

**MINISTRY FOR COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTIONS FOR WRITTEN**

**QUESTION NUMBER 2017/160**

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**Mr M Waters (DA) to ask the Minister of Cooperative Governance and Traditional Affairs:**

With reference to the reply of the Minister of Justice and Correctional Services to question 2714 on 16 January 2017, has the Ekurhuleni Metropolitan Police Department (EMPD) closed the illegal shebeen located at 102 Handel Street, Kempton Park West, Kempton Park; if not, (a) what action was taken in this regard, (b) by when will the EMPD enforce the court order and (c) why has the EMPD not enforced the court order; if so, (i) on what date and (ii) what are the further relevant details?

NW102E

**Reply**

Based on the response provided by the provincial Gauteng Cogta, Ekurhuleni Metropolitan Municipality (EMM) opted to provide a similar response to the one that was initially forwarded to the province. As a result, Gauteng Cogta requested national DCoG to use the initial response forwarded by Ekurhuleni. Below is an outline of the initial reply from Ekurhuleni metro:

Ekurhuleni Metropolitan Municipality does not enforce court orders. It is the responsibility of sheriffs of the court to enforce and implement court orders. Ekurhuleni also stated that in regard to court orders relating to evictions on illegally occupied land and contravention of by-laws, for instance, sheriffs of the court are agents responsible for enforcement of these court orders.

Moreover, according to Ekurhuleni, the liquor licenses are issued by Gauteng Provincial Liquor Board, which assumes responsibility over the existence or not of a shebeen or liquor outlet. In other words, Ekurhuleni does not have authority nor form part of processes undertaken by the Liquor Board to oversee existing shebeens and other liquor outlets. Therefore, Ekurhuleni maintains that it is not its responsibility to close down illegal shebeens in keeping with court orders.