



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

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Reference: 3/6/3/2018_2019

MINISTER OF WATER AND SANITATION

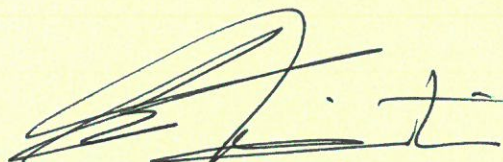
NATIONAL ASSEMBLY: QUESTION 1673 FOR WRITTEN REPLY

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


ACTING DIRECTOR-GENERAL

DATE: 31/07/2018

DRAFT REPLY APPROVED/~~AMENDED~~



**NKWINTI GE, MP
MINISTER OF WATER AND SANITATION**

DATE: 01/08/2018

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 1673

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 25 MAY 2018
(INTERNAL QUESTION PAPER NO. 18)

1673. Mr C D Matsepe (DA) to ask the Minister of Water and Sanitation:

(a) What number of cases relating to the Prevention and Combating of Corrupt Activities Act, Act 12 of 2004, as amended, have been referred to the (i) SA Police Service (SAPS) and (ii) Directorate for Priority Crime Investigation (DPCI) by (aa) his department and (bb) each entity reporting to him for further investigation since the Act was assented to and (b) what number of the specified cases have (i) been investigated by SAPS and DPCI, (ii) been followed up by the respective accounting officers and (iii) resulted in a conviction in each specified financial year since 2004?

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THE MINISTER OF WATER AND SANITATION

Refer to the table below for the consolidated response from the Department and Entities reporting to me regarding number of cases relating to the Prevention and Combating of Corrupt Activities.

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Entity	(a)(i)	(a)(ii)	(b)(i)	(b)(ii)	(b)(iii)
Department of Water and sanitation	The numbers of cases relating to the Prevention and Combating of Corrupt Activities Act, Act 12 of 2004, as amended, which have been referred to the SA Police Service (SAPS) by our Department, are Twelve (12) cases.	There are no cases referred to Directorate for Priority Crime Investigation (DPCI) by our Department.	Refer to (a) above.	Our Department is continuously following up regularly with SAPS regarding the Twelve (12) cases to ensure that investigations are still taking place.	No conviction relating to the cases for the periods 2012/2013 until 2017/2018 financial years which are still in progress with SAPS.
Amatola Water	None	None	None	None	None
Bloem Water	None	One (1) case of fraud and corruption is under investigation by the Directorate for Priority Crime Investigation, Bloemfontein Free State against an employee who has since terminated her services by taking early retirement.	One (1): case is still being investigated	The matter is followed-up periodically. The incumbent is no longer an employee of Bloem Water	No conviction: investigation is on-going
Lepelle Northern Water	The number of cases relating to the Prevention and Combating of Corrupt Activities Act, Act 12 of 2004, as amended, which have been referred to the SA Police Service (SAPS) by our Entity, is 1 (one).	There are no cases referred to Directorate for Priority Crime Investigation (DPCI) by Lepelle Northern Water.	Refer to (a) above.	Our Entity is continuously following up regularly with SAPS regarding the one case to ensure that investigations are still taking place.	No conviction relating to the case.
Magalies Water	1. Two (2) Cases of corruption and fraud were reported to the SAPS in 2013 against an employee who has since then, resigned. 2. The two (2) Cases were	There are no cases referred to Directorate for Priority Crime Investigation (DPCI) by Magalies Water.	Only the 2-in-1 Case referred to under (a)(i) (Case Number OBD598072014) which is still being investigated by the SAPS since in 2013.	Periodic follow ups on this one (1) Case (Case Number OBD598072014) of 2013 continue; but 2. The incumbent is	The response already showing in this Section hold true for Magalies Water.

