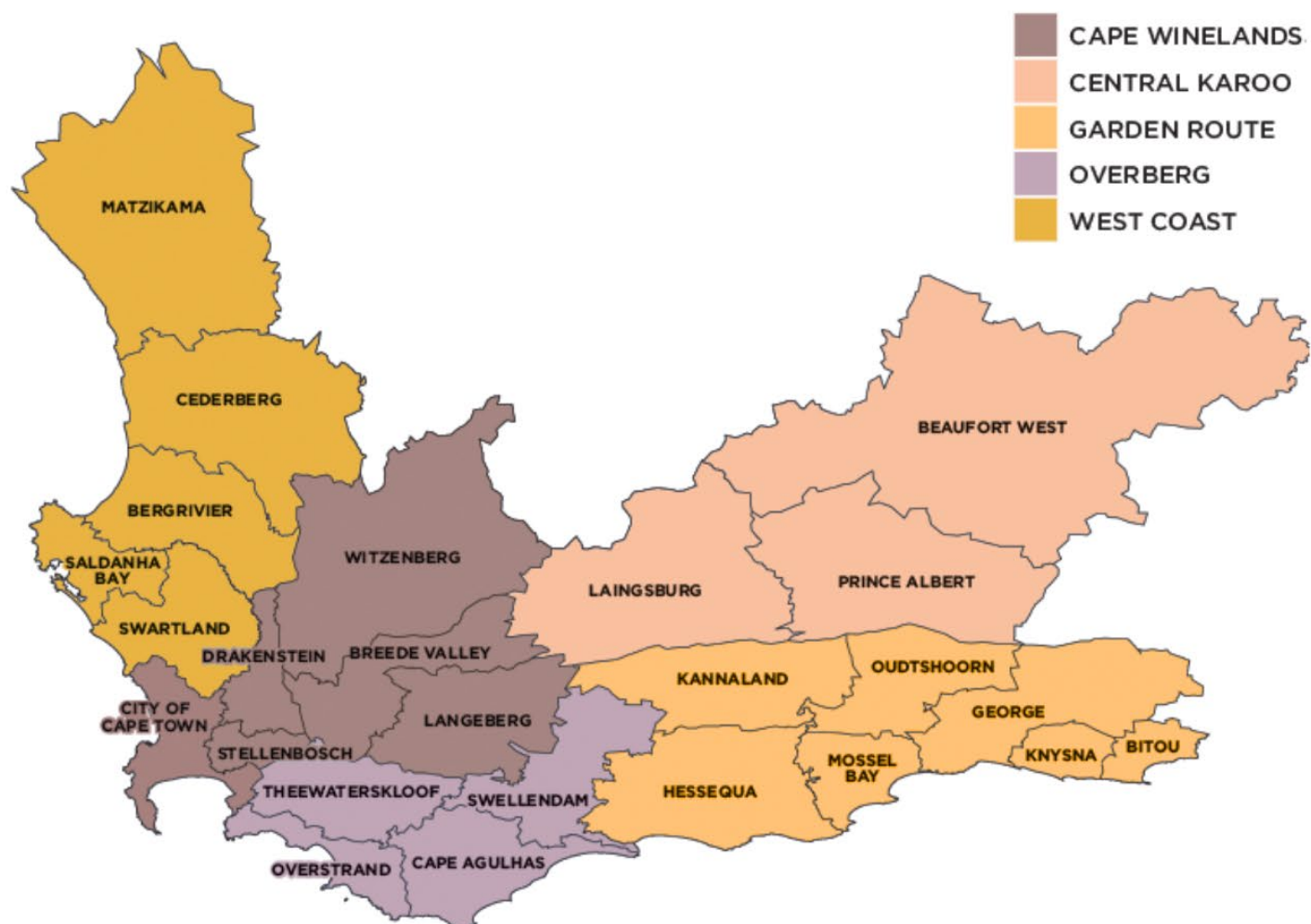


WATER RIGHTS TRACKER

WATER SERVICES AUTHORITY

BEAUFORT WEST

LOCAL MUNICIPALITY



OCTOBER 2026

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Map

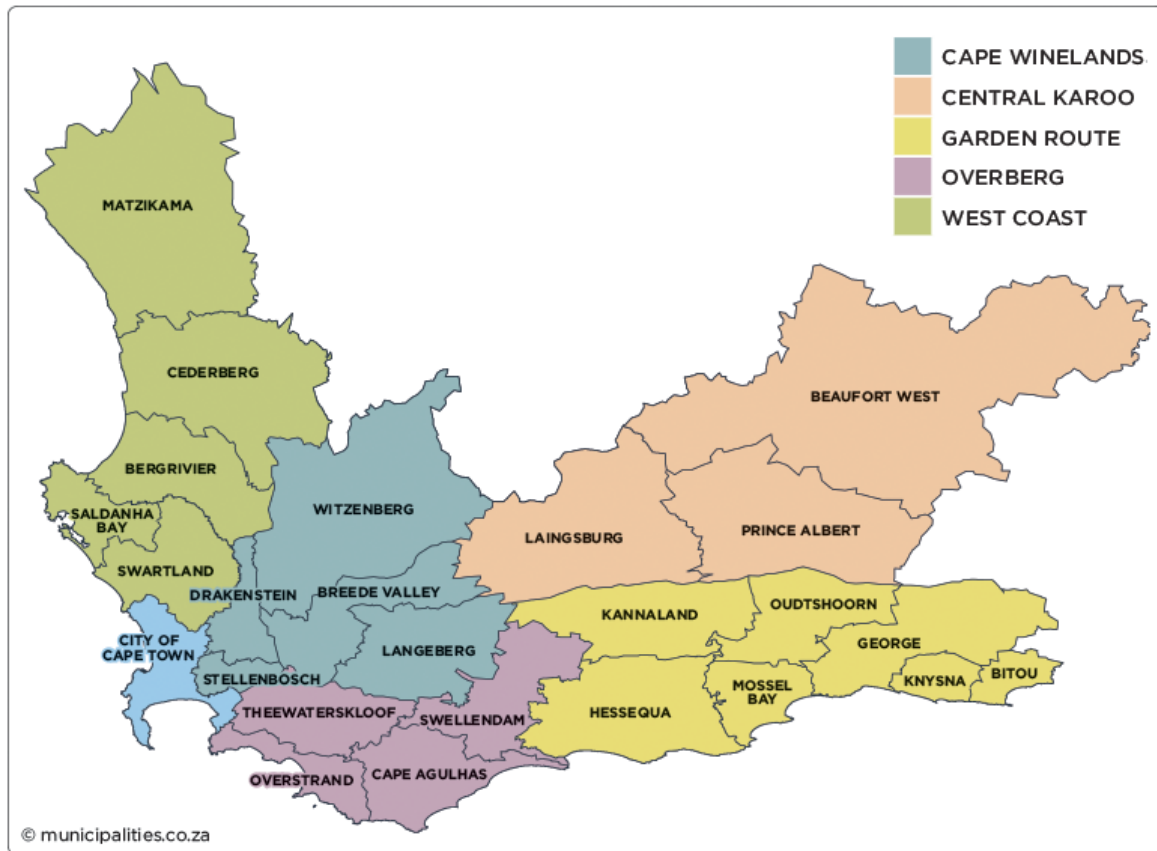


Figure 1: Geographical location of the Beaufort West Local Municipality (source Municipalities of South Africa, <https://municipalities.co.za/provinces/view/9/western-cape>).

The Beaufort West Local Municipality is one of three local municipalities in the Central Karoo District Municipality in the Western Cape Province.

Assessment: Progressive realization of the right to water in Beaufort West Local Municipality

RIGHTS HOLDERS		
Demographics	Current Population: Ranges from 53,984 (Blue Drop) to 72,972 (2022 Census) Population growth rate: 3.75% Sex Ratio: Moderate female majority Dependency: 27.7% under 15; dependency ratio 52.0	
Unemployment	25.4%	
KEY IMPLEMENTATION INDICATORS		
Availability	River, Dam, groundwater 56% of capacity used	
Physical access	Communal source +200m	1.7%
	Communal source – 200m	0.5%
	Water source in yard	97.7%
	Piped water in house	87.2%
	Service delivery point/household coverage ratio	0.78
Economic Access	Tariff variation: Follows a complex tariff system where consumers pay different rate depending on area and whether they use a conventional or a prepaid meter. Tariff structure: Increasing block tariff (5 blocks, R15.18-R26.13) FBW: Indigent only Indigency: 30.6% of service delivery points, decreasing trend	
Adequacy	Not mentioned	
Quality	Microbiological compliance	98.9%
	Chemical (acute) compliance	25.0%
	Chemical (chronic) compliance	74.9%
Efficiency	WUE Score: 175 l/p/d (Good) Non-revenue water: 78.3%	
REASONABLE MEASURES		
Policy Efforts	By-law, Indigent Policy and Register, WSDP	
Financial Resources (2024/25)	Budget sufficiency: 102% Revenue coverage: 109% Renewal spending: Missing data Maintenance spending rate: 2% Revenue collection rate: 78%	
Human Resources	Blue Drop shortfall: 5 Process Controllers, 0 Supervisors, 2 Technicians, 2 Qualified scientists	

