

Kompania Rajonale e Ujësjetësimit
Regional Water Supply Company

RADONIQI

sh.a. - j.s.c.

Rruga "UÇK" 7 Gjakovë

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PROTOKOLI

Gjakovë <input type="checkbox"/>	Nr.:
Rahovec <input type="checkbox"/>	
Lumbardh <input type="checkbox"/>	

RULE No. 03 /2017

ON PROCEDURES FOR WATER SERVICE DISCONNECTION

April, 2017

Pursuant to Article 48, paragraph 2, sub-paragraph 2.6.4 of Law No. 05/L-042 for Regulation of Water Services and Article 14, paragraph 2.2.11.2. of the Statute of the Company, the Board of Directors of RWC "Radoniqi" JSC - Gjakova, issues this;

Rule Nr. 03/2017 on Procedures for Water Service Disconnection

CHAPTER I

GENERAL PROVISIONS

Article 1 Scope and Purpose

1. With this Rule are set the rules and applicable procedures for RWC "Radoniqi" JSC - Gjakova for disconnection of water services, as well as detailed procedures to be followed by the company's staff for discontinuation of customer water supply services.
2. The adoption of this Rule has dual purpose:
 - 2.1 Set a framework on which the Company plans and implements the discontinuation of water and sewerage services, as well
 - 2.2 Define the specific actions to be followed by the staff of the company in case of implementation disconnection of customer water supply services, or persons that have been illegally connected to water services.

Article 2 Definitions

1. Terms used in this Law shall have the following meanings;
 - 1.1 Working Day** - Every day except Saturday and Sunday, or any other day that is official holiday;
 - 1.2 Authorized connection** - connection between the customer`s premises and distribution network of Water and Waste Water Services, provided by Service Providers pursuant to this Law;

1.3. Unpaid Accounts - Unpaid and unsettled accounts between customer and service provider for certain periods of time;

1.4. Costumer - person that has entered into a Service Contract with a Service Provider and / or receives services by Service Provider;

1.5. Payment Arrangement - an arrangement between water service providers and the customer to pay an amount due and owing to a Service Provider

1.6. Disconnection - the disconnection of the provision of services by the Service Provider for safety reasons, operational, nonpayment of invoices by customer or for other reasons determined by this Law;

1.7. Premises - The location for which services are requested or accessed;

1.8. Re-connection - reconnection by the service provider who executed the disconnection of the service;

1.9. Disconnection Warning - an Information that the Service Provider gives to the Customer prior to the Disconnection;

1.10. Disconnection team - team equipped with tools needed for disconnection, uniforms, identification cards etc.;

1.11. WSRA - is the Water Services Regulatory Authority;

1.12. Authority - has the same meaning as WSRA;

1.13. RWC - is the Regional Water Company;

1.14. CSU - Customer Service Unit.

1.15. Company - has the same meaning as the RWC;

Article 3 Enforceability

1. This Rule is an official and applicable document of the company and as such, it is applicable by all company staff involved in process of disconnection of service. This Rule is also of interest for costumers as well as to other stakeholders.

2. Failure to comply with this Rule constitutes violation of working rules and consequently, will be sanctioned with disciplinary measures in accordance with the disciplinary procedures of the Company.

3. For interpretation of these rules and procedures set forth in this rule, as well as for solution of eventual misunderstandings or individual cases, should be contacted the responsible officer.

Article 4
Legal basis

1. The legal framework for disconnection of water and sewerage services is defined by:
 - 1.1 Law no. 05 / L-042 on the Regulation of Water Services, published in the Official Gazette no. 4/2016 dated January 14th 2016, which has entered into force on January 30th 2016, Law no. 04 / L-121 on Costumer Protection,
 - 1.2 Rules adopted by WSRA under the Law:
 - 1.2.1 Rule no. 02/2016 for Minimum Service Standards for Water Service;
 - 1.2.2 Rule no. 03/2016 for Customers' Charter;
 - 1.2.3 Rule no. 06/2016 for Disconnection of Water Services in Kosova;

Article 5
Company Principles for Disconnection of Services

1. The basic principles for disconnection of water and sewerage services are based on the Law and at the same time prove company's commitment to:
 - 1.1 Fully comply with the applicable legislation;
 - 1.2 Protect public health and water supply infrastructure;
 - 1.3 Obstruct abusive and deceptive occurrences regarding the consumed water;
 - 1.4 Achieving long-term financial sustainability;
 - 1.5 Fulfillment of strategic objectives related to increase of collection rate and reduction of water losses;
 - 1.6 Fair and equal treatment of all customers;
 - 1.7 Increase of quality of services for customers.

