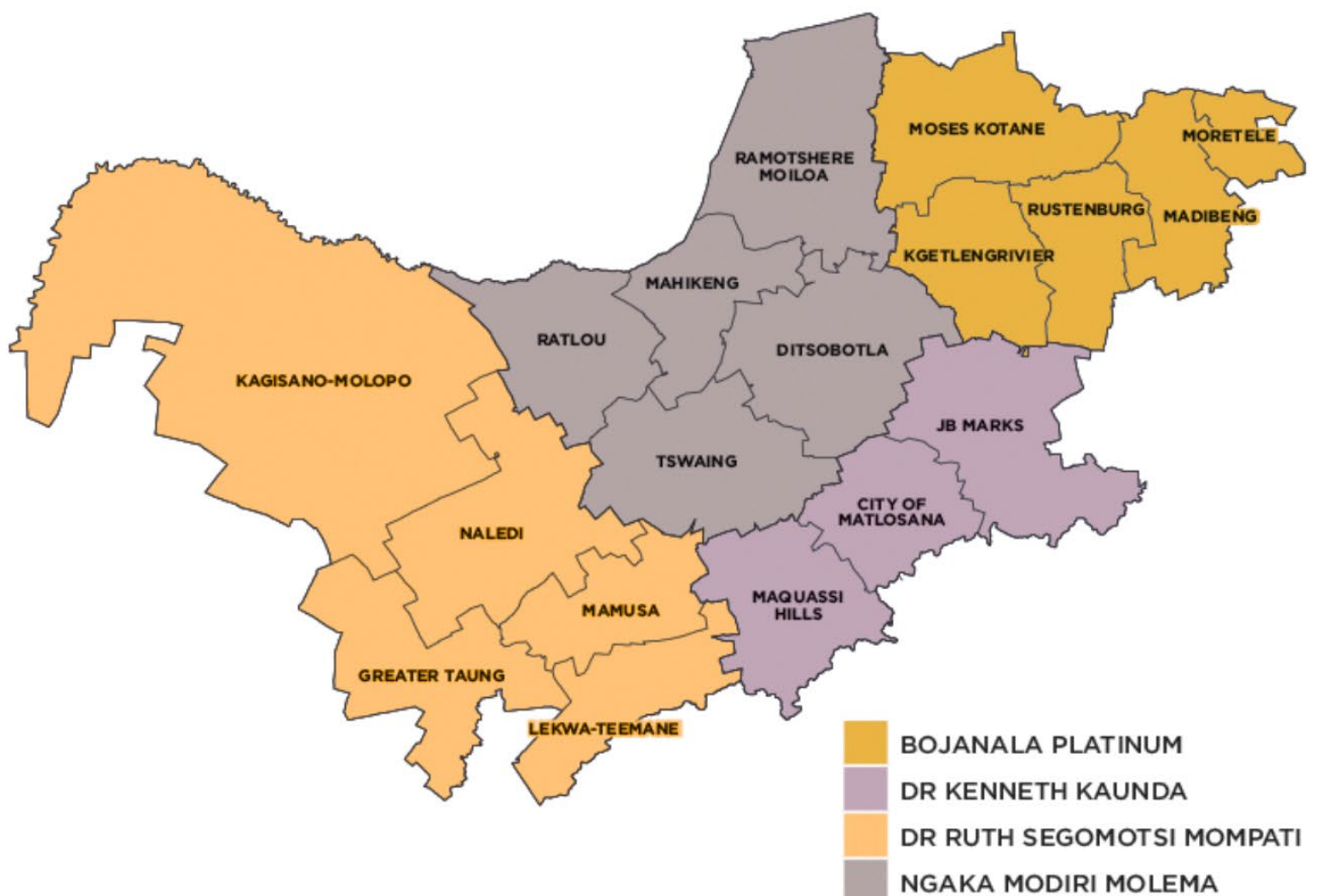


WATER RIGHTS TRACKER

WATER SERVICES AUTHORITY

CITY OF MATLOSANA LOCAL MUNICIPALITY



OCTOBER 2026



Table of Contents

Map	3
Assessment: Progressive realisation of the right to water in City of Matlosana Local Municipality	4
Narrative	7
Expanded Table	9
Name of the WSA.....	9
Context indicators	9
Demographics	9
Financial capacity	10
Water management	11
Political Stability	12
Policy Efforts.....	12
Water By-law	12
Water Services Development Plan.....	13
General Policy Framework	13
IDP	13
Resource Efforts	13
Financial Resources.....	13
Infrastructure Resources.....	14
Human and Skills Resources.....	14
Implementation	14
Physical Access	14
Economic Access	15
Adequacy	15
Quality.....	16
Efficiency	16
Oversight	16
Department of Water and Sanitation	16
Judicial Oversight	16
SAHRC Reports	18
Parliament.....	18
Other Oversight Institutions.....	18
Sources:.....	18

