



Public Notice

NOTICE OF INTENTION TO REDUCE BULK POTABLE WATER SUPPLY SERVICES: NGWATHE LOCAL MUNICIPALITY

The Ngwathe Local Municipality ("the Municipality") has a constitutional obligation to provide basic water and sanitation services ("water services") to its residents. To discharge this obligation, the Municipality entered into the Bulk Water Supply Contract ("BWSC") with Rand Water for the provision of bulk potable water services in exchange for payment.

The Municipality has been struggling to service its water account since September 2022, as a result the Municipality is currently indebted to Rand Water in the amount of **R 65 587 928.13 was due and payable on 30 March 2024.**

The Municipality's continuous failure to make payment to Rand Water for the bulk water services debt is an outright breach of the relevant provisions of the BWSC as supported by the provisions of section 33(1) (d) of the Water Service Act 108 of 1997 ("the WSA"). This debt threatens the functional and institutional integrity of Rand Water and places in jeopardy Rand Water's ability to provide bulk water services supply on a financially sustainable basis.

In terms of the relevant provisions of the BWSC and section 4 of the WSA, Rand Water is authorized to reduce bulk water supply services when the Municipality fails to comply with BWSC's terms and conditions for payment as well as fails to give sufficient evidence of its inability to pay for water services.

The continuous efforts of Rand Water to recover the monies owed by the Municipality have failed and Rand Water has notified the Municipality of its intention to exercise its legislative and contractual powers to reduce/limit bulk potable water services by 20% after 30 days of this notice. All members of the public who are likely to be materially and adversely affected by its reduction in the supply of the bulk water services to the Municipality are hereby notified of Rand Water's intention to reduce the supply of bulk potable water services to the Municipality.

This reduction does not completely terminate water supply services, but only limit the bulk water supply with 20% leaving the Municipality with 80% which Rand Water justly believes that the Municipality will still be able to maintain continuous supply of water services to its residents. In addition to this Public Notice, your Municipality will initiate public participation processes to ensure that written representation from your direct end users on how the 80% of the water received from Rand Water will be prioritized to minimize the impact to vulnerable members (schools, old age homes, hospitals, etc.).

Rand Water's planned action is necessary to hold the Municipality accountable to discharge its constitutional and statutory duties, prevent further escalation of the water services debt and enhance Rand Water's liquidity and ability to discharge its own obligations, all with the goal of protecting the national interest in the sustainability of water services supply.

Members of the public are also advised to take appropriate lawful steps against the Municipality to avert the planned action and protect their interests.

As contemplated in section 4(3) of the Public Administrative Justice Act, 3 of 2000, Rand Water hereby invites all affected members of the public to submit written representations, comments and/or submissions indicating why Rand Water should or should not proceed with the contemplated reduction of water services.

The following towns/municipal areas shall be affected by the contemplated reduction:

NGWATHE LOCAL MUNICIPALITY / AFFECTED TOWNS / POINTS OF SUPPLY

All towns, suburbs and townships of the Municipality's area of supply.

Public representations, submissions and/or comments should be submitted to:

RAND WATER GROUP LEGAL SERVICES

Physical address: 522 Impala Road, Glenvista

Postal address: P O Box 1127, Johannesburg 2000

E-mail address: Customerservice@randwater.co.za and sbxulu@randwater.co.za

The closing date for public representations, submissions and/or comments will be end of 30th calendar day from date of issue.

Please take note that comments received after the closing date will not be considered.

Such public representations, submissions and / or comments will be considered by Rand Water, and its final decision will be published in a notice **within 7 days after closing date.**

Members of the public are informed of their right, should they be so inclined, to challenge the decision of Rand Water in Court by taking it on review.

Reference Number: **NLM01/2024 Notice**

Issued in terms of section 4 (1)(b) and (3) of the Promotion of Administrative Justice Act, (Act 3 of 2000).

Public Notice

TSEBISO YA MAIKEMISETSI A HO FOKOTSA PHANO YA METSI: NGWATHE LOCAL MUNICIPALITY

Masepala wa Ngwathe Local Municipality ("the Municipality") o entsa setlamo sa phano e ntle ya metsi le dikgwerekgwere ho baani ba ona. Ho ntshetsa pele setlamo sena, masepala o tekenne kontraka ya Tshebeletso ya Phano ya Metsi a Lekaneng e leng ("BWSC") ka bokgutshwanyane, le Rand Water bakeng sa ho fana ka tshebeletso ya metsi ka bongata ka phapanyetsano ya ho patala.

Masepala esale ona le mathata a ho patala mokitlane Wa metsi ho tloha ka 2019, mme seo se na kentse sekolotong sa Rand Water sa **R65,587,928.13, e neng e tlameha ho patala pele ho di 30 March 2024.**

Ho hloleha ho patala Rand Water ke masepala ona bakeng sa tshebeletso ya metsi ao a mangata, ho roba tumellano tsa kontraka ya bona le ba BWSC, tshetso ya molao section 33(1)(d) ya Water Service Act 108 ya 1997 ("the WSA"). Sekoloto sena se tla sitisa tshetso e phethahetseng ya Rand Water ya phano ya metsi a mangata ka Baka la mathata a di tjelele.