SYSTEMIC DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE	
Leadership issues	Not mentioned
Water planning issues	Unreliable statistics Water infrastructure systems are ageing, leading to frequent cuts in water service
Funding model	Not mentioned
Infrastructure issues	-Ageing infrastructure with some networks still using asbestos pipes -Deteriorating water reticulation network Augmentation of ground water resources is necessary
Electricity issues	-Low level of investment in the upgrade, refurbishment and expansion of the electricity infrastructure -Theft and vandalism of electricity infrastructure
Ecological drivers	-Dumping in rivers presents a flood risk -Invasive alien plant species -Drought
Consumer issues	-Bypassing meters (electricity theft), tampering with, vandalism and theft infrastructure, especially cables and transformers
Water services intermediaries	Not mentioned
Third-party interference	-Illegal water and electricity connections -Competing uses (agriculture, mining) -Theft and vandalism to infrastructure
Intergovernmental coordination	Not mentioned
Scale	21,917 km ² 4 WTWs, 6 pump stations, 84 km of bulk water supply lines, 204 km of reticulation pipelines and 11 reservoirs
UNIQUE DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE	
Overlapping governance structures	7 wards, no information on traditional authorities
Low literacy and education levels	No Schooling: 5.2%, tertiary ed.: 6.8%
Infrastructure backlogs	Backlogs in repairs and maintenance, as well as refurbishment and network expansion, are increasing. Limited funding available to deal with backlogs
Limited yellow fleet	Inadequate yellow fleet. Shared-service leasing of vehicles to address fleet gaps
High vacancy rate	Municipal Manager and Chief Financial Officer in position
Legal non-compliance	The municipality is under S139 administration, effective from August 2021.

*Indicators highlighted in red flag potential human rights concerns

Narrative

RIGHTS HOLDERS

Population estimates for the Beaufort West Local Municipality range from 53 984 (Blue Drop) to 72 972 (2022 Census). The population growth rate of 3.75% is higher than the national average of 1.3%. There is a moderate female majority and 27.7% of the population are under the age of 15. The dependency ratio of 52.0 is higher than the reported national 2024 average of 48.4 and lower than the global average of 58.4.¹ There is a moderate level of unemployment (broad definition used) in this municipality of 25.4%.

KEY IMPLEMENTATION INDICATORS

The Beaufort West Local Municipality is authorised to provide water services and can abstract water from the Gamka Dam, Soutrivier and groundwater.

In terms of physical access, 97.7% of consumers reportedly have a water connection in their yard, and 87.2% enjoy water piped into their dwellings. About 0.5% of the population has access to a communal source within 200m of their dwellings, and 1.7% rely on communal sources further than 200m away. The service delivery point/household coverage ratio is 0.78 meaning that the current service delivery points cover 78% of the households counted in the 2022 Census.

The Beaufort West Local Municipality provides no universal Free Basic Water Allowance, although in terms of law a municipality is not required to have one. About 30.6% (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 R15.18, most expensive is R26.13). The municipality follows a complex tariff system where consumers pay different rates depending on area and whether they use a conventional or a prepaid meter.

No reliable data could be found about the number of water services interruptions experienced by the community. There is a major concern about water quality, with the Beaufort West Local Municipality reporting microbiological compliance at 98.9% and chemical acute compliance at 25% and chronic at 74.9%.

Water use efficiency is good. The *Blue Drop* score of >175 l/p/d is good. According to the 2021/22 Auditor-General report, 78.3% of all water produced is non-revenue water, which is above the national prescribed standard of 35%.

REASONABLE MEASURES

The Beaufort West Local Municipality has a valid indigent policy, water services development plan and water services by law in place.

The Municipality's financial indicators between 2021/22 and 2024/25 show that the municipality's own revenue is enough (109%) to cover its operational expenditure budget. The municipality's total income, which includes intergovernmental transfers, is enough (102%) to cover capital and operational expenditure. The portion of capital budget allocated to the renewal of assets was unknown and maintenance expenditure was between

2% and 3%. The revenue collection rate has fluctuated between 82% and 96% according to MFMA Schedule C datasets.

