NATIONAL ASSEMBLY

 **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? NW1823E

**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.

| **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 periodicallyThe 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 back then consolidated into one (1) Case (Case Number OBD598072014). 3. With all the periodical requests for feedback from the SAPS, we get a standard answer that investigation is still on- going. 4. We are of the opinion that the Police have not made any progress with respect to the finalisation of this Case. | 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; but2. The incumbent is also no longer an employee of Magalies Water. | The response already showing in this Section hold true for 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. | 1. Eight (8) cases of fraud were reported to the SAPS over the period.
2. One (1) case of embezzlement was reported to the SAPS
3. Five (5) cases of theft were reported to the SAPS
 | The entity is continuously following up regularly with SAPS regarding the cases to ensure that investigations are still taking place. | 1. One (1) case of Fraud in 2008
2. Two (2) cases of Theft in 2012
3. Two (2) cases of Theft in 2016
 |
| 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 2016/2017 financial 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 Caledon Tunnel Authority are 2 (two). | There are two cases referred to Directorate for Priority Crime Investigation (DPCI) by the Trans-Caledon Tunnel Authority. • 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. | Refer to (a) above.  | Trans- Caledon Tunnel Authority continuously follow up regularly with SAPS regarding all the cases to ensure that investigations and prosecution take place. | There were no convictions relating to the two cases for the periods 2012/2013 until 2017/2018 financial years. • 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. |