Map

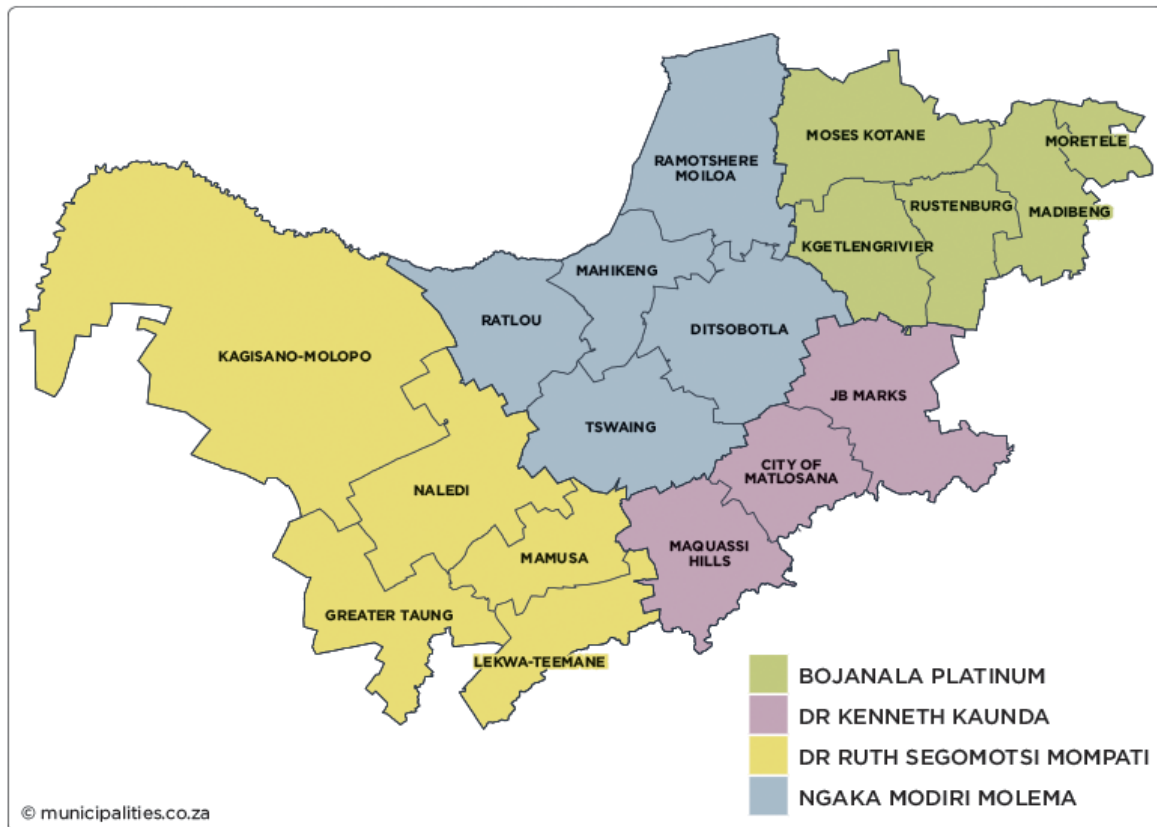


Figure 1: Geographical location of City of Matlosana Local Municipality (source Municipalities of South Africa, <https://municipalities.co.za/provinces/view/8/north-west>)

The City of Matlosana Local Municipality (previously City Council of Klerksdorp) is situated within the Dr Kenneth Kaunda District in the North West Province.

