

WATER MANAGEMENT IN PORTUGAL

LEGAL FRAMEWORK

Portugal's first water management model: 1824 (defined public property of water)
Portugal's first water law: 1919 (it is forbidden to pollute)

Law n.º 54/2005, 15th November – **Water Resources Ownership Law**

- Establishes the ownership of water resources;
- Defines the public water domain and the marine public domain:
 - Coastal and territorial waters
 - Inland waters subject to tidal influence
 - Seabed of coastal and territorial waters
 - Seabed contiguous to the continental shelf, covers Exclusive Economic Zone (EEZ)
 - Margins of coastal waters and of inland waters subject to tidal influence.

Law n.º 58/2005, 29th December – **Water Law**

- Transposes the EU Water Framework Directive
- Defines the institutional framework for water management
- Defines the planning process for water resources

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Decree-Law n.º 226-A/2007, 31th May – **Permitting system of water uses**

- **Defines the licensing process for water resources uses**

Decree-Law n.º 97/2008, 11th June – **Economic and Financial Regime of Water Resources**

- **Establishes the fees payable for the different uses of water resources**

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INSTITUTIONAL FRAMEWORK

National Level: Water Institute (Instituto da Água)

National Water Authority - represents the State as guarantor of national water policy

River Basin District Level : River Basin District Administrations (ARH) with responsibilities for water management, including planning, licensing and inspection

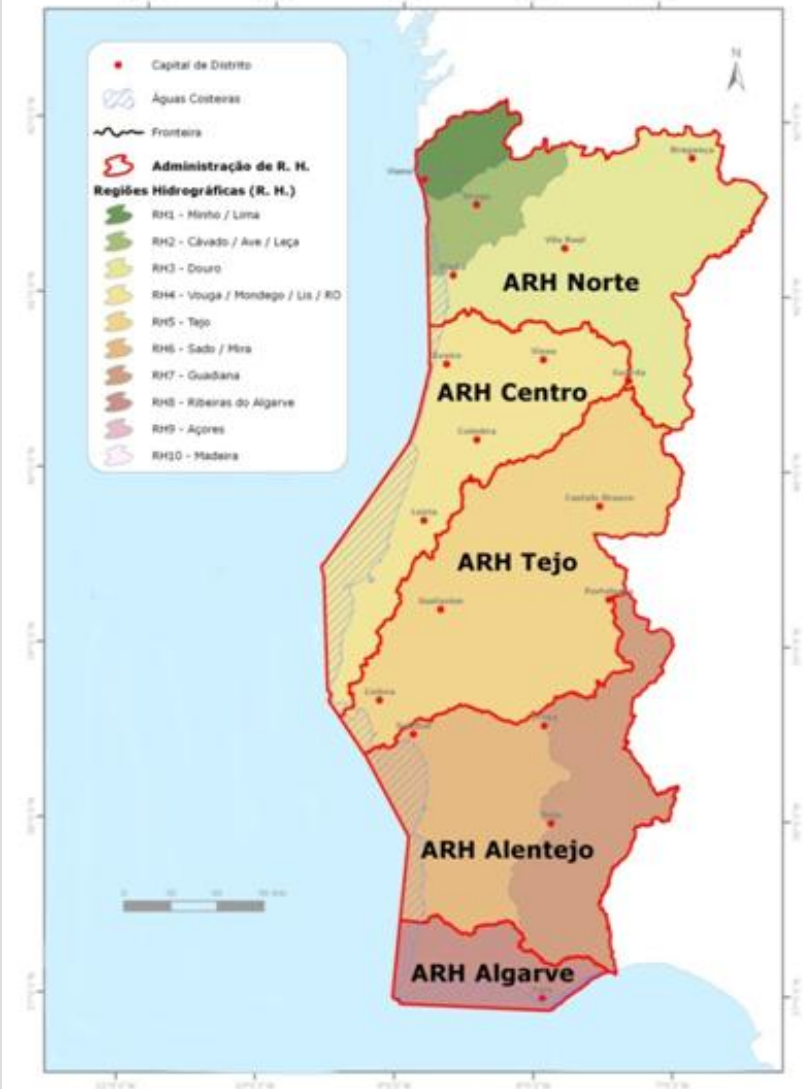
Local level : Municipalities

possibility of delegation by ARHs of some competences, such as licensing, inspection and development, and implementation of specific plans

Private entities: Users Associations

Common management of licences or concessions from one or more uses of water in the public domain (agreements or delegation by ARH)

