

##### *Further provisions on managing the sewerage of runoff water*

(681/2014)

The provisions in sections 12, 13, 16 and 17 also apply to managing the runoff water sewerage of a water utility.

#### Chapter 4

##### **Financial management of a water utility**

(681/2014)

#### Section 18

##### *General criteria for the charges*

- (1) The charges for water services and runoff water sewerage shall be such that the investments in new building and repairs and the costs of a water utility can be covered in the long term. The charges may include no more than a reasonable return on the capital. (681/2014)
- (2) The charges shall be reasonable and equitable. The need to regulate the consumption of water, a special purpose of use of water or exceptional quality or quantity of wastewater may be taken into account in the amount of the charges. As considered necessary, the charges shall be such that they promote the sparing use of water and reduction in the amount of wastewater and prevent the entry of harmful substances into the sewer.
- (3) Water services may be subsidised by municipal, national or European Community funds. The subsidy shall be taken into account when covering the costs as set out in subsection 1. In addition, separate provisions laid down on subsidising water services shall be applicable.

## Section 19

### *Charges*

(681/2014)

- (1) A water utility shall collect a charge for the use of water services. The charge for use is collected on the basis of the quantity and quality of water used by the property and wastewater to be disposed of. A water utility may also collect a charge for runoff water sewerage.
- (2) In addition, a water utility may collect a connection charge and a basic charge and other charges for the services provided by the water utility. The amounts of these charges vary in different areas if this is necessary in terms of appropriate cost allocation or implementation of the polluter pays principle or other similar cause. The purpose of use of the property may also be taken into account when establishing the amount of the connection charge.

## Section 19 a

### *Compensation for runoff water sewerage for public areas*

(681/2014)

A water utility collects compensation from the municipality for the sewerage of runoff water to be conducted from public areas to the runoff water sewer of the water utility, corresponding to the costs.

## Section 20

### *Separate accounts on water services in accounting*

(681/2014)

- (1) A municipality or company shall keep separate accounts on water services and other operations in its accounting. A balance sheet, profit and loss account and cashflow statement shall be drawn up for water services for each accounting period and information attached to these shall be presented. The balance sheet and profit and loss account shall be drawn up in accordance with the provisions in the Accounting Act (1336/1997).
- (2) The provisions on the separate accounts on water services also apply to runoff water sewerage referred to in section 17 a.
- (3) The provisions in subsections 1 and 2 also apply to a plant supplying water to a water utility or treating wastewater or runoff water of a water utility.

## Section 20 a

### *Annual report of a water utility*

(681/2014)

- (1) A water utility shall draw up an annual report referred to in the Accounting Act. It shall present in an understandable form the financial statements referred to in section 20 and information on key figures showing the price level, efficiency, quality and profitability of

water services.

- (2) The annual report shall also present the information referred to in subsection 1 concerning runoff water sewerage under section 17 a.
- (3) Further provisions on the content of the annual report may be issued by Government decree.

#### Section 20 b

*Auditing of the financial statement and annual report*  
(681/2014)

Auditors shall audit the financial statements referred to in section 20 and annual report referred to in section 20 a as part of the statutory audit of the municipality or water utility.

#### Section 20 c

*Publication of the financial statements, annual report, service conditions and key figures*  
(681/2014)

A water utility shall publish the financial statements referred to in section 20 and annual report referred to in section 20 a online. The water utility shall also publish online the water service conditions and pricing criteria and the key figures showing the price level, efficiency, quality and profitability of water services.

#### Section 20 d

*Water services information system*  
(681/2014)

- (1) The Finnish Environment Institute maintains the water services information system in cooperation with the Centres for Economic Development, Transport and the Environment.
- (2) A water utility submits the prices for its water services and the criteria for establishing these and information necessary for calculating the key figures showing the efficiency, quality and profitability of water services to the water services information system.
- (3) The provisions in subsections 1 and 2 also apply to a plant supplying water to a water utility or treating wastewater of a water utility
- (4) Further provisions on the water services information system and information to be submitted to it may be issued by Government decree.

### Chapter 5

**Contracts concerning water services and runoff water sewerage**  
(681/2014)

#### Section 21

*Concluding the contract*

A contract on connecting a property to the network of a water utility or the provision and use of the services of a water utility shall be concluded in writing or electronically so that the contents of the contract cannot be altered unilaterally and the contract remains available to both parties.