Assessment: Progressive realisation of the right to water in City of Matlosana Local Municipality

RIGHTS HOLDERS		
Demographics	Current Population: Ranges from 431,231 (Census 2022) to 500,00 (<i>Blue Drop</i>) Population growth rate: 0.76% Sex Ratio: Moderate female majority Dependency: 26.5% under 15, dependency ratio: 49.7	
Unemployment	No available information	
KEY IMPLEMENTATION INDICATORS		
Availability	Midvaal Water capacity used - no information	
Physical Access	Communal source +200m	7.3%
	Communal source – 200m	0%
	Water source in yard	92.7%
	Piped water in house	62.4%
	Service delivery point/household coverage ratio	1.14
Economic Access	Tariff variation: Residential, business + 10 others Tariff structure: Rising block tariff (7 blocks R25.84 –R38.49) FBW: Indigent only Indigency: 0.1% of service delivery points, increasing trend	
Adequacy	No available information	
Quality	Microbiological compliance	98.2%
	Chemical (acute) compliance	100.0%
	Chemical (chronic) compliance	99.4%
Efficiency	WUE score: 196 l/p/d (average) Non-revenue water: 58%	
REASONABLE MEASURES		
Policy Efforts	By-law, WSDP, no Indigent Policy	
Financial Resources (2024/25)	Budget sufficiency: 84% Revenue coverage: 88% Renewal spending: 7% Maintenance spending rate: 7%:	
Human Resources	Blue Drop shortfalls: 0 Process Controllers, 0 Supervisors, 0 Technicians, 0 Qualified scientists	
SYSTEMIC DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE		
Leadership issues	-Political interference: Acts of intimidation and violence recorded. -Corruption: Fraud and corruption are reported in the public safety, licensing department.	
Water planning issues	-Old water meters to be replaced and/or fixed -Addressing water leaks -Water balance challenges due to loadshedding	

	-Municipal water infrastructure comprises old asbestos pipes that cannot handle high pressure, resulting in pipe bursts and loss of potable water. The asbestos pipes are also a health risk. -All manhole covers were stolen and need replacement -Water reservoirs are poorly secured or not fenced at all, resulting in theft and vandalism of property. -Communal water taps to be installed in informal settlements
Funding model	-Financial distress: AGSA reports that 94% of municipal debt cannot be recovered; the municipality spent R884,5 million more than it made for the year (deficit); and more than 50% of next year's budget was already spent in previous years. -Grant dependence: The AGSA reports 18% from grants. -Collection rate: 91%
Infrastructure issues	-Ageing infrastructure that causes high number of unplanned electricity interruptions -Limited funding to maintain and improve existing infrastructure -Increased infrastructure demand due to mushrooming of informal settlements.
Electricity issues	-High electricity losses due to illegal connections and tampering of metering units - High electricity technical losses due to ageing and saturated infrastructure -High levels of vandalism and theft of copper-containing electricity and public lighting systems at water facilities
Ecological drivers	-Not specifically mentioned in the IDP.
Consumer issues	-Consumers are encouraged to apply for indigent subsidies -Consumer accounts not being delivered before month -Consumer complaints about fluctuating outstanding amounts
Water services intermediaries	-Not specifically mentioned in the IDP
Third-party interference	-Interference from dangerous criminals at dumps.
Intergovernmental coordination	-Mentioned in the IDP with specific reference to intergovernmental transfers as the most important source of income for the municipality
Scale	3,602km² 1 WTW, 17 pump stations, 11 km of bulk water pipelines, 11 km of reticulation pipelines, 17 water reservoirs

UNIQUE DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE	
Overlapping governance structures	39 municipal wards, NI traditional authorities
Low literacy and education levels	No schooling: 5.7%, tertiary ed: 9.4%
Infrastructure backlogs	-Backlog of title deeds - Electricity backlog is in rural and recently established low-income areas.
Limited yellow fleet	-Ageing fleet to respond to network failures within minimum standard
High vacancy rate	The AGSA report states that the municipality has a vacancy rate of 63% among senior management and an overall vacancy rate of 27%.
Legal non-compliance	The municipality is under S139(5)(a) & (c) administration, effective from August 2024.

*Indicators highlighted in red flag potential human rights concerns

Narrative

RIGHTS HOLDERS

Population estimates for the City of Matlosana Local Municipality range from 431 231 (Census 2022) to 500 000 (Blue Drop). The population growth rate of 0.76% is lower than the national average of 1.3%. There is a moderate female majority and 26.5% of the population are under the age of 15. The dependency ratio of 49.7 is higher than the reported national 2024 average of 48.4 and lower than the global average of 58.4.¹ There is no information about the level of unemployment (expanded definition).

