



## water affairs

Department:  
Water Affairs  
REPUBLIC OF SOUTH AFRICA

EdST

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Reference: 6/2/2/6

### MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

### NATIONAL ASSEMBLY: QUESTION 3234 FOR WRITTEN REPLY

A draft reply to the above mentioned question asked by Mrs M Wenger (DA) is attached for your consideration.

DIRECTOR-GENERAL

DATE: 21/11/2012

DRAFT REPLY APPROVED/AMENDED

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

DATE: 2012/11/29

with the proviso that it conforms to the response we gave last week on question asked by Wenger.  
Double check.

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 3234

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 16 NOVEMBER 2012  
(INTERNAL QUESTION PAPER NO. 41)

**3234. Mrs M Wenger (DA) to ask the Minister of Water and Environmental Affairs:**

- (1) Whether the Xstrata Tselentis Colliery is in possession of a water use licence; if not, what is the position in this regard; if so, when (a) did the mine apply for the licence and (b) was the licence awarded by her department;
- (2) whether any (a) notices, (b) directives or (c) criminal charges have been issued against the mine since 1 January 2010 for operating at any time without a water use licence in terms of the National Water Act, Act 36 of 1998; if not, why not; if so, what are the relevant details?

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**REPLY:**

- (1)(a) Yes, the Xstrata Tselentis Colliery applied for a water use licence on 11 February 2010.
- (1)(b) The Xstrata Tselentis Colliery was issued with a water use licence on 12 February 2011.
- (2)(a) A notice was issued to the Xstrata Tselentis Colliery on 11 May 2009 against the mine operating without a water use license.
- (2)(b) A directive was subsequently issued to the Xstrata Tselentis Colliery on 28 October 2009 for failing to comply with the conditions of the notice.
- (2)(c) A criminal case was opened against the mine in November 2009 under CAS 39/11/2009 with the Breyten-SAPS for operating without a water use licence, and the case is currently pending finalisation. The details of the case cannot be revealed as the matter is *sub judice*.

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