

Enquiries: Khomotso Letsatsi
Tel: 012 369 8000
E-mail: kletsatsi@salga.org.za



Physical:
Block B, Menlyn Corporate Park,
175 Corobay Ave, Waterkloof
Glen Ext II, PRETORIA 0181
Postal: PO Box 2094,
PRETORIA 0001

CIRCULAR 22 /2022
WATER SERVICES ON PRIVATELY OWNED LAND

FROM : LANCE JOEL
CHIEF EXECUTIVE OFFICER (ACTING)

TO : MUNICIPAL MANAGERS
EXECUTIVE DIRECTORS / HEADS / DIRECTORS / MANAGERS: WATER
AND SANITATION SERVICES

DATE : 1 AUGUST 2022

**URGENT REQUEST FOR MUNICIPAL COMMENTS ON THE DWS DRAFT POLICY ON
WATER AND SANITATION SERVICES ON PRIVATELY OWNED LAND**

1. OBJECTIVE OF THE CIRCULAR

To invite municipalities to submit written inputs to the Department of Water and Sanitation's draft policy on water and sanitation services on privately owned land.

2. BACKGROUND

Recognising that many people reside on privately owned land in South Africa, and they still do not have access to basic water and sanitation services, the Department of Water and Sanitation (DWS) has developed a draft policy on Water and Sanitation Services on Privately Owned Land (see Annexure 1). Since the provision of water and sanitation services is the mandate of Local Government (Water Services Authorities), the DWS seeks formal inputs from the sector on their draft policy as part of the consultation process. SALGA through this Circular invites municipalities to provide comments and inputs.

3. DISCUSSION

Water and sanitation services are rights-based services, and the Constitution enjoins the state to take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of these rights.



The fact that these services are rights-based has resulted in the state being taken to court on several occasions to test the extent to which the state was indeed taking all reasonable measures. Where there are repeated cases of a similar nature, a reasonable obligation of the responsible sector department is to provide policy direction on that specific matter. The DWS seeks to provide policy clarity through a draft policy on water services provision on privately owned land.

The DWS is expected to consult on all policy matters, especially when the implementation of that policy will largely be for Local Government. The objective of this circular is to source urgent inputs and comments from municipalities on the Draft Policy on Water and Sanitation Services on Privately Owned Land; in order to develop a consolidated local government position. This position will be tabled with the Department of Water and Sanitation in August 2022. Detailed written comments are required by no later than 22 August 2022.

Should you have any queries or more information please do not hesitate to contact Mr Lubabalo Luyaba at LLuyaba@salga.org.za or 076 294 1540.

Yours Faithfully


LANCE JOEL
ACTING CHIEF EXECUTIVE OFFICER

