



## **water & sanitation**

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA

---

Enquiries: N Fundakubi  
Telephone: 082 922 1901  
Reference: 6/2/2/6

### **NATIONAL ASSEMBLY**

### **FOR WRITTEN REPLY**

### **QUESTION NO 3807**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 10 NOVEMBER 2023**  
**(INTERNAL QUESTION PAPER NO. 43)**

**3807. Ms S A Buthelezi (IFP) to ask the Minister of Water and Sanitation:**

- (1) What is the total number of court cases in which his department is a (a) plaintiff and (b) defendant in each province from 2019 until the latest specified date for which information is available;
- (2) what total amount has his department spent on the specified litigious efforts in the specified period?

NW5025E

---0000---

**MINISTER OF WATER AND SANITATION**

- (1) The table below summarises the number of matters per year, per province over the 2019 – 2023 period, wherein the Department of Water and Sanitation (DWS) was a Plaintiff or a Defendant:

PROVINCE	DWS AS PLAINTIFF	DWS AS DEFENDANT	2019	2020	2021	2022	2023
Gauteng	4	18	7	1	3	5	2
Limpopo	-	3	-	1		1	1
Mpumalanga	-	3	-	1	1	1	
KZN	1	6	1	2	-	2	1
Free State	-	3	-	-	-	2	1
North -West	-	4	1		1	-	2
Western Cape	-	5	-	-	1	2	2
Eastern Cape	-	5	1	2	1	1	
<b>Total</b>	<b>5</b>	<b>47</b>	<b>10</b>	<b>7</b>	<b>7</b>	<b>14</b>	<b>9</b>

- (2) The DWS has reimbursed the Department of Justice and Constitutional Development approximately R3.5 million for the 2019-2023 period. The amount of R3.5 million is mostly occasioned where the Department is the Plaintiff, as instances in which the Department is cited as defendant include a number of matters which are purposed to interrupt prescription and there is no further action from the plaintiff against the Department, whereas in other instances the Department is cited as an interested party in an oversight capacity (Section 47 of the Water Services Act, Act 107 of 1997 and Section 68 of the National Water Act, Act 36 of 1998).

---00000---

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



**DR SEAN PHILLIPS**  
**DIRECTOR-GENERAL**  
 DATE: 24/11/23

DRAFT REPLY: APPROVED/ ~~NOT APPROVED/ AMENDED~~



**MR SENZO MCHUNU, MP**  
**MINISTER OF WATER AND SANITATION**  
 DATE: 28/11/23