



Republika e Kosovës - Republika Kosova - Republic of Kosova

AUTORITETI RREGULLATOR PËR SHËRBIMET E UJIT
REGULATORNI AUTORITET ZA UŠLUGE VODE
WATER SERVICES REGULATORY AUTHORITY



RULE NO.01/2016 OF CUSTOMER CONSULTATIVE COMMITTEE FOR WATER SERVICE IN KOSOVO

July, 2016

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Based on Article 4 and Article 26, paragraph 1 of Law No. 05/L-042 for the regulation of water services (Official Gazette of the Republic of Kosovo, no. 04/2016, of 14 January 2016) Water Services Regulatory Authority issues:

RULE NO.01/2016 OF CUSTOMER CONSULTATIVE COMMITTEE FOR WATER SERVICES IN KOSOVO

PART I: GENERAL PROVISIONS

Article 1: Purpose

The purpose of this Rule is to define the formation, duties, composition, appointment and procedures of Customer Consultative Committee (hereinafter: Committee).

Article 2: Scope

Water Services Regulatory Authority (hereinafter: Authority) shall establish the Customer Consultative Committee in cooperation with the respective Municipalities and Service Providers.

Article 3: Definitions

1. The terms and expressions used in this Rule shall bear the following meanings:

1.1. **Authority** - Water Services Regulatory Authority (WSRA) as an independent authority, responsible for regulating the activities of service providers in Kosovo. Established with this Law;

1.2. **Complaint** - a written statement given by any person to the Service Provider, on the basis of any justifiable reason, or, because is not satisfied with the services of Service Provider determined under this Rule, or any other applicable Rule issued by the Regulator;

1.3. **Business Day** - any day other than Saturday, Sunday, or a day which is an official holiday in Kosovo;

1.4. **Invoice** - the commercial document to pay for the service provided, which specifies at least amount of debt to be paid, respectively the period for offered services issued to the Customer by the Service Providers, in official languages in Kosovo.

1.5. **Category of costumers** - the customer category defined as follows:

- i. **Domestic Customer** - a customer classified by the Service Provider, as a person who uses services at his/her residence for household needs;
- ii. **Commercial/Industrial Customer** means any person, legal entity or business organization classified by the Service Provider as a customer who uses the services for or in connection with the exercise of its industrial or commercial activities of any kind;
- iii. **Institutional Customer** means any legal entity classified by the Service Provider as a governmental authority, local authority, international organization or institution that carries out the activities of common and public interest, and who is not registered as business organization in accordance with the Law for Commercial Society No. 02/L-123;

1.6. Customer Consultative Committees - the committees described and established in accordance with Article 26 of the Law No. 05/L-042;

1.7. Municipality - the administrative unit defined according to the Law on Local Self-Governance;

1.8. Customer - a Person who has entered into a contract for services of Service Providers and/or has received services from Service Provider;

1.9. Service Provider - any water and wastewater service provider and bulk water supplier;

1.10. Water Services – the water and wastewater services and Bulk Water supply;

1. 11. Service Area - the region or municipalities within which the relevant Service Provider must provide its Services based on service license;

Article 4: Rules of Interpretation

In this Rule:

1. Any terms and expressions used in these Rules, which are not specifically defined herein and that might be unclear, shall bear the meanings as defined in the legal acts or in any other Law applicable in Kosovo;
2. References in this Rule shall be interpreted according to any Rule issued, modified, amended, supplemented, and/or replaced by the Authority from time to time, in compliance with the competencies that have been granted to the Authority;
3. Words of any gender used shall include any other gender;

PART II: ESTABLISHMENT, APPOINTMENTS AND FINANCING

Article 5: Establishment of Committee

1. The Authority shall establish a relevant Committee for each Service Provider area;
2. Each municipality within the defined service area shall have a representative on the Committee;

