



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

Enquiries: CX Zwane
Telephone: 060 542 1108
Reference: 6/2/2/6

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 1018

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 24 MARCH 2023
(INTERNAL QUESTION PAPER NO. 11)

1018. Mrs M R Mohlala (EFF) to ask the Minister of Water and Sanitation:

What specific measures has he taken in the past three years (a) in addressing the contamination of water resources by faecal pollutants, which pose significant risks to human and animal health and (b) to ensure that the measures are adequately monitored and enforced to prevent future contamination?
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MINISTER OF WATER AND SANITATION

- (a) The Department ensures protection of water resources by taking administrative enforcement action against water users found to be causing pollution of water resources. This rectification measure is done through serving of Notices and Directives in accordance with the provisions of the National Water Act (Act 36 of 1998) (NWA). This is to compel responsible the water user found to have caused pollution to take rectification measures by containing pollution and remedy the effects thereof to protect the water resources. These Notices and Directives allows polluters to make representations, which may take a form of action plans in other instances. The Department then assess the submitted representations and advise on the implementation of the action plans. The Department monitors implementation of the action plans and ensure adherence to the timeframes committed to minimise effects of pollution.

Since January 2020, the Department has taken administrative enforcement action by issuing two hundred and eighty-three (283) Notices and Directives under sections 19, 20, and 53 of the National Water Act to compel polluters to take remedial action and curb pollution of water resources. The Department can also institute criminal charges aimed at holding polluters liable

for offenses stipulated under Section 151 of the NWA, whereby fines may be imposed once convicted and or offenders face imprisonment. The Department can also institute civil action by applying for a court interdict against polluters. Upon examining the application, the court can also issue an order the polluter to take remedial action through a Court Order.

The Department has also pursued criminal action against polluters by instituting charges against seven (7) water users found to have caused pollution of water resources. The Department has also finalised and handed over five (5) case dockets to the NPA to take a decision on prosecution.


Two (2) plea sentencing agreements were reached in this period, whereby two municipalities pleaded guilty on all charges and the court-imposed fines for causing pollution of water resources. The Department has initiated two (2) court interdict applications against water users found to have caused pollution of water resources, and one (1) Court Order was granted against a municipality for causing pollution during the same period.

- (b) The Department conducts compliance monitoring against the authorised water users including water services authorities to ensure compliance with conditions of the issued authorisation.


The Department is in the process of finalising the Green Drop Watch report that will give progress on the systems that are performing poorly and will be released in April. The Green Drop PAT a self assessment of Water Services Authorities will be released in July and the full assessment cycle for the Full Green Drop will commence in May 2023.

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DRAFT REPLY: RECOMMENDED/ ~~NOT RECOMMENDED~~/ AMENDED


DR SEAN PHILLIPS
DIRECTOR-GENERAL
DATE: 31/03/23

DRAFT REPLY: APPROVED/ NOT APPROVED/ AMENDED ✓


MR SENZO MCHUNU, MP
MINISTER OF WATER AND SANITATION
DATE: 14/04/23