There are 12 municipal officials employed in water treatment. According to the latest *Blue Drop* report, there is a staff shortfall of 5 process controllers, 2 technicians and 2 qualified scientists in the department responsible for water treatment.

SYSTEMIC DRIVERS OF RIGHTS NON-COMPLIANCE

The key systemic drivers of rights non-compliance in the Beaufort West Local Municipality are:

- **Leadership issues:** None.
- **Water planning issues:** Unreliable statistics.
- **Funding model:** None.
- **Electricity issues:** None that have an impact on water service delivery.
- **Infrastructure issues:** Ageing and decaying infrastructure.
- **Ecological drivers:** Dumping in rivers and water pollution.
- **Consumer issues:** Increase in indigent consumers. Billing challenges and uncollected debt.
- **Intermediaries:** None.
- **Third-party interference:** Illegal connections and vandalism of infrastructure.
- **Scale:** Water services in the Beaufort West Local Municipality are spread out over 21 917 km².

OVERSIGHT

1. The Department of Water and Sanitation took Blue Drop action (See, Table: Oversight Department of Water and Sanitation, for more details).

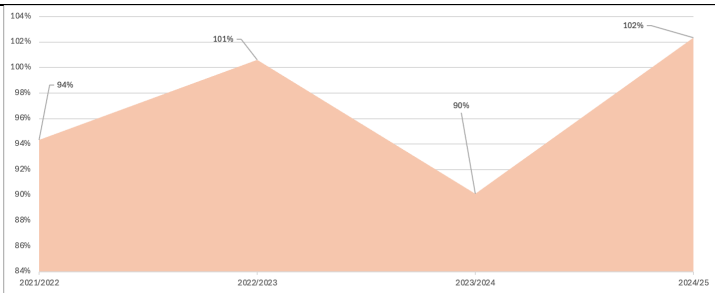
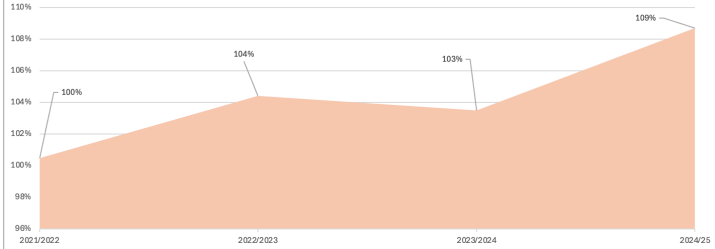
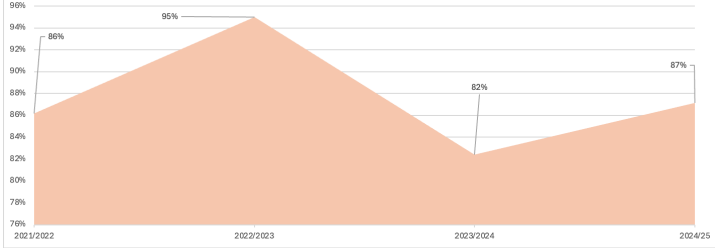
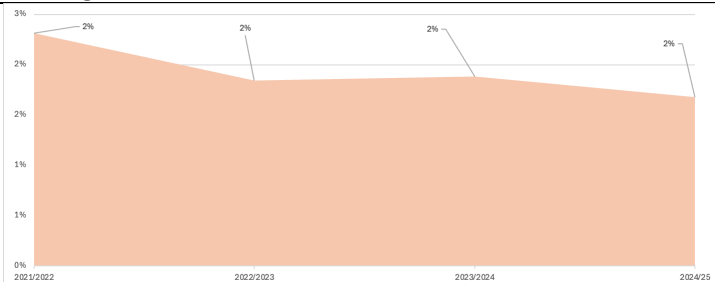
Expanded Table