Article 6: Appointment of Committee Members

1. Committee members will be selected from a list containing at least two candidates proposed by the Mayor in accordance with the Law on Gender Equality of the Republic of Kosovo and the Anti-Discrimination Law, and based on the criteria referred to in paragraphs 2-6 of this Article.
2. Mayor proposes candidates based on professional education and experience relevant to the Committee's work, and in no way to the political criteria. For this the Authority provides terms of reference for the municipality.
3. Proposed candidates should live within the Municipality area where they were proposed, and should be the Customer Service Provider.
4. Proposed candidates should not work at the same time as members of Board of Directors or the staff Service Provider.
5. Proposed candidates should be conscious customer and do not have any unresolved dispute with the service provider.
6. Members of Committee are appointed for a term of four (4) years with the possibility of extension for an additional mandate term, after agreement with the Municipality.

Article 7: Selection of the Chairperson of the Committee

1. Committee members shall select a Chairperson among the members.
2. Chairperson shall be elected for a five (5) years mandate, with the possibility of extension for an additional mandate term according to the paragraph 1 of this Article.

Article 8: Replacement of Members of the Committee

2. Each member of the Customer Consultative Committee should be replaced when proven that:
 - 1.1. Has completed his/her mandate;
 - 1.2. Does not live in the Municipality where he/she represents;
 - 1.3. Employed as a member of the Board of Directors or other staff of Service Provider;
 - 1.4. Is absent four or more times in the meetings for any period of time during the twelve (12) consecutive months.
 - 1.5. Is unprepared for meetings, not collaborative, and does not perform the function as an effective member according to the laws and regulations in force.
2. Authority which is informed within a (1) week about one or more conditions of replacement listed above, shall send a letter to the member who has affected to disrupt the member services of the Customer Consultative Committee in question. In that letter is required response within (1) week, if he/she accepts the situation or gives clarifications. A copy of the letter shall be sent to the Chairperson of the Customer Consultative Committee;
3. Authority shall make the decision to replace the member shall present this written decision to the replaced member and to the Chairperson of the Customer Consultative Committee within the first week and depending on the response received from the member.
4. Mandate of the replaced new member terminates at the same time as it was foreseen to terminate the mandate of his/her predecessor.
5. Replacement will be performed by using the same procedures in Article 6. The remaining members of the Customer Consultative Committee may continue with the meetings.
6. In case of replacement of the Chairperson of Customer Consultative Committee, files, documents and records should be submitted to the Authority and to the new selected Chairperson.

Article 9: Financing the Committee

1. Authority determines the total amount of annual expenses based on the Committee's annual work plan.
2. All members of the Committee shall be compensated from the Authority budget.
3. Compensation payment for the Committee members' commitment is determined by the decision of Authority.

4. Compensation payment for the Committee members is made by submitting an appropriate request for specified compensation by Authority from time to time.
5. Chairperson of Committee shall be compensated 30% more than the amount of compensation of the other members.
6. Compensation payment will be made after the end of the monthly activities.

PART III: DUTIES

Article 10: Committee main duties

1. The duties of the Committee are as following:
 - 1.1. To advice and recommend the Authority on any important matter regarding the provision of water services by Service Providers;
 - 1.2. To review, resolve the complaints of customers that are not satisfied with the decision of Service Providers in compliance with the legal provisions in force;
 - 1.3. Makes decisions on reviewed complains.
 - 1.4. Committee cooperate with public and private institutions that deal with customer protection.

Article 11: Other Committee duties

1. Authority shall inform the Committee and request from it non-binding opinion, when it is necessary to:
 - 1.1. Review or change tariffs;
 - 1.2. Draft laws and regulations or amendments in existing laws and regulations;
 - 1.3. Draft of any other subordinate legislation related to customer protection.
2. Committe shall cooperate with the Authority to organize a customer opinion research (surveys) to familiarizing themselves with knowledge, needs, attitudes, and customer concerns related to the work of the Authority and their service providers. The Committee duties are to provide comments on the concept paper of goals needed for research methodology and content of questions compiled by the Authority.

