



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA



EdTM

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MINISTER OF WATER AND SANITATION

NATIONAL ASSEMBLY: QUESTION 191 FOR WRITTEN REPLY

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


DIRECTOR-GENERAL

DATE: 22/02/2016

DRAFT REPLY APPROVED/AMENDED



MRS NP MOKONYANE
MINISTER OF WATER AND SANITATION

DATE: 04.03.16

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 191

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 11 FEBRUARY 2016
(INTERNAL QUESTION PAPER NO. 1)

191. Ms N W A Mazzone (DA) to ask the Minister of Water and Sanitation:

- (1) With reference to her reply to question 572 for oral reply on 11 November 2015 and since 1 January 2015, (a) what are the details of each dispute with a municipality that her department has attempted to resolve through the Intergovernmental Relations Framework Act, Act 13 of 2005 (IGFRA) and (b) what was the outcome of each;
- (2) whether she has found that in certain instances the IGFRA was not sufficient to enforce the prescripts of the National Water Act, Act 36 of 1998; if not, what is the position in this regard; if so, (a) what course of action has been followed in instances where the IGFRA was not sufficient, and (b) in which instances has her department followed this course of action;
- (3) whether her department has laid any complaints with the SA Police Service (SAPS) for contravention of section 151(1)(j) of the Act; if not, why not; if so, (a) against whom was each complaint laid, (b) when was each complaint laid, (c) why was the complaint laid and (d) is the SAPS currently investigating each complaint?NW191E

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REPLY:

- (1)(a) My Department has not declared any dispute with the concerned Water Services Authorities (WSA) in terms of prescripts of the IGRFA, as the legislation does not compel the party in dispute an obligation to declare such dispute. However, there is statutory provision within the National Water Act (NWA) for the Department to take reasonable measures it considers necessary to remedy the situation as part of the dispute resolution as indicated in the National Assembly Question 572.
- (1)(b) Refer to (1)(a) above.
- (2)(a) My Department has not found the IGRFA to be insufficient in dealing with enforcing the prescripts of the NWA, in fact it corroborates it.
- (3) Yes, my Department has laid a total of seven (7) charges against complaints in respect of negligence as prescribed in section 151(1)(j) of the NWA and the matters are still under investigations.

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