Indicator	Measurement	Sources
Name of the WSA	Beaufort West Local Municipality	
Geographical information about the WSA.	One of three local municipalities in the Central Karoo District Municipality in the Western Cape Province	Beaufort West Local Municipality - Overview
Spatial extent	21,917km ²	Beaufort West Local Municipality - Overview
Municipal Wards	7	IDP 2024-2025, p. 37
Traditional Authorities	No available information	IDP 2024-2025
Is the WSA authorized to provide water services?	yes	IDP 2024-2025, p. 102
Is the WSA currently providing water services?	both water treatment and tap water	IDP 2024-2025, p. 102
Method of service provision	Self	IDP 2024-2025, p. 103
Context indicators		
Details of any water-related stresses experienced within the past five years.	The Western Cape has experienced a number of extreme weather events. This includes a severe drought in 2018 and floods in 2021 and 2023.	https://www.gov.za/news/media-statements/water-and-sanitation-flooding-western-cape-catchments-07-dec-2021
Demographics		
Population	53,984 (<i>Blue Drop</i>) 72,972 (2022 Census) 72,972 (IDP)	2023 <i>Blue Drop Report</i> , p. 473; Beaufort West Local Municipality - Demographic IDP 2024-2025, p. 37
Number of households (Census 2022)	19,216	Beaufort West Local Municipality - Demographic
Number of domestic household service delivery points (2021/2022) (<i>Non-Financial Census of Municipalities</i>)	14,961	Beaufort West Local Municipality - Services
Ratio service delivery points / households	0.78	
Number of non-domestic consumers	975	Beaufort West Local Municipality - Services

Affects overall availability of water – big industrial users.			
Males per 100 females	91.4	Beaufort West Local Municipality - Demographic	
Gender Split	47.8% Male 52.2% Female		
Population growth rate per annum	3.75%	Beaufort West Local Municipality - Demographic	
Education	No Schooling: 5.2% Higher Education: 6.8%	Beaufort West Local Municipality - Demographic	
Financial capacity			
Economically active population (15-64)	65.8%	Beaufort West Local Municipality - Demographic	
Unemployment rate	25.4%	IDP 2024-2025, p. 50	
Dependency ratio	52.0	Beaufort West Local Municipality - Demographic	
Population under 15	27.7%	Beaufort West Local Municipality - Demographic	
Universal FBW Allowance	No	IDP 2024-2025, p. 133	
Number of service delivery points receiving FBW: 2021/22	4,571	Beaufort West Local Municipality - Services	
Percentage of FBW service delivery points	30.6%		
Increase/decrease of FBW 2018/2019 – 2021/2022	4,776 to 4,571 Decrease	Beaufort West Local Municipality - Services	
Is the WSA currently experiencing financial problems? (As at 2022/23 Third Quarter)	Section 138 2 triggers Section 140 3 triggers	NT Municipalities Meeting Criteria, item 270	
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.	☒	
	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.	☐	
Is municipality considered to be in financial distress?	yes		AGSA Web Based Report 2024/25
Is the municipality currently subject to a provincial intervention?	The municipality is under S139 administration, effective from August 2021.		Beaufort West 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?	Below 266 mm per annum		IDP 2024-2025, p. 196
Water abstraction authorized?	Yes		2023 <i>Blue Drop Report</i> , p. 471
Volume of authorized/(unauthorized) water abstraction?	600 kl/d		2023 <i>Blue Drop Report</i> , p. 471
How many water treatment plants are in the WSA’s water services network?	Beaufort West WSA manages 4 WTWs, 6 pump stations, 84 km of bulk water supply lines, 204 km of reticulation pipelines and 11 reservoirs. Total design capacity is 23.5 MI per day. 17.0 MI of the capacity is available. Average production: 9.5 MI per day 56% of capacity is used 2023 <i>Blue Drop</i> critical risk: 1 (Murraysburg)		2023 <i>Blue Drop Report</i> , p.458, 469-470, 490
How many biophysical water sources does this WSA have access to?	River	☒	2023 <i>Blue Drop Report</i> , p. 490
	Dam	☒	
	Saltwater	☐	
	Groundwater	☒	
Names of rivers and dams	Gamka Dam, Soutrivier, groundwater		2023 <i>Blue Drop Report</i> , p. 490
How many infrastructure water sources does this WSA have?	Water reclamation	☒	IDP 2024-2025, p. 102
	Desalination	☐	
	From natural source	☒	
Political Stability			
Is there a coalition government?	DA DA 7, ANC 3, PA 1, GOOD 1, KDF 1		Beaufort West Local Municipality - Council & Management
Has there been mayoral instability in the last 5 years?	- There have been at least seven mayoral changes in the past five years and at least one was accused of fraud and related crimes. - New mayor elected in September 2025 - Meet Beaufort West’s new mayor, Gina Duimpies African News Agency		
MM/CFO Vacancy Snapshot	AGSA Website Based Report 2024/25		Municipality: Beaufort West Local Municipality
	Is the council established?	Yes	
	Council instability the previous year?	No	