Article 12: Duties of each Committee member

1. Chairperson of Committee in cooperation with the Authority prepares an annual work plan of the Committee, which specifies duties of each member as well as material and financial resources for carrying out these duties.
2. Chairperson shall have the role of coordinator and leading those accountable for the work of Committee.
3. Chairperson signs the decisions issued by the Chairperson.
4. Each member of the Committee is obliged to open on its own, on the date of the meeting, complaint boxes that are located within the territory of the municipality which he represents.
5. Each member of the Committee is obliged that complaints taken out from boxes bring them for the review at the meeting scheduled on the same day.

Article 13: Meetings of Committee

1. Committee will be met on regular basis once a month, but can meet more often as requested by the Chairperson or the Authority.
2. Chairperson of the Committee shall set the date of the meeting in cooperation with the representative of the Authority.
3. Chairperson of the Committee shall convene and chair the meetings and in his planned absence he notifies other members of the Committee in writing of his absence and shall assign one of the members of the Committee to chair the meeting.
4. Chairperson of the Committee shall invite the members for meeting in writing at least seven (7) calendar days before the signed date of the meeting. The agenda of the meeting and hand over material to be attached to the invitation.
5. Each member has the right to propose inclusion of specific issues on the agenda.
6. Customers and Service Provider representatives who request or need to be consulted or to participate in the meeting of the Committee on relevant issues should also be informed in writing at least seven (7) working days before the date of the meeting.
7. At any meeting convened by the Chairperson of the Committee shall attend the relationship Officer with the customers of Service Provider.
8. Committee, through the media, at least seven (7) working days prior to the meeting, invites customers, civil society groups, representatives of government

- institutions, business organizations, non-governmental organizations or other institutions to participate in the Committee meetings which handles customer complaints.
9. Committee has quorum when more than half of the members of the Committee are present.
 10. Meetings convened with the second invitation to be held validly and adopt every review regardless of the number of members present.
 11. Decisions are taken by majority vote of the members present. Each member has one (1) vote and the chairperson has one additional casting vote when the vote is equal.
 12. Each Committee may establish sub-groups of members of the Committee for the purpose of performing specific duties: research a specific complaint or other matter.

Article 14: Minutes of the meeting

1. Minutes of the meeting should be taken in writing by a member of Committee assigned by the Chairperson of the Committee and approved at the next meeting. The minutes should include:
 - 1.1. Details of the meeting;
 - 1.2. The names of all participants and those who are absent;
 - 1.3. The proposed and approved agenda;
 - 1.4. Conclusions for each discussed topic;
 - 1.5. Any vote that is done by including the results;
 - 1.6. Taken decisions.
2. Chairperson of Customer Consultative Committee should submit to all members of Committee, Service Providers and to the Authority a copy of minutes within fifteen (15) days since the meeting.

PART IV: MUTUAL OBLIGATION OF THE PARTIES

Article 15: Obligation of the Authority to Committee

1. Authority supports the Committee activities in material, administrative and professional terms.
2. Authority supports the Committee with information and additional expertise as needed by the Committee.

3. Authority shall support any activity to promote public awareness of Committee and the right to appeal (through radio, TV advertisement, posters, etc.).
4. Authority shall appoint a permanent official who:
 - 4.1. Acts as a contact person between the Authority and the other staff members of the Committee, as deemed necessary by both parties;
 - 4.2. Conducts interview with the proposed candidates for the Committee members;
 - 4.3. Participates in the the Committee meetings in the capacity of observers;
 - 4.4. Assists the Committee in the preparation of annual work plan;
 - 4.5. Monitors performance of the Committee duties pursuant to this Regulation and the work plans;
 - 4.6. Compiles and updates the format for statistical report of the Committee and provides instructions for its preparation;
 - 4.7. Compiles an annual evaluation report of the work of all Committees, summarizing all the work done by Committees and the Authority (for customer protection) during the reporting period;
 - 4.8. Organizes and conducts customers opinion polls (surveys) including drafting of documents as indicated in Article 11/Paragraph 1/1.2. and sending them to the Committee for comments and distribution of the report with the final results.
 - 4.9. Informs the Authority in writing if the Committee decisions are inconsistent with the laws and regulations in force.
5. Authority finances and puts a box of customer complaints to the Committee , in its premises, ensuring that the box:
 - 5.1. Is located in a visible place for the customer;
 - 5.2. Should have the gjenral inscription of the Committees;
 - 5.3. Should have attached a form with a sufficient space to be filled out by the customer;
 - 5.4. Should have attached a guideline for processing complaints.
6. Authority shall ensure that in its website to present a webpage about the Committee, which includes contact details, telephon number, e-mail address of the Committe; Guidelines for processing complaints; Committee statistical reports; Reports of surveys; and other similar information.
7. Authority in cooperation with municipalities and relevant service providers to make available the meeting office for the Committee members.