#### Section 22

*General conditions for water services and runoff water sewerage*  
(681/2014)

The general conditions for water services and runoff water sewerage shall be drawn up in a way that they are reasonable and equitable.

#### Section 23

## *Changing the conditions of a contract*

- (1) A water utility may change the charges under a contract referred to in section 21 and other conditions of a contract only:
  - 1) on grounds specified in the conditions of the contract, provided that the content of the contract as a whole does not change in a significant way;
  - 2) on the grounds of an amendment to the legislation or a decision by an authority based on this;
  - 3) for other special reasons due to significant changes in the circumstances.
- (2) In addition, a water utility has the right to make minor changes to the conditions of the contract which have no impact on the main content of the contract.
- (3) A water utility shall notify the customer well before changing the contract of how and from which date the charges and other conditions of the contract will change and of the grounds for the change. If the change is not based on an amendment to the legislation or on a decision by an authority based on this, the change shall become effective no sooner than one month from the date the notification was sent.

## Section 24

### *Termination of a contract*

- (1) A water utility may terminate a contract concerning connecting to the network referred to in section 21 only if keeping the contract in force would be unreasonable due to a significant change in the water consumption of the property or in the quality or quantity of the wastewater, runoff water or drainage water from the foundations conducted to the sewer from the property.
- (2) A customer may terminate a contract concerning connecting to the network referred to in section 21 in the area of operation of a water utility only if the property has been granted an exemption to the connecting obligation under section 11.
- (3) A water utility may terminate a contract concerning the provision and use of the services of a water utility referred to in section 21 only if water services have been discontinued on grounds laid down in section 26 and keeping the contract in force is unreasonable.
- (4) In addition to the provisions in subsection 3, a contract concerning the provision and use of the services of a water utility may be terminated if the contract concerning connecting to the network required for the use of the services is terminated on grounds laid down in subsection 1 or 2.
- (5) Notwithstanding the provisions in sections 1 and 3 a water utility may also terminate a contract concerning connecting to the network referred to in section 21 and the provision and use of the services of the water utility when the property of the customer is excluded from the area of operation due to the reduction of the area of operation. A condition for the termination is that the water utility or municipality secures the water services of the property in a way that this causes no additional costs to the customer. (681/2014)

## Chapter 6

### **Discontinuation and error**

## Section 25

### *Binding nature of the provisions*

No derogation from the provisions in this Chapter may be made by contract to the detriment of the consumer. Without prejudice to the provisions below, the provisions laid down in this Chapter shall otherwise apply between the water utility and the customer if not agreed otherwise.

## Section 26

### *Discontinuation of water services*

- (1) A water utility may discontinue the supply of water or disposal of wastewater, runoff water and drainage water from foundations if the customer has in an essential way neglected the payment of charges referred to in section 19 or otherwise in an essential way violated the obligations based on the statutes or contract.
- (2) A water utility may not discontinue the supply of water or disposal of wastewater, runoff water and drainage water from foundations until at least five weeks have elapsed from notifying the customer for the first time of the possible discontinuation referred to in subsection 1 and the neglect or violation of an obligation has not been corrected in time before the notified time of discontinuation. If an action which violates the statutes or contract is such that it may cause immediate danger or significant damage to the use of the water utility or health or the environment, the supply of water or disposal of wastewater, runoff water and drainage water from foundations may be discontinued immediately.
- (3) If the neglect of payment referred to in subsection 1 is due to financial difficulties of the consumer caused by serious illness or unemployment or a similar special cause mainly through no fault of the customer and the customer has notified the water utility of such payment difficulties, the supply of water or disposal of wastewater, runoff water and drainage water from foundations may not be discontinued until at least ten weeks have elapsed from notifying the customer for the first time of the possible discontinuation.

