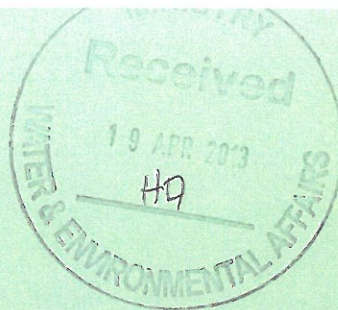




water affairs

Department:
Water Affairs
REPUBLIC OF SOUTH AFRICA



EdST

Enquiries: TM Sedibe
Telephone: 012 336 8195
Reference: 1/2/1TMS

THE MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

A draft reply to the above mentioned question asked by Mr T D Harris (DA) is attached for your consideration

DIRECTOR-GENERAL (Acting)

DATE: 18/04/2013

DRAFT REPLY APPROVED/AMENDED ✓

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

DATE: 2013/04/19

FOR WRITTEN REPLY

QUESTION NO. 626

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER NO28 MARCH 2013 (INTERNAL QUESTION PAPER NO. 10)

626. Mr T D Harris (DA) to ask the Minister of Water and Environmental Affairs:

- (1) How many claims were instituted against Water and Environmental Affairs (a) in the (i) 2007-08, (ii) 2008-09, (iii) 2009-10, (iv) 2010-11 and (v) 2011-12 financial years and (b) during the period 1 April 2012 up to the latest specified date for which information is available;
- (2) in respect of each financial year (a) what amount was claimed, (b) how many claims were (i) finalised in court, (ii) settled out of court and (iii) are still outstanding and (c) what amount has been paid to each plaintiff in each case that was (i) finalised in court and (ii) settled out of court?

REPLY:

In response to questions (1) and (2), kindly find a table for the relevant financial years, which provides details regarding the claims, as per the above-mentioned parliamentary question:

2007/2008 financial year

Number of claims	Total amount claimed	Total amount partly paid	Total matters finalised in court	Total matters settled out of court	Number of matters still pending
6	R5 053 000-00	R86 000-00	Nil	1	6

The amount of R86 000-00 paid in the M Briesies case was a part payment hence the number of Outstanding matters indicated as 6.

2008/2009 financial year

Number of claims	Total amount claimed	Total amount paid	Total matters finalised in court	Total matters settled out of court	Number of matters still pending
7	R3 479 000-00	R182 406 000	Nil	40	12

1. D de Villiers and others v Minister of Water Affairs and Forestry: Amount paid to claimant R400 000-00
2. Aquatic Weed Control v Minister of Water Affairs and Forestry: Amount paid to claimant: R2 953 000-00
3. M Tshwandalani v Minister of Water Affairs and Forestry: Amount paid to claimant: R19 000.00
4. D Mongwe & 71 others v Minister of Water Affairs and Forestry: Amount paid to claimants R8 033 000-00
5. Concur Constructions v Minister of Water Affairs and Forestry: Amount paid R33 000-00
6. Individual claims (12) v Minister of Water Affairs and Forestry: Amount paid R1 505 000-00
7. T Mgwaba v Minister of Water Affairs and Forestry: Amount paid R1 165 000-00
8. JSW van der Heyst v Minister of Water affairs and Forestry: Amount paid R875 000-00
9. AIS Farming v Minister of Water Affairs and Forestry: Amount paid R55 000-00
10. JJ Scheepers v Minister of Water Affairs and Forestry: Amount paid R266 000-00
11. N Jekubeni v Minister of Water affairs and Forestry: Amount paid R14 000-00
12. JP Vermaak v Minister of Water Affairs: Amount paid R1 000-00
13. C Strauss v Minister of Water Affairs and Forestry: Amount paid R6 000-00
14. N Matodzi v Minister of Water Affairs and Forestry: Amount paid R33 000-00
15. Inclenon DPI (Pty) Ltd v Minister of Water Affairs and Forestry: Amount paid R25 000-00
16. L Lubisi v Minister of Water Affairs and Forestry: Amount paid R27 000-00
17. JJ Kruger v Minister of water Affairs and forestry: Amount paid R23 000-00
18. M Briesies v Minister of Water Affairs and Forestry: Amount paid R85 000-00
19. Theo La Grange Trust v Minister of Water Affairs and Forestry: Amount paid R855 000-00
20. TR Collier v Minister of Water Affairs and Forestry: Amount paid R266 000-00
21. HJ Durr v Minister of Water Affairs and Forestry: Amount paid R4 200 000-00
22. D Dalling v Minister of Water Affairs and Forestry: Amount paid R365 000-00
23. Anglo Gold Mine v Minister of Water Affairs and Forestry: Amount paid R50 000-00
24. Louis Hatting v Minister of Water affairs and Forestry: Amount paid R93 000-00
25. Marias v Minister of Water Affairs and Forestry: Amount paid R117 000-00
26. J Nkuna v Minister of Water Affairs and Forestry: R51 000-00
27. Naude v Minister of Water Affairs and Forestry: Amount paid R102 000-00
28. Group Five (PTY) Ltd v Minister of Water affairs and Forestry: Amount paid R65 030 000-00
29. Harmony Gold Mining Company v Minister of Water Affairs and Forestry: Amount paid R48 100 000-00

