



water affairs

Department:
Water Affairs
REPUBLIC OF SOUTH AFRICA

EdST

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Reference: 2/1/5/2

MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

NATIONAL ASSEMBLY: QUESTION 1491 FOR WRITTEN REPLY

A draft reply to the above question asked by Mr M G P Lekota (Cope) is attached for your consideration.

A letters to the Chairperson of Mhlathuze Water Board will be drafted and submitted to you for signature in a separate submission to give effect to your instructions to Mhlathuze Water Board as indicated in attached response.

DIRECTOR-GENERAL

DATE: 26/07/2012

DRAFT REPLY APPROVED/AMENDED

MRS B E E MOLEWA, MP
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

DATE: 2012/07/31

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 1491

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 01 JUNE 2012
(INTERNAL QUESTION PAPER NO. 15)

1491. Mr M G P Lekota (Cope) to ask the Minister of Water and Environmental Affairs:

- (1) Whether her department has taken any steps to ensure that the Mhlathuze Water Board performs clear and separate duties from those of the executive, management and staff in order to allow the Board to exercise oversight; if not, why not; if so, what steps;
- (2) What is the policy for the implementation of the Protected Disclosures Act?
- (3) What are the Board's (a) findings regarding enquiries into the continuous loss of senior staff at regular intervals and (b) response to remedy allegations of the (i) abuse of state resources and (ii) rigging of tenders?

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REPLY:

- (1) The Department of Water Affairs is satisfied that its oversight of Mhlathuze Water Board is effective and appropriate.

With regards to roles and responsibilities, the Water Services Act as read with the PFMA provides for the responsibilities of a Board. In addition Mhlathuze Water Board is governed by its own Board Charter which is based on King III which defines the separation of roles between Board and Executive.

- (2) Mhlathuze Water Board informs all staff of their rights and obligations with regard to protected disclosures through the positioning of posters in offices visible to all staff. These include the number to contact for "whistle blowers".
- (3)(a) No specific investigation has been carried out either by the Department or Mhlathuze Water Board regarding staff turnover nor is it necessary. The current CEO has been in office for over two years.
- (3)(b)(i) According to Mhlathuze Water Board, in September 2008 the then State President ordered the Special Investigation Unit to conduct an investigation into alleged irregularities that may have occurred between 2004 and 2008 but it did not reveal any irregularities.

Arising from a separate instance, the former CEO was charged inter alia with fruitless and wasteful expenditure with regard to the buying of World Cup 2010 tickets. He subsequently resigned but the case has not been finalised yet.

- (3)(b)(ii) With regard to allegations of tender rigging, there is one matter currently under investigation involving two former senior members of staff and one service provider. I have instructed Mhlathuze Water, to provide me with the final report of this investigation and I will ensure that criminal charges be laid if any evidence of wrongdoing is uncovered.

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