	MM vacancy at the end of the year?	No	 District: Central Karoo 2023-24 Consolidated report on local government audit outcomes AGSA
	Number of months the MM has been in position.	7	
	CFO vacancy at the end of the year?	No	
	Number of months the CFO has been in position.	4	
Policy Efforts			
Water By-law			
Is there a water by-law?	yes		By-law
Citation of by-law	PN 148 in PG 6312 of 4 November 2005		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 supply from hydrant Water restrictions	
Water Services Development Plan			
Is there a water services development plan?	Yes		IDP 2024-2025, p. 265
The validity duration of the plan (which years)	Reviewed annually. The plan was last updated in 2019.		IDP 2024-2025, p. 265
General Policy Framework			
Is there an Indigent Policy?	yes		Indigent Policy, 2024/2025
IDP			
Issues	- Lack of payment for services by government offices/facilities and businesses - Aged infrastructure resulting in high water losses - Vandalism of boreholes and pump stations - Disruptions of water supply - Asbestos pipes - Deteriorating water reticulation network		IDP 2024-2025, p. 42, 105, 109, 294

Resource Efforts												
Financial Resources												
Budget sufficiency (total budget revenue (excl. capital transfers)/ total budgeted OPEX) x 100	 <table><tr><th>Period</th><th>Budget sufficiency (%)</th></tr><tr><td>2021/2022</td><td>94%</td></tr><tr><td>2022/2023</td><td>101%</td></tr><tr><td>2023/2024</td><td>90%</td></tr><tr><td>2024/25</td><td>102%</td></tr></table>	Period	Budget sufficiency (%)	2021/2022	94%	2022/2023	101%	2023/2024	90%	2024/25	102%	MFMA Section 71, Schedule C datasets
Period	Budget sufficiency (%)											
2021/2022	94%											
2022/2023	101%											
2023/2024	90%											
2024/25	102%											
Revenue coverage % (Total budgeted revenue (incl. capital transfers) / total budgeted CAPEX+ OPEX) x 100	 <table><tr><th>Period</th><th>Revenue coverage %</th></tr><tr><td>2021/2022</td><td>100%</td></tr><tr><td>2022/2023</td><td>104%</td></tr><tr><td>2023/2024</td><td>103%</td></tr><tr><td>2024/25</td><td>109%</td></tr></table>	Period	Revenue coverage %	2021/2022	100%	2022/2023	104%	2023/2024	103%	2024/25	109%	MFMA Section 71, Schedule C datasets
Period	Revenue coverage %											
2021/2022	100%											
2022/2023	104%											
2023/2024	103%											
2024/25	109%											
Revenue collection rate % (actual revenue collected / budgeted revenue) x 100	 <table><tr><th>Period</th><th>Revenue collection rate %</th></tr><tr><td>2021/2022</td><td>86%</td></tr><tr><td>2022/2023</td><td>95%</td></tr><tr><td>2023/2024</td><td>82%</td></tr><tr><td>2024/25</td><td>87%</td></tr></table>	Period	Revenue collection rate %	2021/2022	86%	2022/2023	95%	2023/2024	82%	2024/25	87%	MFMA Section 71, Schedule C datasets
Period	Revenue collection rate %											
2021/2022	86%											
2022/2023	95%											
2023/2024	82%											
2024/25	87%											
Capital budget allocated to renewal of existing assets (Amount allocated to renewal / Total capital budget) x 100	Missing data											
Maintenance spending rate % (Total maintenance expenditure / total revenue collected) x 100	 <table><tr><th>Period</th><th>Maintenance spending rate %</th></tr><tr><td>2021/2022</td><td>2%</td></tr><tr><td>2022/2023</td><td>2%</td></tr><tr><td>2023/2024</td><td>2%</td></tr><tr><td>2024/25</td><td>2%</td></tr></table>	Period	Maintenance spending rate %	2021/2022	2%	2022/2023	2%	2023/2024	2%	2024/25	2%	MFMA Section 71, Schedule C datasets
Period	Maintenance spending rate %											
2021/2022	2%											
2022/2023	2%											
2023/2024	2%											
2024/25	2%											
Infrastructure Resources												
Current infrastructure value	R329,664,000	2023 Blue Drop Report, p. 482-483										
Human and Skills Resources												
Total number of staff employed in water treatment	12 (10 supervisory, 2 technical)	2023 Blue Drop Report; p. 463-464, 466										
Supervisor Staff/WTW Ratio	2.0	2023 Blue Drop Report, p. 463-464										