KEY IMPLEMENTATION INDICATORS

The City of Matlosana Local Municipality is authorised to provide water services and receives bulk water from Midvaal Water Board.

In terms of physical access, 92.7% of consumers reportedly have a water connection in their yard, and 62.4% enjoy water piped into their dwellings. None of the population has access to a communal source within 200m of their dwellings, and 7.3% rely on communal sources further than 200m away. The service delivery point/household coverage ratio is 1.14 meaning that the current service delivery points cover 114% of the households counted in the 2022 Census.

The City of Matlosana Local Municipality does not provide a universal Free Basic Water Allowance, although in terms of law a municipality is not required to have one. About 0.1% (low) of service delivery points are covered by the indigency policy. Since 2017, the number of households benefiting from the indigency policy has increased. The tariff structure (2021/22) shows an increasing block tariff structure (least expensive block is R25.84, most expensive is R38.49). The municipality has 12 tariff categories.

No reliable data could be found about the number of water services interruptions experienced by the community. There is a minor concern with water quality, with the City of Matlosana Local Municipality reporting microbiological compliance at 98.2% and chemical acute compliance at 100% and chronic at 99.4%.

Water use efficiency is average. The *Blue Drop* score of >196 l/p/d is average. According to the 2021/22 Auditor-General report, 58% of all water produced is non-revenue water, which is a major concern.

REASONABLE MEASURES

The City of Matlosana Local Municipality has a water services development plan, water services by-law, but not a valid indigency policy.

The Municipality's financial indicators between 2021/22 and 2024/25 show that the municipality's own revenue is not enough (84%) to cover its operational expenditure budget. The municipality's total income, which includes intergovernmental transfers, is not enough

(88%) to cover capital and operational expenditure. The portion of capital budget allocated to the renewal of assets ranged between 3% and 7% and maintenance expenditure ranged between 5% and 7%. The revenue collection rate has fluctuated between 89% and 98% according to MFMA Schedule C datasets.

There are 4 municipal officials employed in water treatment. According to the latest *Blue Drop* report, there is no staff shortfall.

SYSTEMIC DRIVERS OF RIGHTS NON-COMPLIANCE

The key systemic drivers of rights non-compliance in the City of Matlosana Municipality are:

- **Leadership issues:** Allegations of political interference, particularly acts of intimidation and violence. The Municipality also struggles with reported cases of fraud and corruption in the public safety and licensing departments.
- **Water planning issues:** The Municipality face numerous water planning issues that include, old water meters, water leaks, old asbestos infrastructure, stolen manhole covers, poor security of water reservoirs, and a need for more communal pipes.
- **Funding model:** The Municipality is in financial distress and is dependent on intergovernmental grants.
- **Electricity issues:** There are high electricity losses due to illegal connections and aged infrastructure.
- **Infrastructure issues:** Ageing water services infrastructure. Limited funding to maintain and improve infrastructure.
- **Ecological drivers:** None mentioned.
- **Consumer issues:** Increased demand due to mushrooming of informal settlements. Billing challenges and disputes with consumers.
- **Third-party interference:** Illegal water connections.
- **Scale:** Water services in the City of Matlosana Local Municipality are spread out over 3 602 km².

OVERSIGHT

1. The SAHRC conducted a site visit on 27 September 2021 into the possible human rights violations as a result of poor water services delivery. (See Table: Oversight for more details.)
2. Collaborative oversight action on 29 March 2022, where the SAHRC, the Premier and the MEC initiated a monitoring and reporting system. (See Table: Oversight for more details.)

