

**ACT**  
**FOR THE FULL DISCLOSURE OF SECRET CONTRACTS**  
**FOR THE PARTIAL PRIVATIZATION**  
**OF THE**  
**BERLIN WATER UTILITIES**  
**AS OF 4 MARCH 2011 (GVBl. p. 82)**

Section 1

Duty of Disclosure

(1) All contracts, decisions and side agreements associated with the partial privatization of the Berlin Water Utilities and closed between the State of Berlin and the private shareholders shall be unconditionally disclosed according to section 2 of this Act. Sentence 1 and the following legal provisions shall also apply to future contracts, resolutions and side agreements.

(2) Personal data of natural persons shall be exempt from disclosure.

(3) The existence of grounds for exemption according to paragraph 2 shall be determined by the Commissioner for Data Protection and Freedom of Information. He shall be entitled to black out the corresponding data.

Section 2

Publication

Contracts, decisions and side agreements shall be made public immediately in the Official Gazette for Berlin after the contracts and side agreements have been concluded or decisions have been taken. In addition, the documents referred to in sentence 1 shall be made available to the public on the welcome portal of the Commissioner for Data Protection and Freedom of Information. Sentences 1 and 2 shall apply accordingly to contracts and side agreements already concluded or decisions already taken.

Section 3

Duty of Consent and Review

All contracts, decisions and side agreements made or taken under section 1 of this Act as well as any amendment to existing contracts that could affect the budget of Berlin also in terms of possible future consequences in the broadest sense, shall require the consent of the Berlin Parliament. Any existing contracts, decisions and side agreements shall require a thorough public review and public debate in parliament with the assistance of independent experts. Parliament shall be given a period of at least six months in order to review the contracts.

## Section 4

### Ineffectiveness

Any contracts, decisions and side agreements that have not been concluded and disclosed as contemplated by this Act shall be ineffective. Any existing contract shall be of no effect, unless disclosed within one year after the effective date of this Act.

## Section 5

### Entry into force

This Act shall enter into force on the day following its publication in the Official Gazette for Berlin.