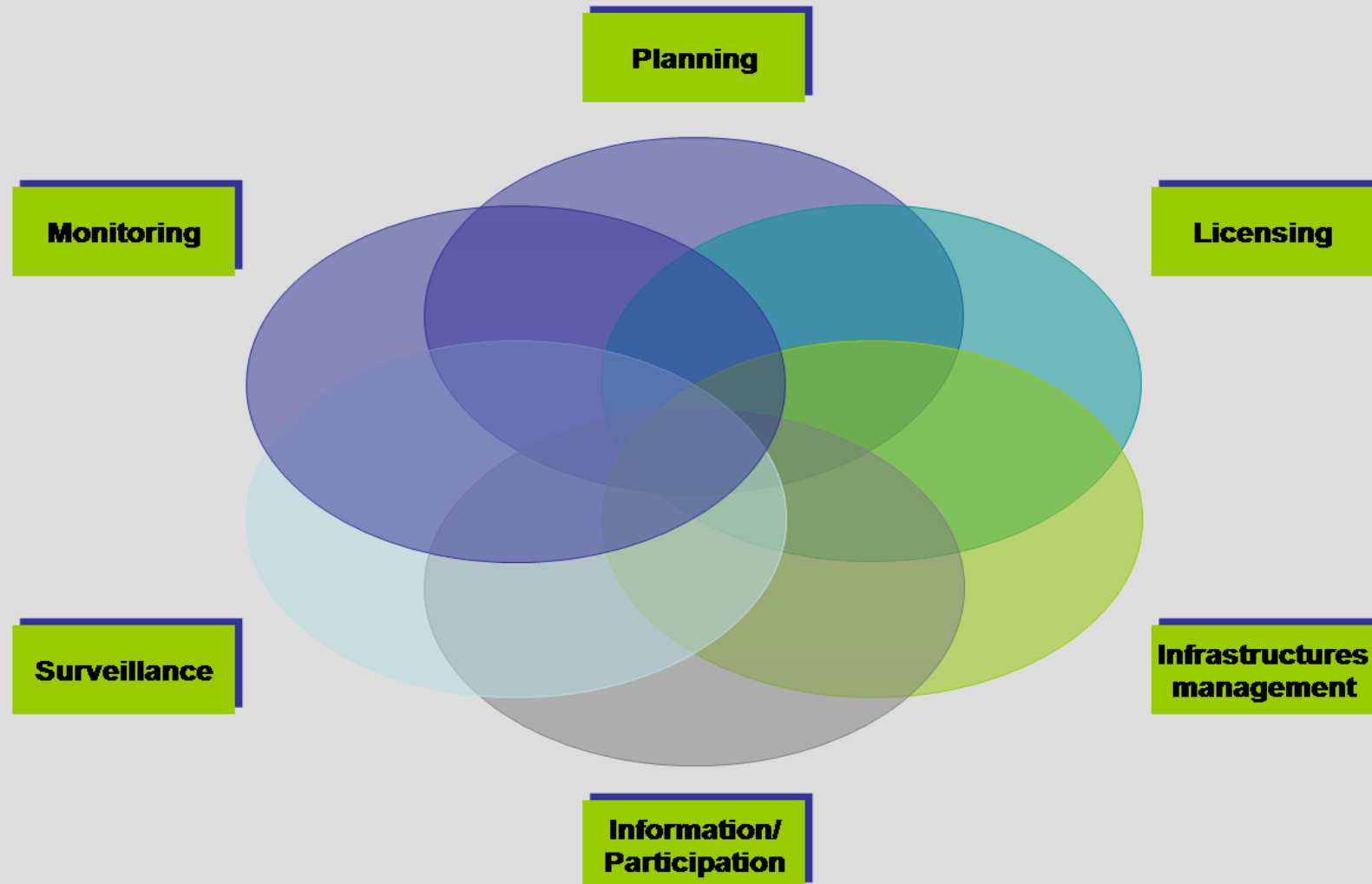
River Basin District Administrations (ARH)



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INSTITUTIONAL FRAMEWORK

River Basin District Administrations (RBDA) – Main Activities



WATER MANAGEMENT IN PORTUGAL

Coastal and Marine Planning

Coastal Zone Management Plans (POOC)

Objectives:

- Definition and regulation of the different uses and specific activities of the shoreline;
- Valuation and classification of the beaches considered strategic for environmental or touristic reasons and the regulation of bathing activity;
- Protection and conservation of the environment.

Principles observed by POOC:

- Protection of the integrity of the biophysical space;
- Sustainable exploitation of resources in coastal areas;
- Conservation of environmental and landscape values.

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Coastal and Marine Planning

The Marine Spatial Plan (POEM) aims to:

- Identify all activities occurring in the marine space under Portuguese sovereignty or jurisdiction;
- Map these activities and identify the degree of dependence of local communities upon them;
- Order uses and activities of marine space in close conjunction with coastal zone management;
- Ensure sustainable use, preservation and recovery of resources, enhancing the efficient use of marine space in the framework of an integrated and intersectoral approach;
- Define the sustainable development parameters for each activity and the marine space in which each of them can take place.