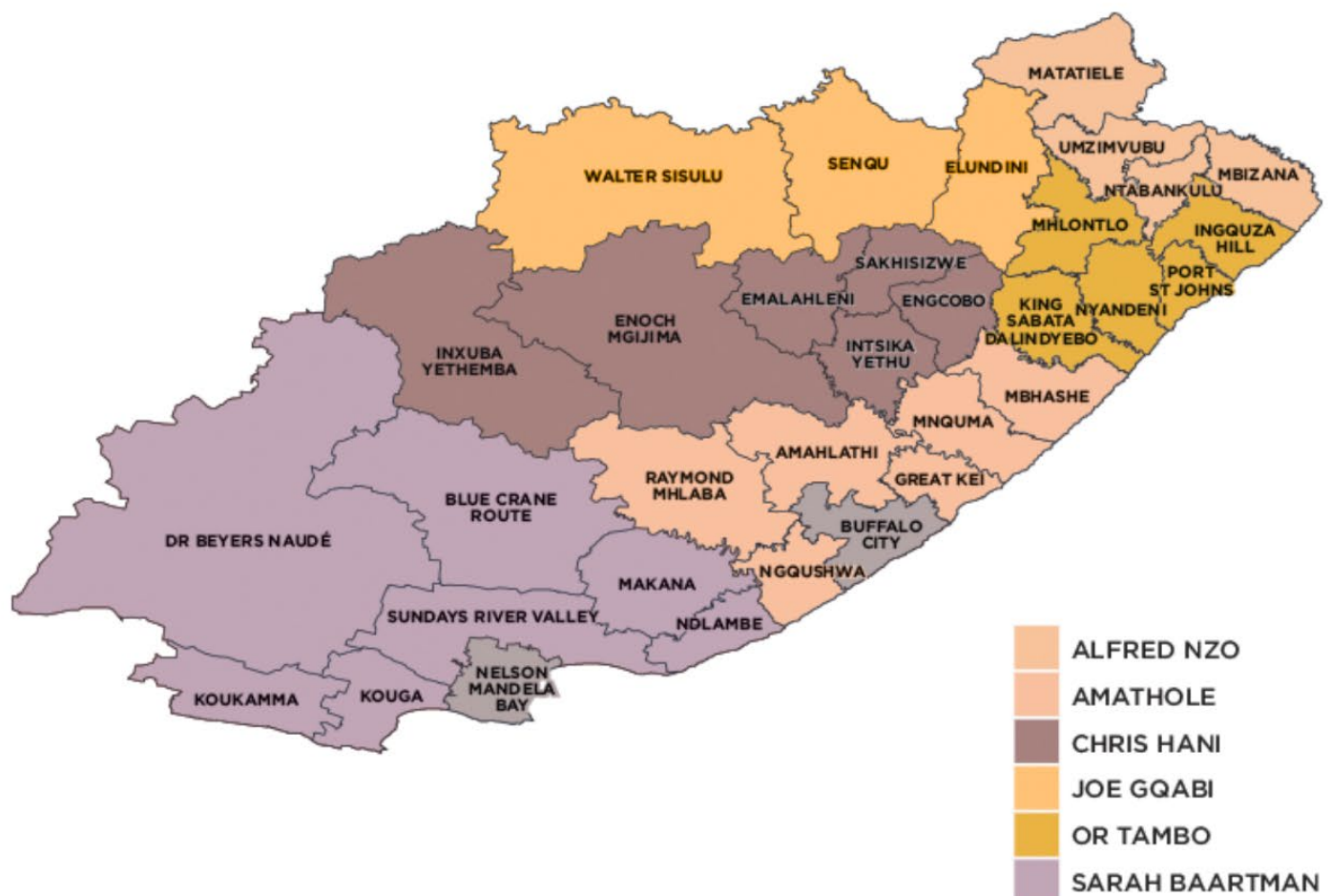


WATER RIGHTS TRACKER

WATER SERVICES AUTHORITY

ALFRED NZO DISTRICT MUNICIPALITY



OCTOBER 2026

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Map

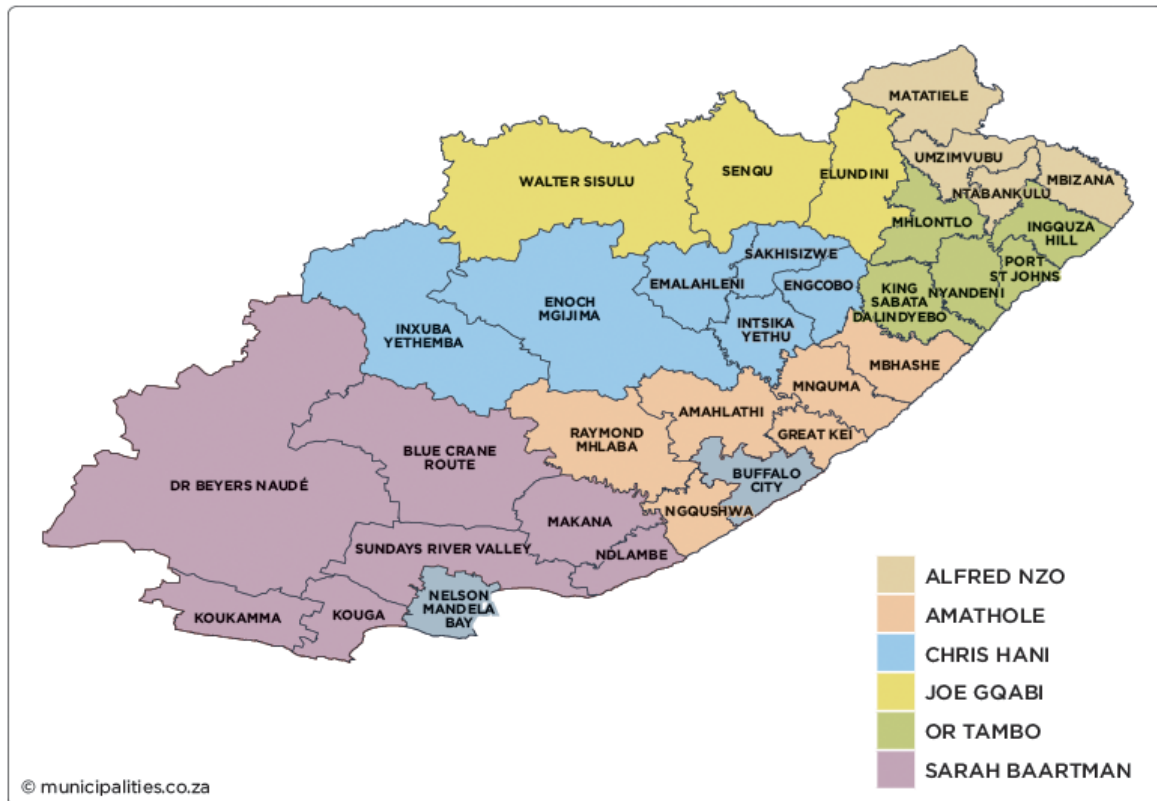


Figure 1: Geographical location of the Alfred Nzo District Municipality (source Municipalities of South Africa, <https://municipalities.co.za/provinces/view/1/eastern-cape>)

The Alfred Nzo District Municipality is located in the north-eastern corner of the Eastern Cape Province. It is the smallest district in the province.

Assessment: Progressive realization of the right to water in Alfred Nzo District Municipality

RIGHTS HOLDERS		
Demographics	Current Population: Ranges from 286,714 (<i>Blue Drop</i>) to 936,462 (Census 2022) Population growth rate: 1.51% Sex Ratio: Moderate female majority Dependency: 35.8% under 15; dependency ratio 73.7	
Unemployment	50.2%	
KEY IMPLEMENTATION INDICATORS		
Availability	Rivers, dams 62% of capacity used	
Physical access	Communal source +200m	0%
	Communal source – 200m	74.6%
	Water source in yard	25.5%
	Piped water in house	22.1%
	Service delivery point/household coverage ratio	0.63
Economic Access	Tariff variation: Domestic and commercial Tariff structure: Increasing block tariff (5 blocks, R2.23 – R29.65) FBW: Indigent only Indigency: 32.1% of service delivery points, decreasing trend	
Adequacy		
Quality	Microbiological compliance	84.3%
	Chemical (acute) compliance	57.1%
	Chemical (chronic) compliance	67.3%
Efficiency	WUE Score: 116 l/p/d (Excellent) Non-revenue water: 16%	
REASONABLE MEASURES		
Policy Efforts	By-law, Indigent Policy and Register, WSDP	
Financial Resources (2024/25)	Budget sufficiency: 109% Revenue coverage: 155% Renewal spending: 3% Maintenance spending rate: 9%	
Human Resources	<i>Blue Drop</i> shortfall: 13 Process Controllers, 4 Supervisors, 1 Technician, 2 Qualified scientists	
SYSTEMIC DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE		
Leadership issues	Not mentioned	
Water planning issues	-Unreliable statistics -Need to improve bulk water supply to these municipalities -Loss of revenue due to theft and vandalism of infrastructure -Unreliable water sources in the district	