Bakeng sa ditokiso tse nepahetseng tsa BWSC le section 4 ya WSA, Rand Water e dumelletsehile ho fokotsa phano ya metsi a mangata, ha masepala e hloleha ho latela melawana le dipehelo tsa BWSC ya ho patala le ho fana ka mabaka a utlwalahalang a ho hloleha ho patala ditshebeletso tsa metsi.

Ho tswella pele hwa Rand Water e leka ho fumana tjelele eo ya sekoloto sa masepala ha Wa phethahala, Mme Rand Water e qetelletse e tsebisitse masepala ka maikemisetso a ho sebedisa matla a bona hoya ka kontrak e leng a ho fokotsa phano ya metsi ka 20% kamora matsatsi a 30 a ho ba tsebisa. Sechaba kaofela se tla anngwa ke phokotso ena ya phano ya metsi a mangata, se tsebiswa ka maikemisetso ana a Rand Water a ho fokotsa phano ya metsi masepaleng.

Phokotso ena ya metsi ha e hlalose hore metsi a keke a ba teng, empa phokotso ya metsi feela ka 20%, e tla siya masepala ka 80% eo Rand Water e dumelang hore masepala e tla kgona ho efa baahi ba bona. Tlatsetso ya molaetsa Ona, masepala o tla qala ho mema baahi tabeng ya ho buisana ka tsebediso ya 80% ena ya metsi a tswang Rand Water ho thusa dibakeng tsa bohlokwa jwaloka (dikolo, mahae a maqheku, dipetlele, jwalo jwalo.)

Ketso ena e rerilweng ke Rand Water e bohlokwa hore masepala o nke boikarabelo ba bohlaswa ba bona, ho thibela sekoloto sena sa metsi ho nyoloha le ho sitisa Rand Water ho phetha mosebetsi Wa bona, ka tshireletso ya setjhaba hore se tswelle ho fumana ditshebeletso tsa metsi.

Baahi le bona ba kgothalletswa ho ema ka maoto kgahlanong le masepala ka ho tshireletsa ditlhoko tsa bona.

Jwaloka ha e behwa ke molao Wa 4(3) Wa Public Administrative Justice Act, 3 ya 2000, Rand Water e mema baahi bohle ba amehang, ho romella kemedi ya bona ka mokgwa Wa ho ngola, moo ba hlakisang hore hobaneng Rand Water e sa tlameha kapa e tlameha ho tswella pele ho fokotsa phano ya metsi .

Ditoropo tse latelang di tla anngwa ke phokotso ya metsi:

NGWATHE LOCAL MUNICIPALITY AFFECTED TOWNS / POINTS OF SUPPLY

Ditoropo kaofela, le makeishene ohle a fepelwang metsi ke masepaleng ona

Maikutlo a baahi a ka romellwa ho:

RAND WATER GROUP LEGAL SERVICES

Physical address: 522 Impala Road, Glenvista

Postal address: P O Box 1127, Johannesburg 2000

E-mail address: Customerservice@randwater.co.za le sbxulu@randwater.co.za

Maikutlo ana a baahi a tla amohelwa ho fihlela ha ho fela matsatsi a 30, kamora hore tsebiso ena e etswe.

Maikutlo a tla romelwa kamora ho kwalwa, a keke a shejwa.

Maikutlo ana a tla hlompheka ke Rand Water, mme qeto ya Rand Water e tla tsebiswa matsatsi a 7 kamora ho kwalwa.

Baahi ba tsebiswa ka ditokiso tsa bona, ha ba sa kgotsofala, ba ka phepetsa qeto eo ya Rand Water makgotleng a dinyewe hore e shebiswe.

Reference Number: **NLM01/2024 Notice**

Di taba tse na di tswa ka section 4 (1)(b) le (3) ya Promotion of Administrative Justice Act, (Act 3 of 2000).

Openbare Kennisgewing

KENNISGEWING VAN VOORNEME OM GROOTMAAT VOORSIENING VAN DRINK WATER TE VERMINDER: NGWATHE PLAASLIKE MUNISIPALITEIT

Ngwathe-munisipaliteit ("die munisipaliteit") het 'n grondwetlike plig om basiese water- en sanitasiedienste ("waterdienste") aan sy inwoners te verskaf. Om hierdie verpligting na te kom, het die Munisipaliteit die Grootmaat Watervoorsieningskontrak ("BWSC") met Rand Water aangegaan vir die verskaffing van grootmaat drinkbare waterdienste in ruil vir betaling.

