

**MINISTRY**

**HUMAN SETTLEMENTS, WATER AND SANITATION**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: 59**

**DATE OF PUBLICATION: 11 FEBRUARY 2021**

**Mrs S M Mokgotho (EFF) to ask the Minister of Human Settlements, Water and Sanitation:**

Whether the water tank which was installed inside a resident stand in Ward 24 in the Moses Kotane Local Municipality was intended to serve residents of Ward 24; if not, why did the specified municipality install a water tank inside one resident stand only; if so, why was the water tank installed inside a private citizen stand? NW61E

**REPLY:**

The Department of Water and Sanitation has advised that it did not install a water tank inside a resident’s stand in Ward 24 in the Moses Kotane Local Municipality.

The Honourable Member is therefore advised to address the question to my colleague, the Minister of Corporative Governance and Traditional Affairs (COGTA), as that Department is responsible for oversight over municipalities.

Honourable Member, it is important to distinguish the functions of various government departments and the different spheres of government when it comes to access to water and sanitation services.

* The Department of Water and Sanitation is the custodian of water and in terms of the National Water Act is responsible for ensuring that water as a resource is allocated equitably and used beneficially in the public interest, while promoting environmental values.
* Schedule 4B of the Constitution places the function of provision of water services to local government (municipalities).
* Section 154 of the Constitution places a responsibility on national and provincial government to support and regulate local government in carrying out this mandate.
* Section 3 of the Water Services Act outlines the right of access to basic water supply and sanitation which mandates that “everyone has a right of access to basic water supply and basic sanitation” and places the responsibility on Water Services Authorities to ensure that they develop a Water Services Development Plan (WSDP) to ensure the realisation of this right.
* Section 4 of the Water Services Act sets conditions for the provision of water services.
* Section 9 of the Water Services Act prescribes that the Minister may from time to time develop compulsory national norms and standards for water services which outline the exact levels of services that municipalities must provide.
* Section 10 of the Water Services Act provides norms and standards for setting tariffs for the provision of water services.
* Section 11 of the Water Services Act mandates that “every Water Services Authority has the duty to all consumers or potential consumers in its area of jurisdiction to progressively ensure efficient, affordable, economical and sustainable access to water services.”
* Section 84(1) d of the Municipal Structures Act mandates that municipalities are responsible for the provision of potable water and domestic waste water disposal systems.