Expanded Table

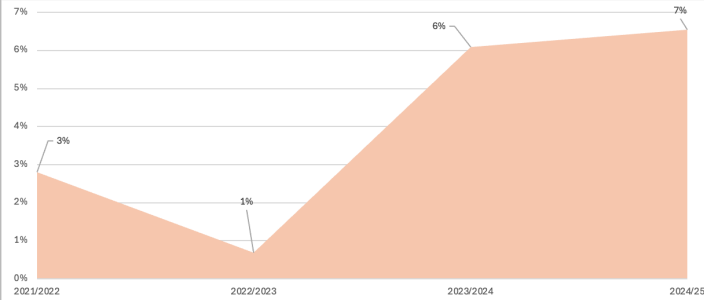
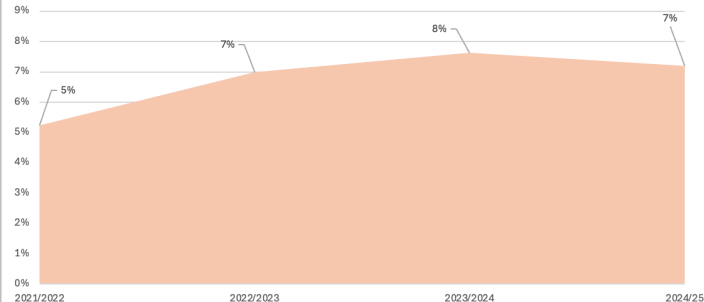
Indicator	Measurement	Sources
Name of the WSA	City of Matlosana Local Municipality	
Geographical information about the WSA.	One of three local municipalities in the Dr Kenneth Kaunda District Municipality in North West.	City of Matlosana Local Municipality - Overview
Spatial extent	3,602km ²	City of Matlosana Local Municipality - Overview
Municipal wards	39	IDP 2022-2027, p. 137
Traditional Authorities	No easily accessible information	IDP 2022-2027
Is the WSA authorized to provide water services?	yes	IDP 2022-2027, p. 129
Is the WSA currently providing water services?	water treatment and distribution	IDP 2022-2027, p. 129
Method of service provision	self	IDP 2023/24, p. 101
Context indicators		
Details of any water-related stresses experienced within the past five years.	North West is one of the provinces in South Africa that was hit particularly hard by a drought.	https://www.sahrc.org.za/index.php/sahrc-media/news/item/1781-water-and-sanitation-under-spotlight-in-nw
Demographics		
Population	500,000 (<i>Blue Drop</i>) 431,231 (2022 Census) 449,000 (IDP)	2023 <i>Blue Drop Report</i> , p. 359 https://municipalities.co.za/demographic/1193/city-of-matlosana-local-municipality IDP 2022/27, p. 6
Number of households (Census 2022)	128,359	https://municipalities.co.za/demographic/1193/city-of-matlosana-local-municipality
Number of domestic household service delivery points (2021/2022) (<i>Non-Financial Census of Municipalities</i>)	183,834	City of Matlosana Local Municipality - Services

Ratio service delivery points / households	1.43	
Number of non-domestic consumers Affects overall availability of water – big industrial users.	1.020	City of Matlosana Local Municipality - Services
Males per 100 females	94.1	https://municipalities.co.za/demographic/1193/city-of-matlosana-local-municipality
Gender Split	48.5% Male 51.5% Female	
Population growth rate per annum	0.76%	https://municipalities.co.za/demographic/1193/city-of-matlosana-local-municipality
Education	No Schooling: 5.7% Higher Education: 9.4%	https://municipalities.co.za/demographic/1193/city-of-matlosana-local-municipality
Financial capacity		
Economically active population (15-64)	66.8%	City of Matlosana Local Municipality - Demographic
Unemployment rate	No available information	IDP 2022-2027
Dependency rate	49.7	City of Matlosana Local Municipality - Demographic
Population under 15	26.5%	City of Matlosana Local Municipality - Demographic
Universal FBW Allowance	no	IDP 2022-2027 p. 144
Number of service delivery points receiving FBW: 2021/22	22,886	City of Matlosana Local Municipality - Services
Percentage of FBW service delivery points	12.5%	
Increase/decrease of FBW 2018/2019 – 2021/2022	15,199 to 22,886 Increase	City of Matlosana Local Municipality - Services
Is the WSA currently experiencing financial problems? (As at 2022/23 Third Quarter)	Section 138 1 trigger Section 140 2 triggers	NT Municipalities Meeting Criteria, item 237
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