Article 16: Obligations of Service Providers to the Committee

1. Service Provider is represented by an Officer of customer complaints management:
 - 1.1. Acts as a contact person between other staff and Service Provider and the Committee members, as deemed necessary by both parties;

- 1.2. Participates in the Committee meetings when customer complaints are reviewed to provide necessary information regarding the customer complaints;
 - 1.3. Reports to the Committee, during meetings, for the number of complaints received and the number of complaints reviewed during the previous month;
 - 1.4. Reports to the Committee on implementation of the Committee decisions or further proceedings in the competent Court.
 - 1.5. Compiles an annual report on the filed and reviewed customer complaints, which shall submit to the Committee not later than in February of the following year for the previous year.
2. Service Provider finances and locates the customer complaints for the Committee, ensuring that the boxes are:
 - 2.1. Located at each point of relations with customers in the service area;
 - 2.2. Located in a visible site for the customer;;
 - 2.3. With inscription of the Committee;
 - 2.4. Attached a form with a sufficient space to be filled out by the customer;
 - 2.5. Attached a guideline for processing complaints.
 3. Authority shall ensure that in its website to present a webpage about the Committee, which includes contact details, telephon number, e-mail address of the Committe; guidelines for processing complaints;
 4. Service Providers shall ensure that in their bills to present the customer rights to appeal and addresses for the survey.

Article 17: Obligations of the Committee to the Authority

1. Committee is accountable to the Authority.
2. Decissions issued with regards to the customer complaints and opinions of the Committee are independent of the Authority.
3. Committee shall notify the Authority on:
 - 3.1. A monthly basis through the submission of minutes of (about any purpose of meetings held); and
 - 3.2. Annually through the submission of a report of the work, which would include a statistical report that should contain at least:
 - 3.2.1. Number of complaints submitted to the Committee during the reporting period;
 - 3.2.2. Number of resolved complaints during the reporting period;
 - 3.2.3. Number of resolved complaints suspended during the reporting period;

- 3.2.4. Nature of complaints upon the case, sub-zones service, customer category;
 - 3.2.5. Details of the agreement and any changes in the arrangements for the submission and initial handling of complaints by Service Provider;
 - 3.2.6. Any other element of information or facts as determined by the Authority from time to time;
 - 3.2.7. Rekommandations for measures taken by the Authority for Service Providers to improve the service offered.
- 4. Committee, at any end-year, should make a formal presentation regarding customer complaints to the Board of Directors of Service Providers and require from this Board to take measures for improvement of water services.
 - 5. Committee is obliged to preserve through three (3) years, in accordance with the applicable legislation of the Republic of Kosovo, all documents and evidence as well as copies of any report.

PART V: MANAGEMENT OF PROCEDURES OF THE CUSTOMER COMPLAINTS

Article 18: Management of procedures of complaints by the Service Providers

- 1. Service Provider should possess a written procedure for managing complaints, which would include, at a minimum:
 - 1.1. Methods of submission of complaints by customers or other persons;
 - 1.2. Complaints form;
 - 1.3. Standards of handling complaints;
 - 1.4. Reporting methods of responses to customers or other persons;
 - 1.5. Customer rights to appeal to the highest levels of review, if the latter is not satisfied with the Service Provider.
- 2. Procedures and forms for the resolution of customer complaints should be available in all official languages of the Republic of Kosovo and should also:
 - 2.1. Be published in website of Service Provider; and
 - 2.2. Be available for customer in the Admission Office of Complaints.
- 3. Service Providers should notify the Committee of any change regarding the procedures of customer complaints.
- 4. If the Service Provider cannot solve a dispute with a customer or other person and/or has decided to cancel the complaint, the service provider should notify in writing the customer/person who submitted that complaint, the right to appeal to the Committee.

