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## **MEDIA STATEMENT**

### **AFRIFORUM'S ATTEMPTS TO INTERDICT RAND WATER ON WATER RESTRICTIONS FAIL**

AfriForum issued an urgent application against Rand Water and 7 Municipalities as well as the Minister of Finance, Water and Sanitation and Cooperative Governance and Traditional Affairs on 11 March 2024 for an interdict. The relevant municipalities are: Emfuleni Local Municipality and Lesedi Local Municipality in the Sedibeng District Municipality in Gauteng; Rand West Local Municipality and Merafong City Local Municipality in the West Rand District Municipality in Gauteng; Ngwathe Local Municipality in the Fezile Dabi District Municipality in the Free State; and Govan Mbeki Local Municipality. AfriForum sought the following quoted relief on an urgent basis:

*“2.1. The first respondent (Rand Water) be interdicted from restricting or reducing the water supply to the following municipalities or towns and areas within the municipalities:*

- 2.1.1. Merafong City Local Municipality;*
- 2.1.2. Rand West City Local Municipality;*
- 2.1.3. Emfuleni Local Municipality;*
- 2.1.4. Lesedi Local Municipality;*
- 2.1.5. Ngwathe Local Municipality;*
- 2.1.6. Victor Khanye Local Municipality;*

*2.1.7. Govan Mbeki Local Municipality.*

*2.2. the first respondent (Rand Water) be ordered to immediately take all necessary steps to restore the full supply of water to all the municipalities referred to in prayer 2.1. above and all of the towns and areas situated within the jurisdictional areas of the said municipalities.”*

Prior to that application, Rand Water issued a media statement on 01 March 2024 in which it, *inter alia*, advised the residents and communities of the relevant Municipalities of its intention to exercise its rights to impose water restrictions for non-payment of water services by these municipalities. In particular, it advised the two Municipalities, being Ngwathe and Merafong on 24 February 2024, in line with a prior notice, that Rand Water is intending to reduce the water flow by 20% and that the said Municipalities are to inform their end-users of the implications of the issued notice. In relation to the remainder of the Municipalities, Rand Water expressed its intention in the same Notice of 1 March 2024, to initiate the same credit control measures if they continue to fail to honour their debt settlement agreements. These Municipalities were specifically requested in the same Notice to pay their overdue amounts or to enter into amicable payment settlements.

It is only in relation to the Merafong and Ngwathe Municipalities that water restrictions were imposed and ultimately uplifted prior to the application being heard on 26 March 2024 which AfriForum confirmed in its replying affidavit.

Following upon argument on 26 March 2024, the High Court dismissed AfriForum’s application seeking the relief quoted above. In particular, the court order is as follows:

- “ 1. The application is dismissed.*
- 2. The applicant (AfriForum) is granted permission to, on the same papers supplement if it so wishes, apply to this court again if any of the transgressions as set out in the founding affidavit and in the notice of motion is executed by Rand Water.*
- 3. Each party is to pay their own costs”.*

It is thus a distortion which borders on contempt of Court that the High Court made an order that prohibits Rand Water from cutting off water supply to Municipalities. There is nothing from the Court Order, which dismissed AfriForum's urgent application in terms of which Rand Water was prevented from implementing its credit control measures in terms of all the applicable legislation which includes the Water Services Act, Intergovernmental Framework Act and the Promotion of Administrative Justice Act. AfriForum's media statement dated 26 March 2024 is misleading members of the public who it seeks to encourage not to carry their obligations to pay for water services that they receive from the respective Municipalities.

Rand Water is owed a cumulative overdue amount of more than R3-billion by the above-mentioned municipalities. As a result, Rand Water issued a statement to the public warning about the escalating debt owed to it by Municipalities and also issuing water reduction notices to two Municipalities, with plans to follow similar credit control measures with the remaining Municipalities after having followed the prescripts of the applicable legislation as mentioned above

Rand Water wishes to reiterate its commitment to serving its customers and ensuring long-term security of supply of potable bulk water. We implore the owing municipal customers to honour agreements by settling their outstanding debts.

**For media inquiries please contact:**

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