



Governo do Estado do Rio de Janeiro

ANNEX XII - MONITORING COMMITTEE

1. GENERAL PROVISIONS

1.1. Within 6 (six) months of the execution of the AGREEMENTS, the STATE shall invite the providers of public water supply and sanitation services and members of the civil society to constitute the MONITORING COMMITTEE, which shall be in charge of supervising the activities developed by the CONCESSIONAIRES and by CEDAE in the CONCESSION AREA.

1.2. The purpose of the MONITORING COMMITTEE is to exercise social control through participation in the process of preparation of policy, planning, regulation, surveillance and evaluation of public services in the water supply and sanitation system, in compliance with articles 11, §2, item V and 47 of Federal Law 11,445/2007.

In compliance with the legislation, it will be incumbent on the REGULATORY AGENCY to make available on its website the information related to the services for access by the users.

2. COMPOSITION

2.1. The MONITORING COMMITTEE shall be composed by:

- a) Providers of the services;
- b) Entities related to the basic sanitation sector;
- c) Users of the service;
- d) Civil society and consumer protection organizations related to the sanitation sector;
- e) Groups related to the subject of basic sanitation;
- f) Academic research groups;
- g) the STATE; and
- h) the Water Resources State Council.

2.2. The participation of the water supply and sanitation service providers shall be optional.

2.3. Each entity listed in item 2.1 shall be entitled to appoint one member to join the MONITORING COMMITTEE, and in the case of the service users, three representatives shall be appointed.

2.3.1. The participation of the entities and organizations provided for in paragraphs "b", "d", "e" and "f" shall be preceded by an application prepared by the entity and/or organization, in accordance with the regulation to be drafted;

2.3.2. The participation of the users shall occur through a process open to the public and differentiated by type of user to be represented, in accordance with the terms of the regulations.

2.4. Each member of the MONITORING COMMITTEE shall have the right to appoint an alternate.

2.5. The participation of the members of the entities listed in item 2.1 shall be considered relevant and unpaid service.

2.6. The appointment and replacement of members of the MONITORING COMMITTEE shall be at the discretion of the entities represented therein.

2.7. All the representatives of the entities listed in section 2.1 shall have the necessary competence and expertise to conduct the regular activities of the MONITORING COMMITTEE.

3. ATTRIBUTIONS

3.1. The MONITORING COMMITTEE shall be constituted as an advisory body and shall have the following attributions:

- a) Monitor the provision of the services;
- b) Participate in the evaluation of the services;
- c) Propose improvements in the service delivery;
- d) Contribute to the definition of service planning, regulation and surveillance guidelines, pursuant to the reference standards issued by the National Water and Sanitation Agency - ANA;
- e) Receive and analyze the evaluations, suggestions and complaints from users, taking the necessary measures to propose the correction of failures, errors or inefficiencies in the provision of services to the population, by submitting an opinion to the REGULATORY AGENCY; and

f) Collaborate in the supervision of the CONCESSION AND WATER PRODUCTION AGREEMENTS.

3.2. The first meeting of the MONITORING COMMITTEE shall be convened by the REGULATORY AGENCY and shall be published fifteen (15) calendar days in advance in the Official Gazette of the State of Rio de Janeiro and shall have as its agenda:

3.2.1. The definition of a deadline for drafting the internal regulations of the MONITORING COMMITTEE;

3.2.2. the definition of the position of chairman, which shall be appointed by simple vote among those present.

3.3. Once the internal regulations of the MONITORING COMMITTEE have been drafted, its content shall be put to a vote in the following meeting to be convened by the chairman, pursuant to item 4.1.

4. THE MEETINGS

4.1. The MONITORING COMMITTEE shall meet ordinarily, at intervals to be defined after its constitution, always with a call published in the Official Gazette of the State of Rio de Janeiro, 15 (fifteen) calendar days in advance.

4.2. An extraordinary meeting shall be established upon convening of one-third of its members at least 5 (five) working days in advance.

4.3. The decisions of the MONITORING COMMITTEE shall be valid when at least half of its members are present.