	-Dysfunctional water sources due to drying of groundwater sources
Funding model	The social package of registered indigent households is largely financed by the national government.
Infrastructure issues	-Dilapidated infrastructure exceeding design capacity -Security of infrastructure from theft and vandalism -Dilapidated infrastructure resulting in breakdowns in water supplies -Poor road infrastructure that affects service delivery -Need to repair, replace and rehabilitate existing infrastructure
Electricity issues	-Illegal electricity connections -Theft and vandalism of electricity infrastructure
Ecological drivers	-Endangered and vulnerable vegetation types found in the district
Consumer issues	-Water rationing is implemented in Ntabankulu and Umzimvubu
Water services intermediaries	-Not mentioned
Third-party interference	-Illegal connections of water, causing water losses
Intergovernmental coordination	-Intergovernmental forums exist to coordinate service delivery among various government departments and between the different spheres of government.
Scale	10,731km ² 7 WTWs, 18 pump stations, 13 km of bulk water supply lines, NI km of reticulation pipelines and 46reservoirs
UNIQUE DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE	
Overlapping governance structures	30 wards, NI on traditional authorities
Low literacy and education levels	No Schooling: 8.2%, tertiary ed : 7.4%
Infrastructure backlogs	-Municipality has a huge water and sanitation infrastructure backlog -The number of unserved households due to water backlogs in the district is 79 913 - The municipality seeks to construct 4 dams across four municipalities -Water backlogs prominent in Winnie Madikizela Mandela and Ntabankulu local municipalities
Limited yellow fleet	Not mentioned
High vacancy rate	No vacancies
Legal non-compliance	Not mentioned

*Indicators highlighted in red flag potential human rights concerns

Narrative

RIGHTS HOLDERS

Population estimates for the Alfred Nzo District Municipality range from 286 741 (Blue Drop) to 936 462 (Census 2022). The population growth rate of 1.51% is higher than the national average of 1.3%. There is a moderate female majority and 35.8% of the population are under the age of 15. The dependency ratio of 73.7 is higher than the reported national 2024 average of 48.4 and higher than the global average of 58.4.¹ There is a high level of unemployment (expanded definition) at 50.2%.

KEY IMPLEMENTATION INDICATORS

The Alfred Nzo District Municipality is authorised to provide water services and can abstract water from the Kinira River Dam, Belford Dam, Mountain View Dam, Ludeke Dam, Ntabankulu Dam, Ntentyana Dam, Mzintlava River, Nkanji River, Sgidini River and groundwater.

In terms of physical access, 25.5% of consumers reportedly have a water connection in their yard, and 22.1% enjoy water piped into their dwellings. About 74.6% of the population has access to a communal source within 200m of their dwellings, and 0% rely on communal sources further than 200m away. The service delivery point/household coverage ratio is 0.63 meaning that the current service delivery points cover 63% of the households counted in the 2022 Census.

The Alfred Nzo District Municipality does not provide a universal Free Basic Water Allowance, although in terms of law a municipality is not required to have one. About 32.1% (high) of service delivery points are covered by the indigency policy. Since 2017, the number of households benefiting from the indigency policy has decreased. The tariff structure (2021/22) shows an increasing block tariff structure (least expensive block is R2.23, most expensive is R29.65). The municipality has 2 tariff categories.

No reliable data could be found about the number of water services interruptions experienced by the community. There is a critical concern with water quality, with the Alfred Nzo District Municipality reporting microbiological compliance at 84.3% and chemical acute compliance at 57.1% and chronic at 67.3%.

Water use efficiency is average. The *Blue Drop* score of >116 l/p/d is excellent. According to the 2021/22 Auditor-General report, 16% of all water produced is non-revenue water, which is good.

REASONABLE MEASURES

The Alfred Nzo District Municipality has a valid water services by-law, water services development plan and indigent policy.

The Municipality's financial indicators between 2021/22 and 2024/25 show that the municipality's own revenue is enough (155%) to cover its operational expenditure budget. The municipality's total income, which includes intergovernmental transfers, is enough (109%) to cover capital and operational expenditure. The portion of capital budget allocated to the renewal of assets ranged between 3% and 8% and maintenance expenditure

ranged between 4% and 9%. The revenue collection rate has fluctuated between 82% and 85% according to MFMA Schedule C datasets.

There are 17 municipal officials employed in water treatment. According to the latest *Blue Drop* report, there is a staff shortfall of 13 process controllers, 4 supervisors, 2 qualified scientists and 1 technician in the department responsible for water treatment.

SYSTEMIC DRIVERS OF RIGHTS NON-COMPLIANCE

The key systemic drivers of rights non-compliance in the Alfred Nzo District Municipality are:

- **Leadership issues:** None reported.
- **Water planning issues:** Unreliable statistics. A need to improve bulk water supply. Unreliable water sources and drying of groundwater sources.
- **Funding model:** Loss of revenue due to illegal water connections and vandalism. The social package of registered indigent households is largely financed by the national government, the municipality therefore is grant dependent.
- **Electricity issues:** Illegal connections, theft and vandalism.
- **Infrastructure issues:** The municipality has ageing infrastructure and insufficient budget to renew. Poor road infrastructure that affects service delivery.
- **Ecological drivers:** None mentioned.
- **Consumer issues:** Water rationing is implemented in Ntabankulu and Umzimvubu.
- **Third-party interference:** Illegal connections and vandalism.
- **Scale:** Water services in the Alfred Nzo District Municipality are spread out over 10 731 km².

