



## water & sanitation

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA

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### MINISTER OF WATER AND SANITATION

### NATIONAL ASSEMBLY: QUESTION 796 FOR WRITTEN REPLY

A draft reply to the above mentioned question asked by Adv A de W Alberts (FF Plus) is attached for your consideration.

DRAFT REPLY: RECOMMENDED/ NOT RECOMMENDED/ ~~AMENDED~~

ACTING DIRECTOR-GENERAL

DATE: 5/4/2019

DRAFT REPLY: APPROVED/ NOT APPROVED/ ~~AMENDED~~

NKWINTI GE, MP  
MINISTER OF WATER AND SANITATION

DATE: 08/04/2019

## NATIONAL ASSEMBLY

### FOR WRITTEN REPLY

#### QUESTION NO 796

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 20 MARCH 2019  
(INTERNAL QUESTION PAPER NO. 9)

796. Adv A de W Alberts (FF Plus) to ask the Minister of Water and Sanitation:

- (1) What is the total number of mines with a water licence in each province that (a) meet the licensing requirements and (b) do not comply with the licensing requirements;
- (2) what (a) is the name of each mine with a water licence that does not comply with the licensing requirements, (b) is the area and province in which each mine is located, (c) are the reasons why the mines do not comply with the water licensing requirements and (d) steps does he intend to take to address the deficiencies;
- (3) with reference to operational mines in each province that are not in possession of water licences, what are the full relevant details of the (a) name of each mine, (b) area and province in which each mine is located, (c) reasons why the mines are operational without water licenses having been awarded to them and (d) steps he intends to take to address these deficiencies?

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#### THE MINISTER OF WATER AND SANITATION

- (1)(a) The total number of mines with a water use licence in each province authorized to use water are 712.
- (1)(b) Refer to **Annexure A** for the total number of mines authorized but non-compliance.
- (2) Refer to **Annexure A** for the action taken to address the deficiencies by authorized non-compliant mines and **Annexure B** for the technical and administrative conditions of a licence in terms of the National Water Act, 1998 (Act No 36 Of 1998) (NWA).
- (3)(a) A total number of mines operating without authorisation in each province are 115.
- (3)(b) The table below reflects the number and province in which each of those mines are located. Refer to **Annexure C** for list of mines operating without authorisation in each province.

Province	Number of mines	Steps to be taken to address
Gauteng	13	Administrative enforcement action
Limpopo	3	Administrative enforcement action
Mpumalanga	30	Administrative and criminal enforcement action
Kwa Zulu Natal	37	Administrative enforcement action

Free State	5	Administrative enforcement action
Northern Cape	25	Administrative enforcement action
Eastern Cape	1	Administrative enforcement action
North West	1	Administrative enforcement action
<b>Total</b>	<b>115</b>	

- (3)(c) It is not clear why transgressors resort to operation of mines without the requisite authorisation however; the Department continues to intensify activities to protect the water resource as mandated by the National Water Act, (Act No. 36 of 1998).
- (3)(d) The Department investigates identified as well as reported non-compliances regularly. These non-compliances are dealt with in accordance with administrative, criminal and civil enforcement tools as prescribed by the National Water Act, (Act No. 36 of 1998). The Department also collaborates with other law enforcement agencies such as the South African Police Services and the National Prosecuting Authority in respect of non-compliance matters which require further criminal enforcement action.

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