	<table><tr><td>Operating at a deficit of more than 5% of the total direct revenue.</td><td>☐</td></tr><tr><td>Negative OR outstanding audit.</td><td>☐</td></tr><tr><td>Negative cash position for two or more consecutive years.</td><td>☐</td></tr><tr><td>Failure to make any payment to Eskom when due that amounts to more than 2% 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 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>	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.	☒	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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Is municipality considered to be in financial distress?	yes	NT Municipalities Meeting Criteria, item 237																		
Is the municipality currently subject to a provincial intervention?	The municipality is under S139(5)(a) & (c) administration, effective from August 2024.	City of Matlosana Local 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?	The mean annual rainfall in the North-West Province shifts from 200-300mm in some of the western parts to 500-600 mm per annum in the most eastern parts. Most of the province receives annual rainfall of between 400-600mm.	WeatherSA, Historical Rain map																		
Water abstraction authorized?	No information provided	2023 Blue Drop Report p. 357																		
Volume of authorized/(unauthorized) water abstraction?	No information provided	2023 Blue Drop Report p. 357																		
How many water treatment plants are in the WSA's water services network?	Matlosana WSA manages 1 WSS, 17 pump stations, bulk water supply lines, NI reticulation pipelines and 17 reservoirs. Total design capacity: NI Design capacity available: NI Average production: NI % of capacity used: NI 2023 Blue Drop critical risk: 0	2023 Blue Drop Report, p.346, 356, p. 378																		
How many biophysical water sources does this WSA have access to?	<table><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. 378										
River	☐																			
Dam	☐																			
Saltwater	☐																			
Groundwater	☐																			
Names of rivers and dams	Midvaal water	2023 Blue Drop Report, p. 378																		
How many infrastructure water sources does this WSA have?	<table><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 2022-2027, p 129												
Water reclamation	☐																			
Desalination	☐																			
From natural source	☒																			

Political Stability				
Is there a coalition government?	No, ANC ANC 40, DA 16, EFF 9, VF PLUS 7, F4SD 2, PA 2, ACDP 1			City of Matlosana Local Municipality - Council & Management
Has there been mayoral instability in the last 5 years?	During April 2022, media reported that a Member of the Mayor Committee allegedly intimidated a DA councilor to refrain from seeking oversight action. Media reports that the DA called for a motion of no confidence against the mayor in March 2023. In January 2024, the CFO for the WSA was charged with corruption after being arrested by the Hawks. - https://centralnews.co.za/matlosana-mmc-mahlophe-allegedly-threatens-da-councilors/ - https://www.ewn.co.za/2024/01/30/matlosana-cfo-charged-with-corruption-said-shed-bribe-her-way-out-of-trouble-sanco			
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?	Yes		
	Number of months the MM has been in position.	n/a		
	CFO vacancy at the end of the year?	Yes		
	Number of months the CFO has been in position.	n/a		
Policy Efforts				
Water By-law				
Is there a water by-law?	yes			By-law
Citation of by-law	GN 396 in PG 5957 of 5 December 2003			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	no		
	Protecting water supply systems.	yes		
	Prohibiting wasting water	no		
	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	no		
	Measures to ensure the quality of potable water	no		
	Preventing water pollution	yes		
	Anything else?			

