



International E-mail Conference on Irrigation Management Transfer

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WUA Legislation Country Profiles: ITALY (Veneto Region)

Constitutional framework The management of irrigation and drainage projects is a responsibility of regional governments in compliance with guidelines set by the national government.

1. Name of organization

Land reclamation associations (*Consorzi di Bonifica*), LRAs.

2. Purpose

Construction, operation and maintenance of land reclamation infrastructure, including irrigation facilities.

3. Legal status and capacity

In compliance with national legislation, LRAs have the status of legal entities under public law.

4. Establishment

Decided by the regional government. Procedure for establishment the regional government determines (and changes when so required) the area in which land reclamation works have to be carried out. In each area it establishes a LRA.

5. Membership

Open to all those who meet the eligibility criteria.

5.1 Eligibility criteria

Landowners and agriculturists registered in the “association registry” in the area of operation of the LRA. Land users who are not registered can participate in the activities of LRAs if the regional government decides to appoint up to three representatives of the category to the LRA’s General Board (*Consiglio*).

5.2 Rights and duties of members

Members are divided in three categories according to the rate of contribution they pay. Each category has the right to be represented in the General Board.

Members are required to maintain minor irrigation infrastructure on their property. If they do not carry out the required maintenance works, the LRA can carry them out itself and then decide on the recovery of costs from members in default.

6. Internal structure

The law specifies that each LRA is managed by a General Assembly, a General Board, a Management Board, a Chairperson and a Board of Auditors.

The General Assembly (*assemblea generale*) is composed of all LRA members and meets to elect the General Board.

The General Board (*consiglio*) is composed of thirty members elected by all LRA members in accordance with their voting rights, one representative from each local government in the area of operation of the LRA and one representative of the Regional government. The Board has a five-year mandate. It is responsible for approving the LRA statute and internal by-laws, subject to the approval of the Regional government.

The Management Board (*giunta*) is composed of five members elected by the General Board, in addition to the Chairperson and vice chairperson of the LRA. The representative of the Regional government is a member of the Management Board.

The Chairperson (*presidente*) is elected by the General Board and is, at the same time, chairperson of the Management Board and of the LRA. The law spells out which other administrative functions are incompatible with this role.

The Board of Auditors (*collegio dei revisori dei conti*) is composed of two members elected by the General Board and one member appointed by the Regional Government. The latter presides over the Board.

7. Functions, Powers and Rights

7.1 Functions

Delivery of irrigation water and operation and maintenance of canals.

Dispute settlement. No specific provision.

Others. LRAs participate in the elaboration of land use and environmental protection plans. LRAs prepare the regional land reclamation plan for the approval of the regional government. LRAs are required to contribute to the construction of facilities, whether public or private, in their area of operation. LRAs are required to prepare an emergency plan to respond to extreme events or natural disasters. Such plans are transmitted to the regional government for coordination among LRAs. LRAs are also called on to participate in water quality preservation.

7.2 Powers

Levying and collection of assessments. LRAs levy and collect charges and fees from their membership.

Imposition of fines. No specific provision.

Others. LRAs can decide on the rate of charges and fees to cover their operating costs. Such decisions are subject to the approval of the regional government. LRAs can be delegated by the government policing of the irrigation infrastructure.

7.3 Rights

Water rights. In compliance with national guidelines, LRAs are given priority over individual water users when applying for water rights.

Rights in the infrastructure. The regional government retains ownership of the infrastructure but it delegates to LRAs management functions and policing powers.

Rights of way. No specific provision.

8. Financing

Sources of income. Revenue from the collection of fees and charges from their membership. Contributions from the regional government.

9. Government role

The law states that LRAs are subject to the control and supervision of the regional government. In case of inaction of LRAs' organs, the regional government can take on itself the functions of such organs. In case of misbehaviour of the organs, the regional government can terminate such organs and appoint a commissioner until the organ has been reconstituted.

The results of the election of the General Board have to be transmitted to the regional government, which is responsible for deciding on possible appeals against such results. The law spells out all LRAs' decisions and deliberations that are subject to the approval of the regional government.

The financial records of LRAs are also subject to the approval of the regional government.

The regional government can impose a deadline for the preparation by LRAs of a land reclamation plan and, if LRAs do not meet the deadline, the regional government may appoint a commissioner to carry out the task.

LRAs are required to submit to the regional government, annually, a report on their activities.

10. Dissolution

No specific provision.

11. Federation of Associations

The regional government may establish, on the proposal of interested LRAs or on its own initiative, federations of associations.

References

Legislation

Regional law n.3 carrying provisions on the reorganization of land reclamation associations and the delimitation of their area of operation (*legge regionale 13 gennaio 1976 n. 3 riordinamento dei consorzi di bonifica e delimitazione dei relativi comprensori*) 13 January 1976, as amended.

Regional law n. 9 carrying new provisions for the organization of land reclamation (*legge regionale 1 marzo 1983 n. 9 nuove disposizioni per l'organizzazione della bonifica*) 1 March 1983.

Regional law n. 1 carrying provisions for innovation in the field of agriculture and for the formation of a regional plan for agriculture and forestry development over the 1990-1994 period (*legge regionale 8 gennaio 1991 n. 1 disposizioni per l'innovazione in agricoltura e programma regionale di sviluppo agricolo e forestale per il periodo 1990/1994*) 8 January 1991, as amended.

Regional law n. 53 carrying provisions on monitoring and surveillance of regional administrative bodies (*legge regionale 18 dicembre 1993 n. 53 disciplina dell'attività di vigilanza e di controllo sugli enti amministrativi regionali*) 18 December 1993.