MINISTER OF WATER AND SANITATION

NATIONAL ASSEMBLY: QUESTION 2305 FOR WRITTEN REPLY

A draft reply to the above mentioned question asked by Mr T Rawula (EFF) is attached for your consideration.

[Signature]
DIRECTOR-GENERAL (Acting)

DATE: 20/01/2017

DRAFT REPLY APPROVED/AMENDED

[Signature]
MRS NP MOKONYANE
MINISTER OF WATER AND SANITATION

DATE: 22/09/17
2305. Mr T Rawula (EFF) to ask the Minister of Water and Sanitation:

What factors does she or the person delegated in this regard consider when taking a
decision in terms of section 148(2)(b) to uplift the suspension of appeal to the Water
Tribunal pending the outcome of such an appeal?

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REPLY:

I (The Minister of the Department of Water and Sanitation) uplift a decision to suspend a
license pending the outcome of the appeal made to the Water Tribunal when a petition is
made indicating any of the following:

(a) that the granting of all authorisations or a water use licence followed all relevant
due processes;
(b) that the suspension is highly prejudicial and detrimental to a lawfully obtained
authorisations;
(c) that the suspension will derail the entire project timelines and create
uncertainties;
(d) that the suspension will put hundreds of millions of investments at risks as well
as forego much needed jobs and community development projects;
(e) that the issues raised by the Appellants in the appeal should be decided upon by
the Water Tribunal, and the Appellants will not be prejudiced by the lifting of the
suspension; and
(f) if the reasons provided by the person who is affected by the suspension are
persuasive.

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