



## water & sanitation

Department:  
Water and Sanitation  
**REPUBLIC OF SOUTH AFRICA**

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Reference: 6/2/2/6

### NATIONAL COUNCIL OF PROVINCES

#### FOR WRITTEN REPLY

#### QUESTION NO 16

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 10 FEBRUARY 2023  
(INTERNAL QUESTION PAPER NO. 1)

**16. Mr G Michalakis (Free State: DA) to ask the Minister of Water and Sanitation:**

- (1) Whether, with regard to the non-payment of water boards in the Free State by municipalities (details furnished), any actions that are in place to hold the municipal managers to account have been enforced; if not, why not; if so, (a) what actions and (b) what are the further relevant details;
- (2) what steps her department is taking to ensure that the non-payment of municipalities will not lead to a lack of income for the water boards;
- (3) whether the MEC has been informed that the non-payment of municipalities has an effect on the water board maintenance budgets which in turn leads to sub-standard services to the community; if not, what is the position in this regard; if so, what are the relevant details?

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#### MINISTER OF WATER AND SANITATION

- (1) (a) The Entity follows Inter Governmental Relations (IGR) process in line with all Municipal debt owed to Bloem Water. These are in line with the Service Level Agreements (SLA) with the municipalities and legislative requirements.
- (2) Engagement processes are followed with all Municipalities as guided by the SLA. Upon failure to adhere to these, Section 4(5) letters are sent to defaulting

Municipalities. If neither payment arrangements nor payments are forthcoming, water restrictions are applied. In addition, legal action is taken where required.

The Department in consultation with Water Boards, National Treasury, Cooperative Governance and Traditional Affairs (COGTA) and the South African Local Government Association (SALGA) has developed strategies to improve billing and revenue collection in the water sector. Standardised operating processes (SOP) for debt recovery, covering both the Water Boards and the Department's Water Trading Entity are being finalised.

Intergovernmental Relations Framework (IGR) processes such as mediation and arbitration are currently embarked upon and in cases where the IGR provisions will not result in a solution, the steps mentioned below will be implemented:


- Consistent enforcement of water limitations/restrictions for non-paying municipalities.
  - Collaboration with National Treasury to withhold equitable share allocations for municipalities not paying their current invoices from water boards
  - Legal processes to attach municipal bank accounts where necessary.
- (3) Yes, the MEC has been informed about the non-payment of the municipalities. However, there is an ongoing IGR process which includes all political principals including the MEC's (COGTA and Finance) and the Office of the Premier. The IGR process has not been effective as municipalities do not honour the decisions taken through this forum. It is worth mentioning that if this status quo persists, operations and maintenance will continue to decline and deteriorate and could have serious consequences for the population's health and livelihoods.

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

  
DR SEAN PHILLIPS  
DIRECTOR-GENERAL  
DATE: 17/2/23 ✓

DRAFT REPLY: APPROVED/ NOT APPROVED/ AMENDED

  
MR SENZO MCHUNU, MP  
MINISTER OF WATER AND SANITATION  
DATE: 24/02/2023