



water affairs


Department:
Water and Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Enquiries: S. Naidoo
Telephone: 012-336-6707
Reference: 1/1/1/1

DEPUTY MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

NATIONAL ASSEMBLY: QUESTION ★46 FOR ORAL REPLY

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


DIRECTOR-GENERAL (Acting)
DATE: 2/9/09

DRAFT REPLY APPROVED/AMENDED


MS R MABUDAFHASI, MP
DEPUTY MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

DATE: 03.09.09.

Questions were to be replied on the 2.09.09
in parliament.

NATIONAL ASSEMBLY

FOR ORAL REPLY

QUESTION NO ★46

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 25 AUGUST 2009
(INTERNAL QUESTION PAPER: NATIONAL ASSEMBLY NO 11)

★46. Ms A T Lovemore (DA) to ask the Minister of Water and Environmental Affairs:

- (1) Whether her department will implement a zero-tolerance approach to enforce compliance with water legislation; if not, why not; if so, what are the relevant details;
- (2) whether her department has developed any incentive-based compliance tools to supplement the legislated penalty-based system; if not, why not; if so, what are the relevant details?

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REPLY:

- (1) Yes. Where non-compliance is detected, the most appropriate rectification mechanism would be applied. It should however, be noted that a more pro-active (preventative) regulatory approach is the primary objective. Where there is non-compliance, the emphasis moves from Monitoring Compliance to a situation where enforcement finally applies. The specific cases are usually handled by the National Compliance Monitoring and Enforcement Unit where drastic actions are taken. This may eventually lead to criminal case actions where and the "stick" principle is then implemented. The intensity of the actions is therefore case-specific.
- (2) Yes. My Department has developed a Waste Discharge Charge System (WDCCS), based on the Polluter Pays Principle. The Waste Discharge Charge System aims to reduce the waste loads being added to water resources by charging for the amount of waste added to a Water Resource that has exceeded Resource Quality Objectives. One of the charges defined by the Waste Discharge Charge System the Incentive Charge is based on the Monitored Waste Load contribution and where proper source controls are exercised would result in a lesser charge. Another incentive would be the disbursement of revenue collected that would be utilized to address a catchment specific water quality problem. The first phase of the implementation of the Waste Discharge Charge System has been initiated with the registration of all Waste Discharge Related Water Users.