5. The Service Provider also should justify the decision, informing with all details of the Committee including location of complaint boxes, e-mail address, and provide connection to the internet website.

Article 19: Management of complaint procedures by the Committee

1. Committee shall proceed through the Authority complaints received from customers with details, the date of receipt and shall ensure that the data required from the customer to be the same as in the form drafted by the Authority (annex 1 of this Rule), which is available in the relevant website and complaint boxes.
2. Committee will ensure that the customer has attached the response received from the Service Provider.
3. Committee shall ensure that the complaint is submitted by the customer within a period of thirty (30) calendar days of the right to appeal to the Committee. In the case of incomplete documentation, the customer is allowed five (5) more working days to submit the completed documentation. Otherwise it is considered that customer has relinquished the complaint.
4. Committee shall ensure that the complaint will be reviewed at the next meeting and inform the customer and Service Provider about the date, time and venue of the meeting.
5. Responses on complaints should be made within thirty (60) calendar days from the date of its receipt or sooner if it is considered urgent (cases of poor water quality or uninterrupted flows of water).
6. Decisions of Committee on reviewed complaints should be recorded in the minutes of the meeting. This decision should be delivered to both parties, while details should be recorded in the Register of outgoing correspondence. The decision should contain the legal advice in order to notify the parties that they may appeal to the Competent Court of Kosovo within thirty (30) calendar days.
7. Copies of documents and files related to complaints shall be maintained by the Chairperson of the Committee, which should be responsible for ensuring that each complaint has a unique identification number (ID). Copies of this documentation should be sent to the Authority for its needs.
8. If the Commission finds that with no reason a decision has not been implemented by the service provider within a reasonable time, then we can make a recommendation in writing to the Authority regarding action against service providers.

PART VI: OTHER PROVISIONS

Article 20: Languages

1. This rule is adopted and published in three (3) written language versions:
 - a) Albanian,
 - b) Serbian, and
 - c) English.
2. In case of no consistency between the versions in which this rule is issued, the Albanian language version shall prevail.

Article 21: Repealing provisions

With the entry into force of this Rule shall be repealed the Rule for Customer Consultative Committee for Water and Waste Services (R08 / U&M) dated March 2011.

Article 22: Entry into Force

This Rule shall enter into force seven (7) days after the signature of the Director of Authority.

Raif Preteni
Director of WSRA



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AUTORITETI RREGULLATOR PËR SHËRBIMET E UJIT
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CUSTOMER COMPLAINT FORM FOR SUBMISSION TO CUSTOMER CONSULTATIVE COMMITTEE

Customer information			
Name and surname:		Digit/Customer code:	
Permanent residential address:		Telephone number:	
		E-mail:	
Service Provider:		Name and surname of the submitter of the complaint:	

Tick ✓ the type of complaint	
<input type="checkbox"/> Service bill is very high	<input type="checkbox"/> Damaged caused by leakage or burst pipe
<input type="checkbox"/> Price and tariff structure is not appropriate	<input type="checkbox"/> Damaged caused by the construction of service providers
<input type="checkbox"/> No water or low pressure	<input type="checkbox"/> Restriction imposed for service from service provider
<input type="checkbox"/> Water quality (appearance, taste, aroma)	<input type="checkbox"/> Non-receipt of bills regularly
<input type="checkbox"/> Disconnection of water service without warning	<input type="checkbox"/> Unregistered payment paid
<input type="checkbox"/> Non-reading meters	<input type="checkbox"/> Request for debt forgiveness
<input type="checkbox"/> Others	

Complaint description	
Documents presented:	
1.	3.
2.	4.
	5.

Date: ____/____/____

Venue _____

Signature of complainant