Water Services Development Plan												
Is there a water services development plan?	yes	IDP 2022-27, p 168										
The validity duration of the plan (which years)	No available information	IDP 2022-2027										
General Policy Framework												
Is there an Indigent Policy?	none, but provision in budget											
IDP												
Issues See Assessment Table	Backlogs in service delivery Expensive upgrading of infrastructure	IDP 2022-2027, p 168										
Resource Efforts												
Financial Resources												
Budget sufficiency (total budget revenue (excl. capital transfers)/ total budgeted OPEX) x 100	<table><thead><tr><th>Period</th><th>Budget sufficiency (%)</th></tr></thead><tbody><tr><td>2021/2022</td><td>91%</td></tr><tr><td>2022/2023</td><td>91%</td></tr><tr><td>2023/2024</td><td>100%</td></tr><tr><td>2024/25</td><td>84%</td></tr></tbody></table>	Period	Budget sufficiency (%)	2021/2022	91%	2022/2023	91%	2023/2024	100%	2024/25	84%	MFMA Section 71 Schedule C 2021 to 2025 Reports
Period	Budget sufficiency (%)											
2021/2022	91%											
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2023/2024	100%											
2024/25	84%											
Revenue Coverage % (Total Budgeted Revenue (incl. Capital transfers)/Total budgeted CAPEX+OPEX) x100	<table><thead><tr><th>Period</th><th>Revenue Coverage (%)</th></tr></thead><tbody><tr><td>2021/2022</td><td>94%</td></tr><tr><td>2022/2023</td><td>95%</td></tr><tr><td>2023/2024</td><td>104%</td></tr><tr><td>2024/25</td><td>88%</td></tr></tbody></table>	Period	Revenue Coverage (%)	2021/2022	94%	2022/2023	95%	2023/2024	104%	2024/25	88%	MFMA Section 71 Schedule C 2021 to 2025 Reports
Period	Revenue Coverage (%)											
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Revenue Collection Rate % (Actual revenue collected/budgeted revenue) x 100	<table><thead><tr><th>Period</th><th>Revenue Collection Rate (%)</th></tr></thead><tbody><tr><td>2021/2022</td><td>95%</td></tr><tr><td>2022/2023</td><td>89%</td></tr><tr><td>2023/2024</td><td>98%</td></tr><tr><td>2024/25</td><td>91%</td></tr></tbody></table>	Period	Revenue Collection Rate (%)	2021/2022	95%	2022/2023	89%	2023/2024	98%	2024/25	91%	MFMA Section 71 Schedule C 2021 to 2025 Reports
Period	Revenue Collection Rate (%)											
2021/2022	95%											
2022/2023	89%											
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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
Maintenance spending rate % (Total maintenance expenditure/total revenue collected) x100				MFMA Section 71 Schedule C 2021 to 2025 Reports
Infrastructure Resources				
Current infrastructure value	R731,738,000			Budget, Sheet A9, Item 138, Adjusted Budget 20/21
Human and Skills Resources				
Total number of staff employed in water treatment	4 (NI supervisory, 4 technical)			2023 <i>Blue Drop Report</i> ; p. 351, 353
Supervisor Staff/WTW Ratio	No information			2023 <i>Blue Drop Report</i> , p. 351
Technical Staff/WTW Ratio	4.0			2023 <i>Blue Drop Report</i> , p. 353
Staff Shortfall	Process Controllers - NI Supervisors - NI 0 Technicians NI Qualified scientists			2023 <i>Blue Drop Report</i> , p. 351, 353
Total number of staff employed in the water services department (excluding water treatment)	No available information			
Implementation				
Physical Access				
Physical access to water, number of consumers, and percentage of total consumers. [households]	Communal source +200m	13,352	7.3%	City of Matlosana Local Municipality - Services
	Communal source – 200m	0	0%	
	Water source in yard	170,482	92.7%	
	Total	183,834		
Piped water inside dwelling	62.4%			City of Matlosana Local Municipality - Demographic
Infrastructure backlog				

Do schools and clinics have access to water on their premises.	Out of 210 education facilities, 4 do not have access to water services and a further 2 have inadequate access to water services. Out of 29 health facilities, 18 have inadequate access to water services.		WJT Verification
Economic Access			
Economic access to water.	Free basic water for all	☐	Water Supply Tariffs 2021/22
	Free basic water for Indigent	☒	
	Cross subsidy	☐	
	Prepaid	☐	
Step tariff for households in rand excl VAT. For 2021/22	0 < 6kl	R 24.79	Water Supply Tariffs 2021/22
	7kl < 20kl	R 30.34	
	21kl < 50kl	R 31.30	
	51kl < 100kl	R 32.38	
	101kl < 200kl	R 34.15	
	201kl < 300kl	R 36.19	
	301kl <	R 45.56	
Categories of water use:	- Domestic - Agriculture - Smallholdings - Businesses and Industrial - Industry - Government - Schools - Nursery Schools - Churches and Church Halls - Flats - Hospitals, institutions and correctional services - Vaal Reffs and Ariston Plots		Water Supply Tariffs 2021/22
	The residential tariff is higher than that of businesses.		
Tariffs for schools.	0 < 10kl	R 25.84	Water Supply Tariffs 2021/22
	11kl < 20kl	R 33.60	
	21kl < 30kl	R 34.29	
	31kl < 50kl	R 34.55	
	51kl < 100kl	R 35.52	
	101kl < 500kl	R 38.23	
	501kl <	R 38.49	
Notes.	Education and health facilities pay more expensive rates for water than businesses and industries. They pay an average of R 7.00 more per kiloliter of water.		Water Supply Tariffs 2021/22
Tariffs for clinics	Same as schools		Water Supply Tariffs 2021/22
Adequacy			
Number of interruptions in 2024	No available information		
Media reports on outages:	Although no significant reports could be found, one media article suggests that one of the causes for the WSA service delivery failures is due to a dysfunctional vehicle fleet. - https://centralnews.co.za/matlosana-poor-service-delivery-linked-to-dysfunctional-vehicle-fleet/		