## Section 27

### *Error and price reduction*

(681/2014)

- (1) There is an error in water services or runoff water sewerage when the quality of water or the way it is supplied or the services of the water utility are not such as can be required based on the contract or statutes. There is also an error in water services or runoff water sewerage when it is continuously or repeatedly discontinued unless the discontinuation is due to usual repair or maintenance of the equipment of the water utility which without a break takes less than 12 hours and of which the customer has been notified in advance, or unless the discontinuation can be considered a minor one in view of the cause of the discontinuation and the circumstances.
- (2) Breakdown or discontinuation caused by an obstacle which lies outside the scope of influence of the water utility and which it within reason cannot be required to have taken into account in its operations and whose consequences it could not have avoided or overcome by exercising due diligence are not considered as an error.
- (3) The customer is entitled to a price reduction corresponding to the error. A claim for price reduction shall be presented to the water utility within reasonable time from the time when the customer detected or should have detected the error.
- (4) If the error is based on discontinuation of water services for more than 12 hours without a break, the amount of the price reduction is at least two percent of the annual basic and use charge of the customer. A water utility deducts the price reduction from the invoice of the customer after having verified the discontinuation of water services without a break. No derogation from the provisions in this subsection in the water services of settlement may be made by contracts to the detriment of the customer.

## Section 28

### *Compensation for damage*

- (1) A water utility is obliged to compensate for damages due to an error in water services or runoff water sewerage to a person or property intended for private use or consumption and mainly used for such purpose by the party suffering the damage. Any condition included in a contract made

before the damage was found which restricts the right of the party suffering the damage to compensation under this subsection is null and void. (681/2014)

- (2) A water utility is obliged to compensate for financial loss to the customer due to an error in water services or runoff water sewerage. A water utility is obliged to compensate for indirect damage only if the error or damage is caused by negligence of the water utility. (681/2014)
- (3) The following are to be considered indirect damage:
  - 1) loss of earnings caused by an error in water services or measures due to it;
  - 2) damage caused by an obligation based on another contract;
  - 3) significant loss of benefits based on the use of the water services which cause no direct financial loss, and other significant harm similar to this;
  - 4) other similar damage which is difficult to anticipate.
- (4) If damage referred to in subsection 3 is caused by efforts to contain another kind of damage, the damage is not considered indirect in this respect.

## Chapter 7

### **Control, administrative enforcement measures and appeal**

#### Section 29

##### *Correction of a violation or neglect*

- (1) The control authority may prohibit a party that violates this Act or a provision issued under it from continuing or repeating the procedure which violates the provision or order the party concerned to meet the relevant obligations.
- (2) A prohibition or order directed at a municipality shall be issued by the Centre for Economic Development, Transport and the Environment. (1488/2009)
- (3) Prior to issuing a prohibition or order, the control authority shall, to the extent possible, negotiate with the party that violated this Act or a provision issued under it.

#### Section 30

##### *Notice of a conditional fine, notice of enforced compliance and notice of enforced suspension*

- (1) The control authority may supplement a prohibition or order issued under section 29 by a notice of a conditional fine or a notice that the measure is taken at the defaulter's expense or that the operations are suspended or prohibited.
- (2) Otherwise the provisions in the Act on the Notice of a Conditional Fine (1113/1990) apply to the notice of a conditional fine, notice of enforced compliance and notice of enforced suspension.

#### Section 31

##### *Right to institute proceedings*

If a municipality has neglected an obligation referred to in section 6(2) and no action has been instituted by the control authority, action may be instituted in writing by a party whose right or interest may be involved, or by an authority supervising the public interest in the matter.

#### Section 32

##### *Appeal*

(979/2015)

- (1) A decision issued by a municipal authority under section 8 or 17 a may be appealed to the Administrative Court as provided in the Local Government Act (410/2015). The right of appeal rests with the control authority as well. A decision of the Administrative Court may be appealed only if the Supreme Administrative Court grants permission to appeal.
- (2) A decision issued by a control authority under this Act and a decision issued by a municipal

environmental protection authority under section 11 may be appealed to the Administrative Court as laid down in the Administrative Judicial Procedure Act. A decision of the Administrative Court in a matter referred to in section 29 of this Act may be appealed as laid down in the Administrative Judicial Procedure Act. Another decision of the Administrative Court may be appealed only if the Supreme Administrative Court grants permission to appeal.

### Section 33

#### *Right of appeal*

- (1) The right of appeal rests with the following parties:
  - 1) a party whose interests or right may be concerned;
  - 2) a municipality;
  - 3) a control authority;
  - 4) an authority supervising the public interest in the matter.
- (2) In addition, the control authority has the right to appeal against a decision by which the Administrative Court has amended or repealed a decision made by the control authority.

