

**MINISTER**

**HUMAN SETTLEMENTS, WATER AND SANITATION**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: 918**

**DATE OF PUBLICATION: 19 MARCH 2021**

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

What measures does her department have in place to act against municipalities that do not adhere to ministerial directives, such as the Madibeng Local Municipality that refused to effect a ministerial directive to assist with the improvement of water and wastewater systems to address pollution with regard to effluent in streams and rivers? NW1085E

**REPLY:**

The Ministerial Directive is issued in terms of section 63 of the Water Services Act, 1997 (Act 108 of 1997 (WSA). The issuance of a Directive involves a consultative process whereby the Minister engages all the stakeholders; including the Premier, Minister of Cooperative Governance and Traditional Affairs (COGTA), Member of the Executive Council responsible for COGTA and the Mayors involved in the implementation of a directive as per the legislative requirements.

If a municipality or any of the stakeholders fail to implement the Directive, Sections 63 (2) (b) of the WSA and section 151 of the National Water Act, 1998 (Act 36 of 1998) (NWA), empower the Executive Authority to take over the functions after due process or take legal action.

Regarding the particular case referred to in the question, the Deputy Minister of Water and Sanitation and Minister of Minerals Resources and Energy, Premier of North West, COGTA MEC and the Mayor of the municipality met on 04 March 2021 to resolve the impasse. The Minister of DMR is the champion for the District Development Model in North West Province. During the course of the meeting, it was resolved that the municipality will hand over the operations and maintenance of the water and sanitation infrastructure to the Magalies Water Board, in accordance with the Minister’s directive. The municipality did not object and all processes are currently underway to implement the resolution**.**