**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 874**

**DATE OF QUESTION: 13 SEPTEMBER 2019**

**DATE OF SUBMISSION: 30 SEPTEMBER 2019**

**Ms E L Powell (DA) to ask the Minister of Justice and Correctional Services:**

(a) What is the current status of the investigation by the Special Investigating Unit into the R3,5 billion bulk water supply tender to address the water situation in Giyani, Limpopo, and (b) by what date does he expect the (i) specified investigation to be concluded and (ii) findings of the investigation to be made public?

**NW1930E**

**REPLY:**

1. **I am informed by the Special Investigating Unit Head that the Special Investigating Unit (SIU) has presented an Interim Report to the Presidency on 31 October 2018 setting out the findings thus far in relation to Proclamation No. R22 of 2016. The SIU has also already taken civil action against the service providers, per Notice of Motion. The Application was issued on 26 November 2018 out of the Limpopo Division of the High Court, Polokwane. The SIU is seeking to have the appointment of LTE Consulting (Pty) Ltd and contract awarded, declared unlawful and invalid ab initio, and set aside by a court of law.**

**Furthermore, the SIU is seeking that the court grants an order which is just and equitable. The value of the contract is approximately R2,5 billion. The litigation is ongoing.**

**In addition to the civil action taken by the SIU, the SIU has also referred evidence in two criminal matters to the National Prosecuting Authority against two officials at the Lepelle Northern Water (LNW) Agency. Disciplinary referrals in respect of these two officials were also handed to the then Chairperson of the LNW Board. A further outcome was the referral of evidence to the Construction and Industry Development Board (CIDB) relating to a contravention of the CIDB Act.**

1. (i) The SIU is conducting a value for money investigation which is ongoing. In

addition to this, the scope of the SIU's investigation has been increased by the extension of the proclamation to include further allegations of maladministration and corruption related to this tender.

(ii) The SIU will, in terms of its legislation, present its findings to the President in the

final Presidential Report. It will then be the President's discretion to make a decision whether to or not release the report.