OVERSIGHT

1. Department of Water and Sanitation took Blue Drop Actions: The Regulator notes the dire state of management and drinking water quality in the Kinira water supply system. The WSI is placed under regulatory surveillance and the Municipal Manager is required to submit a detailed corrective action plan within 20 days of publishing of this report. The plan must map the activities, responsible persons, timelines, and expected improvement as outlined in the Regulatory Comment. (See Table: Oversight for more details.)
2. The Public Protector conducted a systemic investigation into allegations of inadequate or lack of provision of essential services. (See Table: Oversight for more details.)

Expanded Table

Indicator	Measurement	Sources
Name of the WSA	Alfred Nzo District Municipality	
Geographical information about the WSA.	A district municipality located in the north-eastern corner of the Eastern Cape Province.	Alfred Nzo District Municipality - Overview
Spatial extent	10 731km ²	Alfred Nzo District Municipality - Overview
Municipal wards	30	IDP 2023-2024, p 71
Traditional Authorities	No easily accessible information	IDP 2023-2024
Is the WSA authorized to provide water services?	yes	IDP 2023-24, p 40
Is the WSA currently providing water services?	water treatment and distribution	ANDM IDP 2024/2025, p. 100
Method of service provision	self	IDP 2023-24, p 354
Context indicators		
Details of any water related stresses experienced within the past five years.	(2019) Failure by the Amathole District and Raymond Mhlaba Municipalities to maintain and improve water supply infrastructure, and to react to the drought in a timely manner, was to blame for how serious the crisis [drought] had become. https://www.farmersweekly.co.za/opinion/blog/letter-from-the-editor/poor-governance-worsens-drought/ (2020) The Eastern Cape is the “worst hit” province by the persistent drought that has gripped SA since 2015, human settlements, water, and sanitation minister Lindiwe Sisulu said on Monday. https://www.dispatchlive.co.za/news/2020-01-07-eastern-cape-hardest-hit-by-drought/	
Demographics		
Population	286,714 (<i>Blue Drop</i>) 936,462 (2022 Census) 892,000 (IDP)	2023 <i>Blue Drop Report</i> , p. 58; Alfred Nzo District Municipality - Demographic IDP 2023-24, p 107
Number of households (Census 2022)	198,300	Alfred Nzo District Municipality - Demographic
Number of domestic household service delivery points (2021/2022)	124,422	Alfred Nzo District Municipality - Services

(Non-Financial Census of Municipalities)			
Ratio service delivery points / households	0.63		
Number of non-domestic consumers	950	Alfred Nzo District Municipality - Services	
Males per 100 females	88.4	Alfred Nzo District Municipality - Demographic	
Gender Split	46.9% Male 53.1% Female		
Population growth rate per annum	1.51%	Alfred Nzo District Municipality - Demographic	
Education	No Schooling: 8.2% Higher Education: 7.4%	Alfred Nzo District Municipality - Demographic	
Financial capacity			
Economically active population (15-64)	57.6%	Alfred Nzo District Municipality - Demographic	
Unemployment rate	50.2%	IDP 2023-24, p 134	
Dependency rate	73.7	Alfred Nzo District Municipality - Demographic	
Population under 15	35.8%	Alfred Nzo District Municipality - Demographic	
Universal FBW Allowance	no	IDP 2023-24 p 40	
Number of service delivery points receiving FBW: 2021/22	40,000	Alfred Nzo District Municipality - Services	
Percentage of FBW service delivery points	32.1%		
Increase/decrease of FBW 2018/2019 – 2021/2022	116,759 to 40,000 Decrease	Alfred Nzo District Municipality - Services	
Is the WSA currently experiencing financial problems? (As at 2022/23 Third Quarter)	Section 138 1 trigger Section 140 Choose an item.	NT Municipalities Meeting Criteria, item 45	
Details of the triggers present	Failure to make payments as and when due for longer than 90 days that amount to more than R 1 million.	☒	NT Municipalities Meeting Criteria
	Operating at a deficit of more than 5% of the total direct revenue.	☐	
	Negative OR outstanding audit.	☐	
	Negative cash position for two or more consecutive years.	☐	
	Failure to make any payment to Eskom when due that amounts to more than 2% of the operating expenditure.	☐	

