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**water affairs**


Department:  
Water and Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

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Reference: 2/1/5/1


MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

**NATIONAL ASSEMBLY: QUESTION 1315 FOR WRITTEN REPLY**

A draft reply to the above-mentioned question asked by Mrs A T Lovemore (DA), is attached for your consideration, please.

  
DIRECTOR-GENERAL (Acting)  
DATE: 29-09-09

DRAFT REPLY APPROVED/AMENDED

  
MS B P SONJICA, MP  
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS  
DATE: 2009. 09. 30

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NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 1315

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 18 SEPTEMBER 2009  
(INTERNAL QUESTION PAPER NO 17)

**1315. Mrs A T Lovemore (DA) to ask the Minister of Water and Environmental Affairs:**

- (1) Whether her department will apply black economic empowerment (BEE) criteria that are aligned to the National Water Act, Act 36 of 1998, and to the agricultural charter agreed between Agri South Africa and the Department of Agriculture in the future to applications for the transfer of water use authorisations for farming; if not, why not; if so, what are the relevant details;
- (2) whether any action will be taken to expedite the re-assessment of such applications that have been rejected or not approved since 2007 on the basis of BEE criteria that are not aligned to the said act and the agricultural charter; if not, why not; if so, what action?

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**REPLY:**

- (1) Yes. The application of the BEE criteria in the agricultural charter will be considered for implementation to the extent that it is consistent with the National Water, 1998 (Act 36 of 1998)
- (2) No action will be taken by My department to expedite the re-assessment of the applications that were not approved as they were not aligned to the National Water Act (NWA) however the NWA provides for appeals against any decisions of My department to be lodged with the Water Tribunal. Contact details therefore are provided to the applicant in every decline letter.

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