



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

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MINISTER OF WATER AND SANITATION

NATIONAL ASSEMBLY: QUESTION ★294 FOR ORAL REPLY

A draft reply to the above mentioned question asked by Mr M Johnson (ANC) is attached for your consideration.

ACTING DIRECTOR-GENERAL

DATE: 20/11/2018

DRAFT REPLY APPROVED/~~AMENDED~~

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

DATE: 03/12/2018

FOR ORAL REPLY

QUESTION NO ★294

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 12 NOVEMBER 2018
(INTERNAL QUESTION PAPER NO. 40)

★294. Mr M Johnson (ANC) to ask the Minister of Water and Sanitation:

Whether he intends to include prescripts in legislation that (a) makes the State the sole owner of water as a public good that removes it from private ownership and (b) merge water rights with land rights; if not, what is the position in this regard; if so, what are the relevant details?

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THE MINISTER OF WATER AND SANITATION

- (a) Section 4 of the draft of the National Water and Sanitation Bill designates the Minister as public trustee of the nation's water resources. Sections 21 and 22 provide for the revocation of water use entitlement on reasonable grounds and the surrender of entitlement to the Minister, not between two private individuals. The essence of these provisions is to put emphasis in the legislative prescripts that the State, through the Minister of Water and Sanitation, is the sole owner of water as a public good.
- (b) In the current National Water Act, the water use entitlements do not exist separately from property rights. This position is further adopted in the draft bill.

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