Quality		
What is the WSA's blue drop score?	2023: 87.8% 2011: 95.4%	2023 <i>Blue Drop Report</i> , p. 378
Blue Drop Score Improved/Deteriorated (2011-2023)	Deteriorated	
Blue Drop microbiological compliance score	98.2% (0 Excellent WTWs, 0 Unacceptable WTWs)	2023 <i>Blue Drop Report</i> , p. 360-361
Blue Drop chemical (acute) compliance score	100.0% (1 Excellent WTW, 0 Unacceptable WTWs)	2023 <i>Blue Drop Report</i> , p. 361
Blue Drop chemical (chronic health) compliance score	99.4% (1 Excellent WTW, 0 Unacceptable WTWs)	2023 <i>Blue Drop Report</i> , p. 361
Does the WSA have a contract with the lab to test water samples?	No information	
<i>Green Drop Risk Rating</i>	Critical Risk	2023 <i>Green Drop Report</i> , p. 407
Efficiency		
Blue Drop Water Use Efficiency Score	196 l/p/d (Good)	2023 <i>Blue Drop Report</i> , p. 359
No Drop Score 2021/22	1%	2023 <i>No Drop Report</i> , p. 230
Amount of non-revenue water in liters and in rands value.	R334.35 million in water losses equivalent to 59% of all water flowing through municipal pipelines	AGSA Web Based Report 2023-24
Main reasons for water losses.	WC/WDM Strategy, Planning and Implementation	2023 <i>No Drop Report</i> , p. 230
Oversight		
Department of Water and Sanitation		
<i>Blue Drop</i> actions	None	2023 <i>Blue Drop Report</i> , p. 378
<i>Green Drop</i> actions	None	2023 <i>Green Drop Report</i> , p. 408
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:	Paras 47, 48, 50, 71, 78-102, 142

	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 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?	yes	
SAHRC North West provincial office to conduct site inspections on 27 September 2021.	On 27 September 2021 to 1 October 2021, the North West Provincial Office of the South African Human Rights Commission ("the SAHRC") will conduct site inspections in various villages and towns in order to investigate allegations of human rights violations by various municipalities. The site inspections are necessitated by hundreds of complaints lodged with the SAHRC relating to allegations of poor service delivery, particularly lack of access to sufficient water, poor water quality, poor sewerage system, lack of access to basic sanitation and poor domestic waste removal.	
Parliament		
Other Oversight Institutions		
Collaborative oversight on 29 March 2022.	The SAHRC, the Premier and the MEC committed to initiating a monitoring and reporting system. Within this system, enhanced, and clear lines of communication and access to information between the SAHRC, the Premier's Office, the Office of the MEC, Local Municipalities, and Communities would be established. To its realisation, the following resolutions will be implemented in the immediate and short-terms: 1. Introducing a referral system from the SAHRC to the Provincial Administration to ensure speedy resolutions of complaints of human rights violations; 2. Instilling monthly meetings between the senior management in the Office of the Premier, COGHSTA and the SAHRC to operationalise the resolutions and monitor the implementation of the referral system; 3. Quarterly meetings between the Premier, MEC and Commissioner Philile Ntuli, who oversees matters pertaining to Local Governance Systems in the SAHRC, with / or other Commissioners; and 4. The Office of the Premier to provide a copy of the Mafereka Commission of Inquiry Report to the SAHRC. Affected communities in the North-West Province will be continuously appraised of the status of their complaints, and the outcomes of monthly and quarterly meetings.	https://www.sahrc.org.za/index.php/sahrc-media/news-2/item/3034-media-statement-the-sahrc-and-premier-of-the-north-west-province-initiate-a-monitoring-and-reporting-system-to-address-service-delivery-backlogs

Sources:

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- 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>
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