Technical Staff/WTW Ratio	0.5			2023 <i>Blue Drop Report</i> , p. 466				
Staff Shortfall	5 Process Controllers 0 Supervisor 2 Technicians 2 Qualified Scientists			2023 <i>Blue Drop Report</i> , p. 463-464, 466				
Implementation								
Physical Access								
Physical access to water, number of consumers, and percentage of total consumers. [households]	Communal source +200m		260	1.7%		Beaufort West Local Municipality - Services		
	Communal source – 200m		80	0.5%				
	Water source in yard		14,621	97.7%				
	Total		14,961					
Piped water inside dwelling	87.2%			Beaufort West Local Municipality - Demographic				
Infrastructure backlog	A backlog in repair and maintenance, as well as refurbishment and network expansion, is increasing. Limited funding available to deal with backlogs							
Do schools and clinics have access to water on their premises.	- No information on the status of water services delivered to the 33 education facilities. - All 15 health facilities have adequate access to water services.			DWS Website, WSDP Audit, Service Delivery Overview, Service Levels Profile, 2.1.1 Education Plan and 2.1.2 Health Plan.				
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		Beaufort West		Merweville		Nelspoort		Tariff Policy 2021/22
		Prepaid	Conventional	Prepaid	Conventional	Prepaid	Conventional	
	0 – 6kl	24.03	15.18	12.75	8.13	13.28	8.48	
	7 – 15 kl	26.03	17.43	14.50	8.95	15.22	9.59	
	16 – 26kl	26.03	19.89	17.40	13.43	19.89	10.51	
	27 – 35kl	26.03	20.90	18.85	17.89	18.26	11.48	
	36kl <	26.03	26.13	20.30	25.50	22.83	12.48	
Categories of water use:	Follow a complex tariff system where consumers pay different rates depending on area and whether they use a conventional or a prepaid meter. There are also specific tariffs for water restrictions of various levels.			Tariff Policy 2021/22				
Tariffs for schools.	See note above							

Tariffs for clinics	See note above	
Adequacy		
Number of interruptions in 2024.	Not mentioned	
Media reports on outages:	https://www.dailymaverick.co.za/article/2026-09-16-the-n1-towns-decade-of-decay-beaufort-west/	
Quality		
What is the WSA's blue drop score?	2023: 53.0% 2011: 92.0%	2023 <i>Blue Drop Report</i> , p. 490
Blue Drop Score Improved/Deteriorated (2011-2023)	Deteriorated	
Blue Drop microbiological compliance score	98.9% (3 Excellent WTWs, 1 Unacceptable WTW)	2023 <i>Blue Drop Report</i> , p. 476-477
Blue Drop chemical (acute) compliance score	25.0% (1 Excellent WTW, 3 Unacceptable WTWs)	2023 <i>Blue Drop Report</i> , p. 478
Blue Drop chemical (chronic health) compliance score	74.9% (3 Excellent WTWs, 1 Unacceptable WTW)	2023 <i>Blue Drop Report</i> , p. 478
Does the WSA have a contract with the lab to test water samples?	No information	IDP 2024-2025
<i>Green Drop</i> Risk Rating	Medium Risk	2025 <i>Green Drop Report</i> , p. 69
Efficiency		
Blue Drop Water Use Efficiency Score	175 l/p/d (Good)	2023 <i>Blue Drop Report</i> , p. 473
No Drop Score 2021/22	38%	2023 <i>No Drop Report</i> , p. 312
Amount of non-revenue water in liters and in rands value.	Water losses in kiloliters 78.3% of all water flowing through municipal pipelines	AGSA Web Based Report 2023/24
Main reasons for water losses.	- Aging infrastructure - Faulty water meters - Unrehabilitated reservoir and water supply line	IDP 2024-2025, p. 103, 218
Oversight		
Department of Water and Sanitation		
<i>Blue Drop</i> actions	The Regulator note the dire state of management and drinking water quality in the Murraysburg and Nelspoort 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. 490
<i>Green Drop</i> actions	None	2025 <i>Green Drop Report</i> , p. 70-71