CHAPTER II

PROCEDURES FOR CUSTOMER SERVICE DISCONNECTION

Article 6

Disconnection of services as a last resort

1. Company will strive to solve the problems with the customers by agreement and understanding before carrying out disconnection from the service, except when the disconnection of the service takes place for the following reasons:
 - 1.1 when the continuation of service provision poses a direct risk to the life and health of a natural person;
 - 1.2 for operational and maintenance purposes;
 - 1.3 for protection of public health or water supply infrastructure;
 - 1.4 when request exceeds the offer;
 - 1.5 non-payment of bills, or
 - 1.6 upon customer's request.

Article 7

Disconnection of service

1. Water service provider cannot disconnect any customer from services except in compliance with the service contract, according to the law or other rules relating to disconnection, issued by the Authority.
2. Disconnection of customer from service for reasons that are foreseen by law should be a regular and systematic activity of the company, not campaign or from time to time.
3. Having in mind the importance that disconnection from service has for Company as an indispensable operative measure to meet its strategic objectives, the company creates and continuously improves all mechanisms necessary for effective functioning of this process, including:
 - 3.1. Drafting of operational plans,
 - 3.2. Appropriate number of operating teams with the necessary equipment to implement the service disconnection,
 - 3.3. Regular customer information,
 - 3.4. Cooperation with police and media,
 - 3.5. Systematic check of customers, whose service has been disconnected,

3.6. Proceeding to court of persons who carried out unauthorized connection etc.

2. When planning to disconnect customers from service for non-payment, the company gives priority to disconnection of commercial-industrial and institutional customer service before households customers. Company will also give priority to disconnection of customer service that has higher unpaid bills.

Article 8 **Forbidden disconnections**

1. In accordance with the legal provisions in force, the company will not disconnect from the water supply system vulnerable customers. With legal framework the vulnerable customer is considered:

1.1 any person that is considered that his life or health is in risk without water services, provided that this fact is confirmed by the licensed physician; and

1.2 any customer that is classified by the Ministry of Labor and Social Welfare as a poor person and company has been informed that he has the right that his invoice is paid by the competent social welfare authorities.

2. Disconnection of service for *vulnerable customers* can be carried out only in cases when:

2.1 There is a reasonable opinion that the continuation of the provision of water supply services poses a direct risk to life or health of the natural person;

2.2 Water demand exceeds offer;

2.3 Disconnection of service is temporary and is done for operation or maintenance purposes;

2.4 Disconnection of service is carried out at customer's request.

3. Exceptionally from the cases mentioned to in paragraph 2 of this Article, company shall make maximum efforts not to disconnect the service for public health and education institutions (schools and public hospitals), having in regard the nature of these institutions and the consequences from disconnection of water services

Article 9 **Reasons for interruption**

1. Reasons for disconnection are defined by law and they include cases when:

1.1 customer has violated the service contract, provided that the customer has been warned for such violation and has not remedied it within a reasonable time envisaged for that purpose;

1.2 customer fails to pay the bill or does not enter into an agreement for invoice payment within one (1) calendar month, from the date when that invoice is to be paid;