	<table border="1"> <tr> <td>Failure to make any payment to the Water Board when due that amounts to more than 2% of the operating expenditure.</td><td>☐</td></tr> <tr> <td>Failure to make any payment to any other creditor when due that amounts to more than 2% of the operating expenditure.</td><td>☐</td></tr> <tr> <td>Failure to make any payment to Eskom when due that amounts to more than 40% of the operating expenditure.</td><td>☐</td></tr> <tr> <td>Failure to make any payment to the Water Board when due that amounts to more than 40% of the operating expenditure.</td><td>☐</td></tr> <tr> <td>Failure to make any payment to any other creditor when due that amounts to more than 40% of the operating expenditure.</td><td>☐</td></tr> </table>	Failure to make any payment to the Water Board when due that amounts to more than 2% of the operating expenditure.	☐	Failure to make any payment to any other creditor when due that amounts to more than 2% of the operating expenditure.	☐	Failure to make any payment to Eskom when due that amounts to more than 40% of the operating expenditure.	☐	Failure to make any payment to the Water Board when due that amounts to more than 40% of the operating expenditure.	☐	Failure to make any payment to any other creditor when due that amounts to more than 40% of the operating expenditure.	☐	
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Failure to make any payment to any other creditor when due that amounts to more than 40% of the operating expenditure.	☐											
Is municipality considered to be in financial distress?	no	NT Municipalities Meeting Criteria, item 45										
Is the municipality currently subject to a provincial intervention?	no	Alfred Nzo District Municipality - Council & Management										
Water management												
Is the rainfall within the WSA area (July 2022 to January 2023) above or below the average rainfall (464mm) for South Africa?	Above average	WeatherSA, Historical Rain map										
Water abstraction authorized?	Yes	2023 Blue Drop Report p. 56										
Volume of authorized/(unauthorized) water abstraction?	1,522 kl/d	2023 Blue Drop Report p. 56										
How many water treatment plants are in the WSA's water services network?	Alfred Nzo WSA manages 7 WSSs, 18 pump stations, 13 km of bulk water supply lines, NI km of reticulation pipelines and 46 reservoirs. Total design capacity is 54.1 MI per day. Design capacity available is 53.7MI per day. Average production: 33.4 MI per day 62% of capacity is used 2023 Blue Drop critical risk: 2 (Kinira, Belfort)	2023 Blue Drop Report, p.44, p.54, p. 69										
How many biophysical water sources does this WSA have access to?	<table border="1"> <tr> <td>River</td><td>☒</td></tr> <tr> <td>Dam</td><td>☒</td></tr> <tr> <td>Saltwater</td><td>☐</td></tr> <tr> <td>Groundwater</td><td>☐</td></tr> </table>	River	☒	Dam	☒	Saltwater	☐	Groundwater	☐	2023 Blue Drop Report p. 69		
River	☒											
Dam	☒											
Saltwater	☐											
Groundwater	☐											
Names of rivers and dams	Kinira River Dam, Belford Dam, Mountain View Dam, Ludeke Dam, Ntabankulu Dam, Ntentyana Dam, Mzintlava River, Nkanji River, Sgidini River	2023 Blue Drop Report, p. 69										
How many infrastructure water sources does this WSA have?	<table border="1"> <tr> <td>Water reclamation</td><td>☐</td></tr> <tr> <td>Desalination</td><td>☐</td></tr> <tr> <td>From natural source</td><td>☒</td></tr> </table>	Water reclamation	☐	Desalination	☐	From natural source	☒	IDP 2023-24, p 224				
Water reclamation	☐											
Desalination	☐											
From natural source	☒											
Political Stability												
Is there a coalition government?	ANC ANC 13, EFF 2, ATM 1, DA 1 (40% PR Seats)	Alfred Nzo District Municipality -										

			<u>Council & Management</u>
Has there been mayoral instability in the last 5 years?	No reports		
MM/CFO Vacancy Snapshot	AGSA Website Based Report 2021/22		AGSA Web Based Report 2021/22
	Is the council established?	Yes	
	Council instability the previous year?	No	
	MM vacancy at the end of the year?	No	
	Number of months the MM has been in position.	20	
	CFO vacancy at the end of the year?	No	
	Number of months the CFO has been in position.	21	
Policy Efforts			
Water By-law			
Is there a water by-law?	yes		By-law
Citation of by-law	LAN 39 in GG 2045 of 23 January 2009		By-law
Mark with “yes” if the by-law makes provision for the following:	Matters incidental to providing water services to residents,	yes	By-law
	including communal sources	yes	
	Protecting water supply systems.	yes	
	Prohibiting wasting water	yes	
	Prohibiting illegal connections	yes	
	Sets out standards for water installations and maintaining water infrastructure	yes	
	The installation and upkeep of fire extinguishing systems	yes	
	How service charges are calculated and levied	yes	
	Measures to ensure the quality of potable water	yes	
	Preventing water pollution	yes	
	Anything else?	Temporary water supply Water Audit	
Water Services Development Plan			
Is there a water services development plan?	Yes		IDP 2023-24, p 65
The validity duration of the plan (which years)	2018-2019. Under development and new plan to be presented to Council in 2023-24.		IDP 2023-24, p 351
General Policy Framework			
Is there an Indigent Policy?	yes		Indigent Policy, 2009

