Questionnaire - Slovenia

1. Current situation and trends

Drinking water supply in Slovenia is by rule organized through public water distribution systems (as a public service) and partially by private or more precisely, personal ones. This kind of water supply is possible only in the areas where public water distribution system is not built, in most cases because of low population density in these particular areas.

In the Decree on drinking water supply the public water distribution system is defined as a system which is a communal economic public infrastructure meant for undertaking a public service. According to the Environment Protection Law sewing disposal and cleaning of sewage and rain water is mandatory service of public interest which is within the authority of communes (local government). Provider of the public service is a legal or a natural person who is selected or nominated by the commune in concordance with regulations on services in general economic interest.

In concordance with the Services of General Economic Public Interest Act and the Environment Protection Act these two public services are performed by a legal person selected by the commune and function in the following forms:

- In a small plant organized by a commune in case of very small capacity meaning that the establishment of public enterprise or granting a concession will not be rational and economically sound,

* In public economic institution in case of undertaking one or more services of general economic interest which can’t be performed as profitable due to their nature or this is not their goal,
* In public enterprise in case of undertaking one or more services of general economic interest on a larger scale or this derives from the nature of monopolistic activity and is a profitable one,
* With granting concessions.

In the Decree on drinking water supply a private (personal) water distribution system is defined as a system which is privately owned and it is meant for owner’s own drinking water supply. Private water distribution systems are built in the areas with lower number of inhabitants where population density is low. Therefore the owners of private water distribution systems are by rule its users and we can describe it as a local water supply system in case of more users or personal when it is meant for one building with single owner. In case of more users (and owners) the private water distribution system has to have its manager who can be a legal or a natural person with whom the owners of this water distribution system concluded a contract on management of this system. The number of private (personal) water distribution systems and consequently, the number of people using water from these systems, is lowering and represents only a small proportion in comparison with public water distribution systems.

The definition of public sewage system includes the sewage system itself and wastewater cleaning plant. Manager of public sewage system is a legal person which is in accordance with regulations nominated or selected by the commune as a public service provider for sewage and rainwater disposal. The investment policy regarding public infrastructure for sewage disposal is within competence of communes.

Number of natural persons holding a concession for providing public service for sanitation has been already for years very low.

1. Private provision

For private (personal) water supply systems there is no prescribed procedure. The state regulates certain segments related to private (personal) water distribution systems, such as their management, water rights acquisition, quality of the water from health aspect etc. Matters, such as setting the price of services related to these water systems are left to their owners. In case of certain private (personal) water distribution systems some problems occur periodically, namely the quantity or quality of drinking water. In these situation necessary measures, such as bringing the water in cisterns are provided.

There is quite a large number of small wastewater cleaning plants in private ownership and management.

In the areas where public sewage system is not required or it has not been built yet the owners of buildings use individual solutions (different types of cesspits, small wastewater cleaning plants, etc.) Planning, building and maintenance of a small wastewater cleaning plant or a cesspit is the obligation of the investor or owner of the building and is his property.

After the public sewage system is built the owner of the building must provide that the wastewater is drained into public sewage system. In case he wants to be connected to public sewage system the owner of the building must provide the connection to this system which is in his ownership and management.

1. Remunicipalization

As stated before, private (personal) water supply systems are private property. Communes can nominate or select providers of the public services only in case of public service for management of public water distribution systems.

Private or individual solutions (cesspits, small wastewater cleaning plants) are privately owned and also managed by the owner of the building. But nevertheless, when the public sewage service is available, it is obligatory for all buildings in the area to provide a connection to the public system.

Note: Republic of Slovenia enshrined the right to drinking water in its Constitution so we herewith quote the article in question which was adopted on 17 November 2016 and entered into force on 25 November 2016 (Official Gazette of the Republic of Slovenia No. 75/16). (The Constitution was amended by the Constitutional Act Amending Chapter III of the Constitution of the Republic of Slovenia)

* **Article 70a**
(Right to Drinking Water)

Everyone has the right to drinking water.

Water resources shall be a public good managed by the state.

As a priority and in a sustainable manner, water resources shall be used to supply the population with drinking water and water for household use and in this respect shall not be a market commodity.

The supply of the population with drinking water and water for household use shall be ensured by the state directly through self-governing local communities and on a not-for-profit basis.