- 1.3 customer does not carry out required payment in accordance with the payment agreement after Warning and after reasonable opportunity to make such payment;
 - 1.4 premise is connected in unauthorized way;
 - 1.5 customer refuses to allow properly identified through the card with his photographs representative of the company, to access his facilities to install or read the water meter, or to inspect or repair any property of the service provider in the premises of the customer;
 - 1.6 there is an obvious leak in the customer's facility that the customer has not repaired or did not agree with the company to repair it within five (5) working days of filing a written request so that service provider can repair it;
 - 1.7 customer has not paid the advance payment within the foreseen deadline, if a common agreement for this, has been reached;
 - 1.8 there are reasonable grounds to believe that the customer has used the water supply services contrary to the customer card;
 - 1.9 any person has used the water supply services provided to the customer for unauthorized purpose;
 - 1.10 the distribution network of water supply services is at direct risk of losing large amount of water or being destroyed.
2. Disconnection of customer service for any of the reasons referred to in paragraph 1 of this Article shall not release him of the payment of the debt owed to the company or performing the repairs / actions required by the company.

Article 10 Terms for Service Disconnection

1. Disconnection of service can be performed under the following conditions:
 - 1.1. customer should be informed with a warning letter for of interruption in the same official language in which he is billed;
 - 1.2. disconnection is performed by at least two (2) employees of the company, each of whom must be properly identified by card with his or her photograph;
 - 1.3. The water service does is not disconnected beyond the working hours or on a day that is not a working day.

Article 11 Suspension of disconnection

1. If the customer files an appeal within the deadline stated in the warning attached in the invoice, execution of the disconnection shall be suspended until the final decision on the appeal by the Customer Advisory Committee;
2. If the customer files a complaint after filing the warning in hard copy, the execution of the disconnection is not suspended.

CHAPTER III

SERVICE DISCONNECTION PROCEDURES

Article 12

Disconnection for non-payment of bills

1. After expiration of the statutory payment deadline of twenty (20) business days, the responsible officer shall submit the customer lists for disconnection to the responsible person who prepares the disconnection list. The service provider may disconnect customer services in accordance with paragraphs 2 and 3 of this Article, if:

1.1 The invoice was not paid within the deadline set in the invoice

1.2 Does not enter into an invoice payment agreement within one (1) calendar month, from the date when that invoice has to be paid

1.3 Does not carry out the required payment in accordance with the payment agreement

2. In the event of non-fulfillment of the obligations under paragraph 1 of this Article, the service provider shall notify the customer for the disconnection;

3. If within five (5) working days from the day of forwarding of the warning, the customer has not fulfilled the obligations under paragraph 1 of this Article, the service provider may execute the disconnection.

Article 13

Sending Disconnection Warning

1. Based on the disconnection list, the responsible officer prepares Disconnection Warning papers with the corresponding data, in standard company form (Annex 1). Disconnection warning shall be prepared in three (3) copies (one copy for the customer, one copy for the CSU and one copy for the company's archive) and delivered to the customer within five (5) working days before disconnection of the service is executed .

2. The responsible person of the CSU orders the distribution of Disconnection Warnings that company shall be perform by the water meter readers or by mail (recommended).

3. Meter readers distribute warnings the same day they received the order from CSU responsible person and on the next working day, they report to him for the process of delivery of warnings.
4. The responsible person of CSU updates the list of disconnection with data including the date of delivery of warnings and planned disconnection date.
5. The responsible person of CSU regularly monitors the payments made by the customers whom disconnection warnings are delivered and updates the lists.

Article 14

Execution of disconnection for non-payment of debt

1. The responsible officer shall prepare decisions for disconnection of service for customer according to the disconnection list that he / she will forward for execution to the responsible officer for checks and disconnection one (1) day before the date when the service is scheduled to be disconnected.
2. The responsible officer for control and disconnection, at the same day when he / she has accepted the disconnection decision from the responsible person, prepares the execution orders for the execution of disconnection and plans operating teams for disconnection, which shall consist of at least two (2) people.
3. One day after the officer responsible for control and disconnection orders the execution of the disconnection:
 - 3.1 the same day, the disconnection teams equipped with all necessary tools to perform the disconnection, deliver to the customer a disconnection decision and then they execute the disconnection.
 - 3.2. The disconnection is performed by closing the customer connection valve on the road, respectively by disconnecting the water supply at the point of measurement on the customer's property. In case the road connection valve is missing, the seal (s) of the company is placed with whom the disconnection of service is sanctioned and in which is clearly indicated that damaging of the seal is punished according to the law.
4. In case of obstruction of access or physical threat, either by the customer or other persons, the disconnection teams shall immediately notify their supervisor and, if necessary, request the assistance of police to perform the disconnection.
5. Disconnection teams at the end of working hours for the execution of disconnection, report to the responsible officer. When they perform disconnections, they also deliver the list of all confiscated equipment (water meters) with pertinent reports.
 - 5.1 Based on the reporting of the disconnection teams, the head of control and disconnection unit plans the disconnections for the next day.
 - 5.2 Disconnection teams are not eligible to receive cash from customers on behalf of debt payment or avoiding the disconnection.