IDP		
Issues	Large backlogs of water services infrastructure. Inadequate and insufficient water supply Mountainous terrain impeded provision of infrastructure Lack of safe and reliable water supply	IDP 2023-24, p 13, 106, 197
Resource Efforts		
Financial Resources		
Budget sufficiency (total budget revenue (excl. capital transfers)/ total budgeted OPEX) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports- with missing data for 2023/2024
Revenue coverage % (Total budgeted revenue (incl. capital transfers) / total budgeted CAPEX+ OPEX) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports- with missing data for 2023/2024
Revenue collection rate % (actual revenue collected / budgeted revenue) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports- with missing data for 2023/2024
Capital budget allocated to renewal of existing assets (Amount allocated to renewal / Total capital budget) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports- with missing data for 2023/2024

Maintenance spending rate % (Total maintenance expenditure / total revenue collected) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports- with missing data for 2023/2024												
Infrastructure Resources														
Current infrastructure value	1 147 299 000	Budget, Sheet A9, Item 138, Adjusted Budget 20/21												
Human and Skills Resources														
Total number of staff employed in water treatment	17 (13 supervisory, 4 technical)	2023 <i>Blue Drop Report</i> ; p. 49, 51-52												
Supervisor Staff/WTW Ratio	1.9	2023 <i>Blue Drop Report</i> , p. 49												
Technical Staff/WTW Ratio	0.6	2023 <i>Blue Drop Report</i> , p. 51												
Staff Shortfall	13 Process Controllers 4 Supervisors 1 Technician 2 Qualified scientists	2023 <i>Blue Drop Report</i> , p. 49, 51-52												
Total number of staff employed in the water services department (excluding water treatment)	7	2023 <i>Blue Drop Report</i> , p. 49, 51-52												
Implementation														
Physical Access														
Physical access to water, number of consumers, and percentage of total consumers. [households]	<table> <tr> <td>Communal source +200m</td><td>0</td><td>0%</td></tr> <tr> <td>Communal source – 200m</td><td>92,771</td><td>74.6%</td></tr> <tr> <td>Water source in yard</td><td>31,651</td><td>25.5%</td></tr> <tr> <td>Total</td><td>124,422</td><td></td></tr> </table>	Communal source +200m	0	0%	Communal source – 200m	92,771	74.6%	Water source in yard	31,651	25.5%	Total	124,422		Alfred Nzo District Municipality - Services
Communal source +200m	0	0%												
Communal source – 200m	92,771	74.6%												
Water source in yard	31,651	25.5%												
Total	124,422													
Piped water inside dwelling	22.1%	Alfred Nzo District Municipality - Demographic												
Infrastructure backlog	-Dilapidated infrastructure exceeding design capacity -Security of infrastructure from theft and vandalism -Dilapidated infrastructure resulting in breakdowns in water supplies -Poor road infrastructure that affects service delivery -Need to repair, replace and rehabilitate existing infrastructure													
Do schools and clinics have access to water on their premises.	Out of 827 education facilities, 225 do not have any access to water services and a further 7 have inadequate access to	WJT Verification												

	water. Out of 99 health facilities, 45 have inadequate access to water services.		
Economic Access			
Economic access to water.	Free basic water for all	☐	Tariff Policy 2021/22
	Free basic water for Indigent	☒	
	Cross subsidy	☐	
	Prepaid	☒	
Step tariff for households in rand excl VAT. For 2021/22	0 < 6kl	R 2.23	Tariff Policy 2021/22
	7kl < 20kl	R 7.33	
	21kl < 50kl	R 14.69	
	51kl < 120kl	R 22.24	
	121kl <	R 29.65	
Categories of water use:	- Domestic use conventional - Domestic use prepaid - Commercial		Tariff Policy 2021/22
Tariffs for schools.	0 < 10kl	R 7.61	Tariff Policy 2021/22
	11kl < 30kl	R 15.46	
	31kl < 50kl	R 19.94	
	51kl < 120kl	R 29.65	
	121kl <	R 38.39	
Notes.	It is assumed that health and education facilities pay for water according to the commercial tariff structure. This is significantly more expensive than the domestic use tariffs.		Tariff Policy 2021/22
Tariffs for clinics			Tariff Policy 2021/22
Adequacy			
Number of interruptions in 2024	No reliable data		
Media reports on outages:	No reliable data		
Quality			
What is the WSA's blue drop score?	2023: 54.8% 2011: 52.5%		2023 <i>Blue Drop Report</i> , p. 69
Blue Drop Score Improved/Deteriorated (2011-2023)	Improved		2023 <i>Blue Drop Report</i> , p. 69
Blue Drop microbiological compliance score	84.3% (4 Excellent WTWs; 3 Unacceptable WTWs)		2023 <i>Blue Drop Report</i> , p. 60
Blue Drop chemical (acute) compliance score	57.1% (4 Excellent WTWs; 3 Unacceptable WTWs)		2023 <i>Blue Drop Report</i> , p. 60-61
Blue Drop chemical (chronic health) compliance score	67.3% (4 Excellent WTWs; 1 Unacceptable WTW)		2023 <i>Blue Drop Report</i> , p. 60-61
Does the WSA have a contract with the lab to test water samples?	Yes		WJT Verification
<i>Green Drop Risk Rating</i>	Medium Risk		2023 <i>Green Drop Report</i> , p. 31
Efficiency			
Blue Drop Water Use Efficiency Score	116 l/p/d (Excellent)		2023 <i>Blue Drop Report</i> , p. 58