### Section 34

#### *Hearing before the District Court*

A civil matter between a water utility and its customer concerning the water services of a property is heard before the District Court. Further provisions on the legal venue are issued separately.

## Chapter 8 – **Miscellaneous provisions**

### Section 35

#### *Confidentiality obligation*

- (1) The provisions laid down in the Act on the Openness of Government Activities (621/1999) apply to the confidentiality obligation of a party carrying out a task pursuant to this Act.
- (2) Notwithstanding the confidentiality obligation laid down in the Act on the Openness of Government Activities, information on the financial position of a private person or corporation, business or professional secret or personal circumstances of a private person obtained when carrying out tasks pursuant to this Act may be disclosed to
  - 1) a control authority for carrying out tasks pursuant to this Act;
  - 2) prosecuting and police authorities for solving an offence.

### Section 36

#### *Further provisions*

- (1) Further provisions may be issued by Government decree concerning:
  - 1) the maximum distance of the connection point referred to in section 12 from the boundary of the property or the nearest building belonging to the property to be connected;
  - 2) quality requirements for the raw water, implementation of the monitoring obligation and provision of information on the monitoring and provision of other information collected when carrying out tasks pursuant to this Act;
  - 3) general criteria for establishing charges referred to in section 18;
  - 4) implementation of this Act.

### Section 31

#### *Entry into force*

- (1) This Act enters into force on 1 March 2001.

- (2) However, the provisions on the accounting of a municipal water utility shall apply for the first time to the accounting period which begins on 1 January 2002 or later.
- (3) This act repeals the Act on Public Waterworks and Sewerage Systems of 23 December 1977 (982/1977) and the Act on Wastewater Charge of 13 July 1973 (610/1973), as amended.
- (4) However, the Government Decision concerning the treatment of wastewater conducted to waters from a public sewer and certain branches of industry and to a public sewer from industrial plants (365/1994) remains in force until otherwise provided under section 11 of the Environmental Protection Act. This decision shall be complied with when concluding a contract referred to in section 21.
- (5) Measures necessary for the implementation of this Act may be undertaken before the entry into force of this Act.

## Section 38

### *Transitional provisions*

- (1) A municipality shall approve the water service development plans referred to in section 5 within three years from the entry into force of this Act. The provisions concerning the area of operation of a water utility also apply to an area of operation established by virtue of section 3 of the Act on Public Waterworks and Sewerage Systems until a municipality establishes an area of operation for the water utility by virtue of section 8 of this Act.
- (2) General provisions issued under section 11 of the Act on Public Waterworks and Sewerage Systems, as far as they do not violate this Act or provisions issued under it, remain in force as general service conditions pursuant to this Act for no more than two years from the entry into force of this Act.
- (3) The provisions in force upon the entry into force of this Act apply to matters pending in an administrative body or court of law upon the entry into force of this Act.

### *681/2014*

- (1) This Act enters into force on 1 September 2014. However, section 20 d enters into force on 1 January 2016.
- (2) In an area of operation that has been approved pursuant to section 8 in force upon the entry into force of this Act, a water utility shall manage the sewerage for runoff water in accordance with the decision on approval until the municipality makes the decision on the sewerage for runoff water referred to in section 17 a.
- (3) Until 31 December 2018, in an area of operation of a water utility that has been approved before the entry into force of this Act where the water utility has taken measures for managing the water services, the obligation to connect a property to the water main and sewer is determined pursuant to section 10 in force upon the entry into force of this Act.
- (4) A municipality shall present the areas of operation of water utilities approved before the entry into force of this Act, population centres located in these and areas to be covered by the water main network and wastewater sewerage network on a map in a way referred to in section 8(4) no later than 31 December 2016.
- (5) A water utility shall make the information on the location of networks available in electronic form in a way referred to in section 15(1) no later than 31 December 2016.
- (6) A water utility shall have a plan on the preparation for incidents referred to in section 15 a(2) no later than 31 December 2016.

### *979/2015*

- (1) This Act enters into force on 1 January 2016.
- (2) Provisions in force upon the entry into force of this Act apply to an administrative decision issued in an appeal procedure before the entry into force of this Act.