Article 15
Unauthorized reconnection

1. Only the company has the right to reconnect customers whose service has been disconnected. Reconnection of premises by unauthorized persons is an act prohibited by law.
2. Disconnection and control teams will conduct systematic control of the customers that have been disconnected from the service, that have not paid their debts, in order to verify if they have been reconnected in an unauthorized way.
3. Disconnection and control teams will ascertain with a report in case of with eventual unauthorized reconnection of customers.
4. At the same day, the report for unauthorized reconnection shall be delivered to the responsible officer.
5. Responsible person of CSU proceeds the report of the cases of unauthorized reconnections, to the Legal Department of the Company with all evidences to proceed with the criminal proceedings and at the same time organizes the disconnection of their service in the shortest time.

Article 16
Disconnection at customer's request

1. The customer submits a written request to the company with whom he asks for disconnection of the service and explains the reasons for disconnection.
2. The responsible officer verifies the customer's request for disconnection in order to ensure that the claimant is a customer of the company.
3. The responsible officer instructs the customer to pay the debts and the costs of the disconnection;
4. After issuing of the invoice to the customer for disconnection costs, the responsible officer authorizes the customer's disconnection and orders the responsible person for control and disconnection unit to execute the disconnection.

Article 17
Execution of disconnection at customer's request

1. The responsible officer prepares the decision for disconnection of service for the customer whom a copy of customer's request for disconnection is attached and forwarded to the execution officer for control and disconnection one (1) day before the date when the disconnection is planned.
2. The responsible officer for control and disconnection prepares the work order for the execution of disconnection and organizes the disconnection.

3. The disconnection team equipped with all necessary tools for disconnection, as well as with uniforms and identity cards, hands over to the customer a disconnection decision and then executes the disconnection.
4. The disconnection must be performed within five (5) working days from the date when the customer's request was received.
5. The disconnection team shall submit the disconnection report to the responsible officer for control and disconnection unit where the same day he / she shall forward it to the competent officer who will delete the disconnected customer from records.
6. The re-connection of customers whose service has been disconnected at their request will be subject to same connection procedures as in the case of connection of new customers.

Article 18

Disconnection due to leakage at the customer's premises

1. Based on information that can be given by citizens or company staff, as well as regular field check, the company on-site controlling team find out the leakage at the customer's premise.
2. The controllers prepare the report with whom the leak is verified and the customer is warned to:
 - 2.1 repair the leakage within five (5) working days,
 - 2.2. check-in the company and sign a contract with company for leakage repair otherwise, the disconnection of the water supply will follow.
3. The controllers submit to the customer a copy of the inspection report for the water supply services for the leakage repair and another copy they submit to the responsible officer for disconnection, who keeps and updates the evidence of these cases.
4. If after the ending of five (5) working day the customer does not act in compliance with the Reminder for leakage repair as described in the report, the responsible person of the Control and Disconnection Unit shall initiate the disconnection proceedings.
5. In cases related to Article 17.4 of this Rule, the leakage repair will be performed by the company, the customer will be charged with the costs of repair, disconnection, re-connection and other costs.

Article 19

Execution due to leakage

1. After the ending of the deadline, the responsible officer prepares the decision for disconnection of the customer to whom a copy of the inspection report is attached for the

repair of the leakage and the same is forwarded for execution to the responsible officer for disconnection, one day before the date when the service is arranged to be disconnected.