No Drop Score 2021/22	36%	2023 <i>No Drop Report</i> , p. 43
Amount of non-revenue water in liters and in rands value.	Municipality disclosed R18,26 million in water losses in annual financial statements. Equivalent to 16% of all water flowing through municipal pipelines.	AGSA Web Based Report 2023-24
Main reasons for water losses.	Dilapidated infrastructure and illegal connections	2023 <i>No Drop Report</i> , p. 205
Oversight		
Department of Water and Sanitation		
<i>Blue Drop</i> actions	The Regulator notes the dire state of management and drinking water quality in the Kinira water supply system. The WSI is placed under regulatory surveillance and the Municipal Manager is required to submit a detailed corrective action plan within 20 days of publishing of this report. The plan must map the activities, responsible persons, timelines, and expected improvement as outlined in the Regulatory Comment.	2023 <i>Blue Drop Report</i> , p. 69
<i>Green Drop</i> actions	None	2023 <i>Green Drop Report</i> , p. 32
Judicial Oversight		
Where any judgements delivered that involved water services delivery?	yes	
Full citation of judgement.	Mazibuko and Others v City of Johannesburg and Others [2009] ZACC 28	
Summary of judgement and the impact for future water services delivery.	The state has a duty not to interfere with the enjoyment of socio-economic rights. The state does not have a duty to immediately realise the right to water for everyone; instead, the state must take reasonable legislative and other measures to progressively realise the right within available state resources. It is not the place of the court to determine or quantify what is sufficient water. To assess the reasonableness of the legislative and policy measures used: State must be able to show what information it considered and the process it followed to determine its policy. If the process followed is flawed or the information gathered is inadequate or incomplete, appropriate relief may be sought. The Court's evaluation of the City's Free Basic Water Policy: (1) it has different levels of water provision; (2) the city uses pre-paid and credit meters; (3) provision to register as an indigent; (4) it is reasonable to afford basic water to all, rich and poor; (5) it is acceptable to afford basic water on a per household basis and not per person; (6) water policy was revised regularly; (7) communities too have duties, one such duty is to apply to be registered as an indigent if they wish to claim these benefits. Moving from a deemed consumption system to a pre-paid metered system with a free allocation of basic	Paras 47, 48, 50, 71, 78-102, 142

	water is not a retrogressive step. Discontinuation of water for not reloading the meter with credits is not a discontinuation of service as per the Water Services Act and the municipality do not need to follow the giving notice and other related procedures.	
Full citation of judgement.	Government of the Republic of South Africa v Grootboom [2000] ZACC 19	
Summary of judgement and the impact for future water services delivery.	Access to a right, in this case the water right, would include removing barriers to access the right, empowerment measures, and special measures for vulnerable groups. Measures must ensure access over time to a greater number of people that must be guided by targets. This requires legislation, policies, programmes and plans that ensure the implementation of legislation. All vulnerable groups must at least have access to basic service delivery.	
Full citation of the judgement.	Capricorn District Municipality v SANCO [2014] ZASCA 39	
Summary of judgement and the impact for future water services delivery.	Appeal from the High Court, Limpopo Division. Legal Question: Is the interdict given by the HC a competent order? The interdict mandated Capricorn District to repair and replace all leaking pipes and all defective meters within 12 months. In addition, the HC ordered that the WSA may only recover a flat rate of about R 70 for water services delivered from affected households. Judgement: The appeal succeeded. The SCA found that the HC cannot order the WSA to replace and repair the leaky pipes because water leakages do not adversely affect consumers. This is because water leakages are not captured by any water meter reflecting what is payable to any consumer. (Bear in mind that the community alleged they were liable to pay for the wasted water.) A court may also not determine the rates as which water services are charged as this is in contravention of the separation of powers.	Paras 25 and 21
SAHRC Reports		
Where any reports received and investigated on the right to water by the SAHRC?	no	
Parliament		
Other Oversight Institutions		
Details of any oversight action taken.	The Public Protector	
Report name	Report of the Public Protector: Systemic investigation into allegations of inadequate and/or lack of provision of essential services and basic infrastructure by various organs of state in certain villages within the province of Eastern Cape. Report 25 of 2023/24	
Details of complaint	No access to clean water	