Die Munisipaliteit worstel reeds sedert 2019 om sy waterrekening te vereffen, en gevolglik is die Munisipaliteit tans die bedrag van **R 65 587 928.13 aan Rand Water verskuldig, wat reeds op 30 Maart 2024 betaalbaar was.**

Die Munisipaliteit se voortdurende mislukking om betaling aan Rand Water te maak vir die grootmaat waterdienskeskuld is 'n volslae oortreding van die relevante bepalings van die BWSC soos ondersteun deur die bepalings van artikel 33(1)(d) van die Waterdienswet 108 van 1997

("die WSA"). Hierdie skuld bedreig die funksionele en institusionele integriteit van Rand Water, en plaas Rand Water se vermoë om grootmaat waterdienskeskuld te betaal op 'n finansiële volhoubare grondslag aan te bied, in gevaar.

Ingevolge die toepaslike bepalings van die BWSC en artikel 4 van die WSA, is Rand Water gemagtig om grootmaat watervoorsieningsdienste te verminder in gevalle waar die Munisipaliteit in gebrek bly om aan BWSC se bepalings en voorwaardes vir betaling te voldoen, asook faal daarin om voldoende bewys te lever van sy onvermoë om vir waterdienste te betaal.

Die voortdurende pogings van Rand Water om die gelde wat deur die Munisipaliteit verskuldig is, te verhaal, het misluk en Rand Water het die Munisipaliteit in kennis gestel van sy voorneme om sy wetgewende en kontraktuele magte uit te oefen om grootmaat drinkwaterdienste met 20% te verminder na 30 dae van hierdie kennisgewing .

Alle lede van die publiek wat moontlik weselik en nadelig geraak mag word deur die vermindering van die verskaffing van die grootmaatwaterdienste aan die Munisipaliteit, word hiermee in kennis gestel van Rand Water se voorneme om die verskaffing van grootmaat drinkwaterdienste aan die Munisipaliteit te verminder.

Hierdie vermindering beëindig nie watervoorsieningsdienste in sy geheel nie, maar beperk slegs die grootmaat watervoorsiening met 20% wat die Munisipaliteit met 80% laat, wat Rand Water tereg glo die Munisipaliteit nog steeds in staat sal stel om deurlopende voorsiening van waterdienste aan sy inwoners te handhaaf. Benewens hierdie Openbare Kennisgewing, sal u Munisipaliteit openbare deelname prosesse inisieer om te verseker dat skriftelike verdoe van u direk, as eindverbruikers, ingewin kan word oor hoe u glo die 80% van die water wat van Rand Water ontvang word, geprioritiseer behoort te word om die impak op kwesbare verbruikers (bv. skole, ouetehuse, hospitale, ens.) te minimaliseer.

Rand Water se beplande optrede word genoodsaak, ten einde die Munisipaliteit aanspreeklik te hou om sy grondwetlike en statutêre verpligtinge na te kom, verdere eskalاسie van die waterdienskeskuld te voorkom en Rand Water se likiditeit en vermoë om sy eie verpligtinge na te kom, te verbeter, alles met die oog op die bevordering van nasionale belang, ten einde volhoubaarheid van waterdiensvoorsiening te verseker.

Lede van die publiek word ook aangeraai om toepaslike wetlike stappe teen die Munisipaliteit te neem om die beplande optrede af te weer en hul belange te beskerm.

Soos vervat in artikel 4(3) van die Wet op Openbare Administratiewe Geregtheid, 3 van 2000, nooi Rand Water hiermee alle geaffekteerde lede van die publiek uit om skriftelike verdoe, kommentaar en/of voorleggings in te dien wat aandui waarom Rand Water moet, of nie moet, voortgaan met die beoogde vermindering van waterdienste.

Die volgende dorpe/munisipale gebiede sal deur die beoogde vermindering geraak word:

NGWATHE PLAASLIKE MUNISIPALITEIT / GEAFFEKTEERDE DORPE / VOORSIENINGSPUNTE

Alle dorpe, voorstede en townships van die Munisipaliteit se voorsieningsgebied.

Openbare verdoe, voorleggings en/of kommentaar moet ingedien word by:

RAND WATERGROEP REGSDIENSTE

Fisiese adres: Impalaweg 522, Glenvista

Posadres: Posbus 1127, Johannesburg 2000

E-posadres: Customerservice@randwater.co.za en sbxulu@randwater.co.za

Die sluitingsdatum vir openbare verdoe, voorleggings en/of kommentaar sal einde van die 30^{ste} kalenderdag vanaf datum van uitreiking wees.

Neem asseblief kennis dat kommentaar wat na die sluitingsdatum ontvang word, nie oorweeg sal word nie. Sodanige openbare verdoe, voorleggings en/of kommentaar sal deur Rand Water oorweeg word, en sy finale besluit sal binne 7 dae na die sluitingsdatum in 'n kennisgewing gepubliseer word.

Lede van die publiek word ingelig oor hul reg en kan, sou hulle so verkies, die beslissing van Rand Water in die hof te betwis deur dit op hersiening te neem.

Verwysingsnommer: **NLM01/2024 Kennisgewing**

Uitgereik ingevolge artikel 4 (1)(b) en (3) van die Wet op die Bevordering van Administratiewe Geregtheid, (Wet 3 van 2000).