2. The responsible Officer for disconnection prepares the work order for execution of the disconnection and organizes the disconnection of the service.

3. The disconnection team equipped with all necessary tools for disconnection, as well as with uniforms and identity cards, hands over to the customer a disconnection decision and then executes the disconnection.

4. The disconnection team submits the disconnection report to responsible officer for disconnection who follows the same day to the responsible customer service officer and the latter updates the customer register with the status of “disconnected customer”.

Article 20

Disconnection due to fraudulent actions

If controllers of the company identify fraudulent actions such as: damage of water meter seal, water meter manipulation, bypassing water meter, or other similar actions made in infringement of the company's water supply rules, event is verified by the controllers of the company with a report where a copy is delivered to the customer and reported to the responsible person CSU.

Article 21

Remainder to the customer

1. In case customer is late with payment of the invoice, the responsible CSU officer shall prepare a reminder for payment of the invoice that must be paid within ten (10) working days; otherwise, customer will be disconnected from the service.

2. The responsible officer orders the responsible person of the unit for control and disconnection to verify, by controllers, services offered by the company and the use of the services by the customer and in case of certain violations by the customer, the invoice will be forwarded along with the customer's remainder on the first day after the date of the verification.

3. In case of failure to pay, the responsible officer registers the case and plans the disconnection

Article 22

Execution of disconnection due to fraudulent actions

1. In case costumer fails to act, after expiry of the deadline in accordance with Article 21.1 of this Rule, the responsible officer prepares the decision for disconnection of the costumer and forwards it for execution to the competent officer one day before the date when the disconnection is planned.

2. The responsible officer prepares the work order for the execution of disconnection and arranges for the disconnection.
3. The disconnection team hands over the customer a disconnection decision and then executes the disconnection.
4. In case of obstruction of access or physical threat, either by the customer or other persons, the disconnection teams shall immediately notify their supervisor and, if necessary, request the assistance of police to perform the disconnection.
5. Disconnection teams at the end of working hours for the execution of disconnection, report to the responsible officer. When they perform disconnections, they also deliver the list of all confiscated equipment (water meters) with pertinent reports.
6. The disconnection team submits a report of the disconnection to the responsible officer who the same day forwards it to the responsible person of the CSU and updates the customer register with the status of these customers 'disconnected'.

Article 23

Further Proceedings

1. The responsible officer submits the completed case of this customer to the company legal department to initiate an adequate procedure for debt collection.
2. The responsible officer orders the daily check of this customer in order to verify the eventual un-authorized reconnection.
3. In the event that the control team of the company finds unauthorized reconnection of the customer, this will be considered as an unauthorized connection and will be verified by the report and it shall be proceeded according to the procedure for unauthorized connections. Such cases are processed to the company's legal department to initiate an adequate procedure.

Article 24

Reconnection to the service

Re-connection to the services shall be made in accordance with Article 19 of Rule no. 02/2017 on Procedures for Connection of Customer to Water Services of RWC "Radoniqi" J.S.C.

CHAPTER IV

TRANSITIONAL AND FINAL PROVISIONS

Article 25

Repealing Provisions

With entry into force of this Rule, all regulations, rules and decisions relating to procedures for connection and re-connection of customers in water and sewerage services shall be repealed.

Article 21

Entry into Force

This regulation shall enter into force fifteen (15) calendar days after its approval by the Water Supply Regulatory Authority, as well as publication in official languages at the official website of the RWC "Radoniqi" A. Gjakova

Chairman of the Board of Directors

Date ____/____/ 2017
Gjakove

Fatos Koshi

Annex 1: Service Disclosure Warning Format

Kompania Rajonale e Ujësjetjesit
Regional Water Supply Company

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PROTOKOLI

Gjakovë
Rahovec
Lumbardh

Nr.:

[Customers name and surname]

Date: _____

[Address]

protocol no: _____

[Account no.]

WARNING For disconnection of Water services

Hereby we inform you that, according to RWC "Radoniqi" JSC - Gjakova data, the deadline for payment of your invoice for water and sewerage services has expired.

