



## water & sanitation

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA



EdPK

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Reference: 2/1/5/1

**MINISTER OF WATER AND SANITATION**

**NATIONAL ASSEMBLY: QUESTION 1035 FOR WRITTEN REPLY**

A draft reply to the above mentioned question asked by Ms Z B N Balindlela (DA) is attached for your consideration.

**DIRECTOR-GENERAL**

DATE: 30/3/15

DRAFT REPLY APPROVED/~~AMENDED~~

**MRS NP MOKONYANE  
MINISTER OF WATER AND SANITATION**

DATE: 31.03.15

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 1035

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 20 MARCH 2015  
(INTERNAL QUESTION PAPER NO. 8)

**1035. Ms Z B N Balindlela (DA) to ask the Minister of Water and Sanitation:**

- (1) What are the (a) relevant details and (b) relevant dates of all steps that have been taken to facilitate and ensure the effective functioning of her department's compliance monitoring and enforcement since its establishment;
- (2) what are the relevant details of (a) all steps taken and (b) all steps to be taken, to address the substantial vacancies in her compliance and monitoring department;
- (3) what are the relevant details regarding the (a) appointment, (b) training and (c) designation of all current inspectors who will conduct compliance monitoring and enforcement;
- (4) what plans, if any, are in place to publish results of compliance monitoring and enforcement?

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**REPLY:**

- (1)(a) The Department established the Directorate: Compliance Monitoring and Enforcement (D: CME) in 2009 with staff complement of six (6). In 2010 the organizational structure was then developed and approved with twenty nine (29) posts. In the same financial year the Department recruited and appointed fifteen (15) officials to capacitate the unit. In April 2014 the D: CME was strengthened by elevating it to a Chief Directorate and the functions were also split into two, namely: Chief Directorate: Compliance Monitoring (CD: CM) and Chief Directorate: Enforcement (CD: E). My Department cascaded the replica structure from National level to Provincial level in order to ensure effective functioning of my Department's Water Sector Regulation Branch. My Department has also established strong informal partnerships with other Enforcement Agencies whilst a Memorandum of Understanding is being finalised.
- (1)(b) In January 2015 the two established Catchment Management Agencies in the Breede-Gouritz and Inkomati water management areas were delegated the power to issue directives which places the Compliance Monitoring and Enforcement (CME) functions closest to the water users. An enforcement case management system is operational allowing the uploading and tracking of cases of non-compliant or alleged unlawful users throughout the process. In 2015/16 this system will be enhanced enabling the uploading of compliance inspections and audit reports as well as self-monitoring reports from users. The Department of Water and Sanitation (DWS) and Eskom have also signed a Joint Action Plan in December 2014 to manage Eskom Coal Suppliers in terms of authorisation and compliance.
- (2)(a) Whilst my Department still has a moratorium in place on the filling of posts, some vacancies have been filled through appointments of graduate trainees from the DWS learning academy.

- (2)(a) Whilst my Department still has a moratorium in place on the filling of posts, some vacancies have been filled through appointments of graduate trainees from the DWS learning academy.
- (2)(b) Critical vacancies are being prioritised for recruitment and selection. Focus will be on obtaining correctly skilled personnel for the Catchment Management Agencies and Proto-Catchment Management Agencies where the majority of these functions will be exercised.
- (3)(a) There are currently twenty nine (29) technical officials employed at Compliance Monitoring; twenty three (23) staff members employed at Enforcement and sixty six (66) technical officials employed within the DWS Regional Offices performing both Compliance Monitoring and Enforcement.
- (3)(b) Seventeen (17) officials have received Environmental Management Inspectors (EMI) training from Environmental Affairs. The training offered as part of EMI training is not wholly suited to the needs of DWS; and the Department of Environmental Affairs has limited capacity to also offer training to DWS officials. Training material is being adapted and will be offered by DWS to its officials.
- (3)(c) No officials have been designated under the National Environmental Management Act. DWS is in the process of amending the National Water Act to allow for designation of water management inspectors.
- (4) The Department plans to publish the first annual report for Compliance Monitoring and Enforcement for the financial year 2013/2014 in the financial year 2015.

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