30. Mienies Municipality v Minister of Water Affairs and Forestry: Amount paid R3 000 000-00
31. Mdingi v Minister of Water affairs and Forestry: Amount paid R171 000-00
32. Khala v Minister of Water Affairs and Forestry: Amount paid R 7 000 000-00
33. CC Bill v Minister of Water Affairs and Forestry: Amount paid R15 000-00
34. CN Polo v Minister of Water Affairs and Forestry: Amount paid R150 000-00
35. SA Promotion gifts v Minister of Water affairs and Forestry: Amount paid R70 000-00
36. Initial training Impact CC v Minister of Water Affairs and Forestry: R60 000-00
37. MJ Koma v Minister of Water affairs and Forestry: Amount paid R34 000-00
38. Aaron Mashegoana v Minister of Water Affairs and Forestry: Amount paid R20 000-00
39. JWA Electrical v Minister of Water Affairs and Forestry: Amount paid R3 062 000-00
40. Rolust Roodeboschplaats v Minister of Water Affairs and Forestry: Amount paid R1 110 000-00

2009/2010 financial year

Number of claims	Total amount claimed	Total amount paid	Total matters finalised in court	Total matters settled out of court	Number of matters still pending
18	R8 396 000-00	R1 399 000-00	Nil	9	21

1. N Qindisa v Minister of Water affairs and Forestry: Amount paid R70 000-00
2. Estate Late Nematodzi v Minister of Water Affairs and Forestry: Amount paid R316 000-00
3. Mdingi v Minister of Water affairs and Forestry: Amount paid R19 000-00
4. JF Nel and Two Others v Minister of Water Affairs and Forestry: Amount paid R767 000-00
5. Fast track Couries v Minister of Water affairs and Forestry: Amount paid R147 000-00
6. MTO v Minister of Water Affairs and Forestry: case transferred to Department of Agriculture, Forestry and Fisheries (DAFF) R1600 000-00
7. Mhlontlo v Minister of Water affairs and Forestry: Amount paid R76 000-00
8. MTO v Minister of Water affairs and Forestry: case transferred to DAFF R1600 000-00

2010/2011 financial year

Number of claims	Total amount claimed	Total amount paid	Total matters finalised in court	Total matters settled out of court	Number of matters still pending
3	R2 644 000-00	R4 131 000-00	Nil	2	21

1. Xaji N v Minister of Water Affairs and Forestry: Amount paid R4 00-00
2. SAFCOL (WFW Cape Town) v Minister of Water Affairs and Forestry: Amount paid R4 127 000-00

2011/2012 financial year

Number of claims	Total amount claimed	Total amount paid	Total matters finalised in court	Total matters settled out of court	Number of matters still pending
23	R55 083 000-00	R1 403 000-00	1	7	24

1. Tripple "sss" v Minister of Water Affairs and Forestry: Amount paid R263 000-00
2. Stellenbosch Municipality v Minister of Water Affairs and Forestry: R3 000-00
3. ABSA Bank v Minister of Water and Environmental Affairs: Amount paid R26 000-00
4. Galson Farm v Minister of Water and environmental Affairs: Amount paid R50 000-00
5. Naledi Office Equipment v Minister of Water and Environmental Affairs: Amount paid R 217 000-00
6. Tebfin (Pty) Ltd v Minister of Water and Environmental Affairs: Amount paid R 352 000-00
7. Choice Technologies v Department of Water Affairs: Amount paid R424 000-00
8. Dr. Rudolph Fourie and L Fourie v Department of Water Affairs: Amount paid R68 000-00

1 April 2012 to date

Number of claims	Total amount claimed	Total amount paid	Total matters finalised in court	Total matters settled out of court	Number of matters still pending
16	R7 653 472-00	R4 443 564-20	5	2	33

1. Van der Merwe JP v Department of Water Affairs: Amount paid R319 152. 18
2. Mulaudzi KO v Department of Water Affairs: Amount paid R107 339.56
3. Ceza N v Department of Water affairs: Amount paid R431 508.12
4. Mudau VC v Department of Water Affairs: Amount paid R334 375-04
5. Sehularo NA v Department of Water Affairs: Amount paid R265 882-05
6. NJ Ngele v Department of Water Affairs: Amount paid R2 251 602-00
7. PB Yako v Department of Water Affairs: Amount paid R733 705-50

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