Judicial Oversight		
Where any judgments delivered that involved water services delivery?	yes	
Full citation of judgment.	Mazibuko and Others v City of Johannesburg and Others [2009] ZACC 28	
Summary of judgment 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 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.	Paras 47, 48, 50, 71, 78-102, 142
Full citation of judgement.	Government of the Republic of South Africa v Grootboom [2000] ZACC 19	
Summary of judgment 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 judgment.	Nokotyana and Others v Ekurhuleni Metropolitan Municipality and Others [2009] ZACC 33	
Summary of judgment and the impact for future water services delivery.	Every municipality, as part of its IDP process, must take all reasonable and necessary steps within the framework of national and provincial housing legislation and policy to ensure that the inhabitants of its area of jurisdiction have access to adequate housing on a progressive basis; that conditions not conducive to the health and safety of the	

	inhabitants of its area of jurisdiction are prevented or removed; and that services in respect of water, sanitation, electricity, roads, storm water drainage and transport are provided in a manner which is economically efficient. Section 3 of the Water Services Act provides that everyone has a right of access to basic water supply and basic sanitation. Every WSA is prompted to take reasonable measures to realise these rights. The section furthermore requires every WSA to provide for measures to realise these rights in its water services development plan.	
Full citation of judgment.	Thubakgale and Others v Ekurhuleni Metropolitan Municipality and Others [2021] ZACC 45	
	Minority, dissenting: This case explores a very wide variety of remedies where socio-economic rights are violated. What effective remedy can be granted by courts where the litigants showed that the state failed to realise the right to access to housing and has conducted itself in a manner that points to a refusal to realise this right. Appropriateness of the relief envisages something that is suitable and capable of addressing the exigencies of a situation. A structural interdict, declaratory relief and contempt of court orders have all been unsuccessful. The court shows that contractual, statutory and delictual remedies are also unavailable. The court then considered constitutional damages to rectify “diffuse and systematic pattern of rights violations” or “systematic, pervasive and enduring infringements of constitutional rights”. This may only be used if it is the most effective relief. Budgetary and fiscal pressures of the municipality must be considered when awarding constitutional damages. Paras 100-116 quantum of damages. A once-off token of R 10 000 per applicant was awarded. Applicants have the right to approach the court again within one year from the granting of the order to reassess the award, should the municipality continue to procrastinate in its constitutional obligations. The municipality is also subject to a supervisory order where it has to report back to the court. Majority: The approach adopted in the first judgement fails to differentiate between socio-economic rights and other rights. A breach of socio-economic rights arising from non-fulfilment or non-enjoyment of those rights does not entitle parties to an injury or damage that warrants compensation to be ordered. Appeal was dismissed For water services delivery: Courts are increasingly impatient and becoming intolerant of service delivery failures. This	Paras 2, 50, 60, 63, 64, 65, 70, 72, 80, 157

	shows the variety of remedies that could be available to the community where the right to water is infringed	
Full citation of judgment	South African Property Owners Association v City of Cape Town (GOOD Party Intervening) 2026 (5) SA 154 (WCC) 30 April 2026	
	MUNICIPALITY – Billing – <i>Additional fixed charges</i> – City introduced city wide cleaning, fixed water and sewerage charges calculated by property value bands – Property owners and civic groups challenged lawfulness – Court held charges intruded into domain of property rates without compliance with Rates Act and failed to meet requirements of lawful service charges under s 74(2) – Fixed charges unrelated to consumption, inequitable and inconsistent with tariff policy – Conditional counter applications dismissed, statutory provisions upheld – Charges declared unlawful and invalid – Local Government: Municipal Systems Act 32 of 2000, ss 74, 75 and 75A.	https://www.saflii.org/cgi-bin/disp.pl?file=za/cases/ZAWCHC/2026/197.html&query=city%20near%20of%20near%20cape%20near%20town%20near%20water%20near%20tariffs
SAHRC Reports		
Where any reports received and investigated on the right to water by the SAHRC?	no	
Parliamentary Oversight		
Any oversight actions taken in the duration of the current (5 th) administration.	no	
Other Oversight Institutions		
Details of any oversight action taken.	None.	

Sources:

- Municipal Demarcation Board *Municipal Powers and Functions Capacity Assessment 2018: Sectoral Report for Water and Sanitation*
- 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>
- Independent Electoral Commission *Local Government Elections Dashboard* accessed at <https://results.elections.org.za/dashboards/lge/>
- Department Water and Sanitation *Blue Drop Report 2023*
- 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>
- Portfolio Committee on Water and Sanitation *Legacy Report: Report of the Portfolio Committee on Water and Sanitation on its activities undertaken during the 5th Parliament* accessed at https://static.pmg.org.za/Water_and_Sanitation.pdf
- South African Human Rights Commission *Report on the Right to Access Sufficient Water and Decent Sanitation 2014* (2014) (SAHRC, 2014 Water Report)