Your debt to RWC "Radoniqi" JSC - Gjakova for water and sewerage services is: _____ EUR.
This debt is accrued for the period _____.

If you do not pay the total value of this debt until _____, or do not sign the debt payment agreement with RWC "Radoniqi" JSC – Gjakova, water supply services will be disconnected. Disconnection of services will be executed on the date _____.

Payment of debt can be executed:

1. at all payment desks of R.W.C. "RADONIQI" Gjakova
2. at all commercial banks in Kosova,
3. at all PTK desks,
4. at all Western Union branches in Kosova and
5. through bank transfers to all commercial banks in Kosova.

We advise you that if your water service is disconnected, you will have to pay for reconnection, apart from the total value of the debt, the costs for disconnection and reconnection. Disconnection and reconnection costs are in amount of EURO.

RWC "Radoniqi" JSC - Gjakova, will reconnect you within 24 hours after you have paid the total debt as well as the costs for disconnection and reconnection.

Reconnection without the permission of RWC "Radoniqi" JSC - Gjakova is prohibited by law and is subject to penalties stipulated by the Criminal Code and the Law for Regulation of Water Services.

Responsible Officer

Name/surname, signature

Kompania Rajonale e Ujësjetësimit
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Gjakovë <input type="checkbox"/>	Nr.:
Rahovec <input type="checkbox"/>	
Lumbarth <input type="checkbox"/>	

Date: _____

Protocol No: _____

Pursuant to Article _____ paragraph _____ of Law no. 05 / L -042 for Regulation of Water Services, published in the Official Gazette no. 4/2016 date 14.01.2016, Article _____ of Rule no. 06/2016 on Disconnection from Water Services in Kosovo of WSRA and Article ____ of Rule 03/2017 on Procedures for Water Service Disconnection and after Warning of Customer for Disconnection pursuant to the applicable legislation, RWC "Radoniqi" JSC - Gjakova, issues this decision;

DECISION For disconnection for water services

1. Customer: Code no:, address:.....
(name and surname),
.....will be disconnected from water services
(Street, number and place).
2. The authorized workers of RWC "Radoniqi" SH.A shall execute completely the disconnection of water.
3. For the collection of unpaid consumer debt, RWC "Radoniqi" JSC will initiate the enforcement procedure.
4. This Decision shall enter into force on the day of its issue.

Justification

The customer _____ was timely warned in accordance with Article _____ of Rule 03/2017 on Procedures for Water Service Disconnection, but he did not respond to the reminder (warning) sent by RWC "Radoniqi" JSC on date Therefore, having in mind that the customer has failed to pay the debt for, the Company, in compliance with Article _____ of the Law No. 05/L -042 for Regulation of Water Services and Article _____ of Rule 03/2017 on Procedures for Water Service Disconnection, will disconnect the customer from the water supply services.
For the reasons stated above RWC "Radoniqi" JSC has decided as in the provision of this decision.

Legal advice; the dissatisfied party has the right to appeal against this decision, to the Customer Consultative Committee within 30 (thirty) calendar days from the day of receipt of this decision

To be sent to;
1x Customer
1x Disconnection Unit,
1x RWC Archive

Responsible officer.

Name/surname, signature

Annex 3:

Inspection Report Form

Kompania Rajonale e Ujësjesit
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PROTOKOLI

Gjakovë <input type="checkbox"/>	Nr.:
Rahovec <input type="checkbox"/>	
Lumbardh <input type="checkbox"/>	

Date:

Protocol no:

**REPORT
OF INSPECTION OF WATER SUPPLY SERVICES**

Customer/person: _____

Address: _____

Customer Code: _____

Personal no/Business no: _____

Description of findings:

In case of findings from the inspection, the customer is warned that within the deadline of _____ days _____

Otherwise, water services will be disconnected and sanctioned in accordance with legal provisions.

Inspection team
RWC. "Radoniqi" JSC.

Customer/Owner/User:

1. _____
2. _____
3. _____