	Whether the municipal services by the Alfred Nzo District Municipality, Matatiele LM, Umzimvubu LM, Ntabankulu LM and Winnie Madikizela-Mandela LM in certain villages in the district are rendered in a progressive and effective manner as contemplated in the Constitution and the law, if not, whether such constitutes improper conduct as envisaged in section 182(1)(a) of the Constitution as well as improper prejudice in terms of section 6(4)(a)(v) of the Public Protector Act.	
	Based on the information and evidence revealed during investigation, the Public Protector concludes that there is inadequate delivery of municipal services including reliable supply of water by ANDM and its local municipalities, which prejudices the community members within the Alfred Nzo district. This inadequacy in basic municipal services such as water and sanitation is not in line with the legal obligations of the municipalities.	
Recommendations or remedial action taken	The Municipal Managers for ANDM, Matatiele, Winnie Madikizela-Mandela; Umzimvubu and Ntabankulu Local Municipalities respectively Within ninety (90) calendar days, in line with the obligations and mandate contemplated in section 152(1)(b) of the Constitution, conduct an assessment to determine the basic municipal service requirements in all affected areas within ANDM, Matatiele, Winnie Mandela; Umzimvubu and Ntabankulu Local Municipalities respectively, such as water and sanitation, access roads, bridges, toilets and other essential services, and Within ninety (90) calendar days to, in line with the obligations and mandate contemplated in section 152(1)(b) of the Constitution, develop an Implementation Plan for tabling before Council, setting out the measures to be undertaken in addressing the service delivery challenges identified in this report, within the ANDM, Matatiele, Winnie Madikizela-Mandela; Umzimvubu and Ntabankulu Local Municipalities. The implementation plan is to be submitted to the Municipal Council and the Member of the Executive Council (MEC) for COGTA for monitoring of implementation The Executive Mayors for ANDM, Matatiele, Winnie Madikizela-Mandela; Umzimvubu and Ntabankulu Local Municipalities respectively 6.9.65.3 Within sixty (60) calendar days of the date of the final report, table a copy thereof before their respective Municipal Councils for discussion in line with the powers and functions of the Executive Mayors in terms of section 56 of the Municipal Structures Act. The Municipal Councils	

	for ANDM, Matatiele, Winnie Madikizela-Mandela; Umzimvubu and Ntabankulu Local Municipalities respectively, are to thereafter consider the Implementation Plan developed by their respective Municipal Managers, setting out steps/measures to be taken to address shortcomings on municipal services related to the provision of water and sanitation, access roads, bridges, toilets and other essential services identified in this report, in line with the obligations of municipalities contemplated in section 152(1)(b) of the Constitution; and Within thirty (30) calendar days of the submission of the Implementation Plan by their respective Municipal Managers, submit same to the Member of the Executive Council (MEC) for COGTA, indicating steps/measures to be taken or already taken to address all the service delivery concerns of the communities within their respective areas of jurisdiction, as identified in this report.	
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Sources:

- Auditor-General of South Africa MFMA Report for 2021/22 <https://mfma-2022.agsareports.co.za/province/limpopo>
- Department Water and Sanitation Water Services Development Planning Website Tool <https://ws.dws.gov.za/wsdp/Index.aspx#>
- Department Water and Sanitation Municipal Strategic Self-Assessment for year ended in 2022
- Department Water and Sanitation Blue Drop Progress Report 2022
- Municipal Demarcation Board Municipal Powers and Functions Capacity Assessment 2018: Sectoral Report for Water and Sanitation
- Independent Electoral Commission Local Government Elections Dashboard accessed at <https://results.elections.org.za/dashboards/lge/>
- Municipalities of South Africa <https://municipalities.co.za/provinces/view/5/limpopo>
- National Treasury Municipalities Meeting Criteria for Determining Serious Financial problems in Terms of Sections 138 and 140 of the MFMA for the fourth quarter of 2022/23
- WeatherSA Historical Rainmap for July 2022- January 2023 accessed at <https://www.weathersa.co.za/home/historicalrain>
- World Health Organisation Statistics accessed at <https://www.who.int/data/gho/data/indicators/indicator-details/GHO/number-of-diarrhoea-deaths-from-inadequate-water-sanitation-and-hygiene>