Entity	(a)(i)	(a)(ii)	(b)(i)	(b)(ii)	(b)(iii)
	<p>back then consolidated into one (1) Case (Case Number OBD598072014).</p> <p>3. With all the periodical requests for feedback from the SAPS, we get a standard answer that investigation is still on-going.</p> <p>4. We are of the opinion that the Police have not made any progress with respect to the finalisation of this Case.</p>			also no longer an employee of Magalies Water.	
Mhlathuze Water	None	There are no cases referred to Directorate for Priority Crime Investigation (DPCI) by Mhlathuze Water	Refer to (a) above.	Refer to (a) above.	Refer to (a) above.
Overberg Water	There is only one case reported in June 2018 but still in discussion with the SAP on the alleged fraud and corruption.	There are no cases referred to Directorate for Priority Crime Investigation (DPCI) by Overberg Water.	Refer to (a) above.	Refer to (a) above.	No conviction relating to the cases for the periods 2012/2013 until 2017/2018 financial years which are still in progress with SAPS.
Rand Water	Fourteen (14) cases were reported to the SAPS over the period 2004 to 2018	There are no cases referred to Directorate for Priority Crime Investigation (DPCI) by Rand Water.	<ol style="list-style-type: none"> Eight (8) cases of fraud were reported to the SAPS over the period. One (1) case of embezzlement was reported to the SAPS Five (5) cases of theft were 	The entity is continuously following up regularly with SAPS regarding the cases to ensure that investigations are still taking place.	<ol style="list-style-type: none"> One (1) case of Fraud in 2008 Two (2) cases of Theft in 2012 Two (2) cases of Theft in 2016

Entity	(a)(i)	(a)(ii)	(b)(i)	(b)(ii)	(b)(iii)
Sedibeng Water	The numbers of cases relating to the Prevention and Combating of Corrupt Activities Act, Act 12 of 2004, as amended, which have been referred to the SA Police Service (SAPS) by our Department, are five (5) cases.	One (1) Section 34 complaint was lodged with the DPCI.	Refer to (a) above.	The entity is continuously following up regularly with SAPS regarding the five (5) cases to ensure that investigations are still taking place.	There were no case reported for the period 2012/2013 until financial 2016/2017 years. The new cases reported in 2017/18 are still under investigation and the entity is following up with SAPS on the progress.
Umgeni Water	The number of cases relating to the Prevention and Combating of Corrupt Activities Act, Act 12 of 2004, as amended, which have been referred to the SA Police Service (SAPS) by our Department, is one (1) case.	There are no cases referred to Directorate for Priority Crime Investigation (DPCI) by Umgeni Water.	Refer to (a) above.	The case is at PMB High court	No conviction relating to this case – still in progress
WRC	None	There are no cases referred to Directorate for Priority Crime Investigation (DPCI) by WRC.	Refer to (a) above.	Owed to the fact that our Institution had Zero (0) cases, it was not necessary to follow up regularly with SAPS to ensure that investigations are still taking place.	Owed to the fact that our Institution had Zero (0) cases, it was not necessary for convictions relating to the cases for the periods 2012/2013 until 2017/2018 financial year.
TCTA	The number of cases relating to the Prevention and Combating of Corrupt Activities Act, Act 12 of 2004, as amended, which have been referred to the SA Police Service (SAPS) by our Trans	There are two cases referred to Directorate for Priority Crime Investigation (DPCI) by the Trans-Caledon Tunnel Authority.	Refer to (a) above.	Trans-Tunnel Caledon Authority continuously follow up regularly with SAPS regarding all the cases to ensure that investigations and	There were no convictions relating to the two cases for the periods 2012/2013 until 2017/2018 financial years.

Entity	(a)(i)	(a)(ii)	(b)(i)	(b)(ii)	(b)(iii)
	<p>Caledon Tunnel Authority are 2 (two).</p>	<ul style="list-style-type: none"> • First case referred to DPCI was mandated to SAPS Commercial Crimes for investigation and prosecution. The case reference is State vs Mbeba (Ref. IR2014/11/108). • The second case that was referred to DPCI for criminal investigation involves the former Chief Executive Officer of TCTA on allegations of corruption. The second allegation involves fronting Intelligent Water Solutions ('IWS'). The case number is Lyttelton CAS 29/12/2017. 		<p>prosecution place.</p> <p>take</p>	<ul style="list-style-type: none"> • The case of the State vs Mbeba (Ref. IR2014/11/108), was withdrawn therefore no conviction was secured. • The case which involves the former Chief Executive Officer of TCTA and Intelligent Water Solutions ('IWS') (CAS 29/12/2017) is still under investigation.

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