
PROCLAMATIONS • PROKLAMASIES

DEPARTMENT OF WATER AND SANITATION

PROCLAMATION NOTICE 94 OF 2022

Nominations for Chairperson of the Water Tribunal

Section 146 and Item 3 of Schedule 6 of the National Water Act, 1998 (Act No. 36 of 1998) as amended (the Act) empowers the Minister to call for Nominations for appointments to the Water Tribunal (Tribunal). The Honourable Minister of Water and Sanitation Mr SENZO MCHUNU hereby invites nominations for the position of chairperson of the Tribunal to fill the vacant position in the Tribunal.

CHAIRPERSON OF THE TRIBUNAL

The Judicial Service Commission (JSC) shall receive nominations; shortlist and interview suitable persons qualified in law and make a recommendation of at least two (2) such persons for the Minister to consider and to appoint as the chairperson of the Tribunal.

The Water Research Commission shall receive nominations, shortlist and interview suitable persons qualified in law, water resource management, engineering or related fields and make recommendation of suitable persons for the Minister to consider and appoint as the Deputy Chairperson and additional members of the Tribunal.

GENERAL

All appointments will be for a period to be determined by the Minister in terms of section 146 and Item 3 of Schedule 6 of the Act.

The conditions of appointment and the remuneration of the chairperson, deputy chairperson and additional members are determined by the Minister of Water and Sanitation in consultation with the Minister of Finance.

FUNCTIONS

The activities of the Tribunal will mainly consist of hearing appeals against decisions on entitlements to use water and appeals against directives to remedy a wrongdoing or prevent pollution of water resources. It may also determine compensation when required to do so in terms of the Act. Functions will also include perusing of case files, undertaking research, hearing of cases and writing rulings. The chairperson will also perform administrative tasks, particularly the allocation of cases to Tribunal members and monitoring their progress, and writing of reports for Minister, and shall be assisted by the Registrar of the Tribunal in these tasks.

REQUIREMENTS FOR APPOINTMENT

Nominees must be South African citizens, possessing the recognized academic qualifications and applicable experience, and be members of the registered professional bodies.

DISQUALIFICATION OF MEMBERS

No person may hold office as a member of the Tribunal:-

- a. if that person is an unrehabilitated insolvent, or
- b. If that person has been convicted of any offence involving dishonesty or has been sentenced to imprisonment without an option of a fine. A disqualification under the above ends three (3) years after the sentence has been served.

Nominations must be accompanied by full curriculum *vitae*, certified copies of the Identity document, valid driver's licence and academic qualifications of the nominee and the acceptance of the nomination must be in writing. Every nomination must be signed by a proposer and a seconder, neither of whom may be the nominee.

The nominations must be sent directly to the JSC at the addresses below and a copy thereof must be sent to the Registrar of the Tribunal, Mr Xuba Angel Luyanda for record purposes.

Enquiries can be directed to the Department of Water and Sanitation, Deputy Director-General: Corporate Services, Ms Nthabiseng Fundakubi, at 012 336 7485, e-mail FundakubiN@dws.gov.za or the Chief Director: Legal Services, Mr Mpho Ratshisusu, at 012 336 7705, email: Ratshisusum@dws.gov.za or the Registrar of the Tribunal, Mr Luyanda Xuba at 012 336 8756, email: XubaL@dws.gov.za
The closing date for receipt of the nominations is Friday the 02nd December 2022.

Nominations for Chairperson must be sent to:

The Secretary
Ms Moretlwe Kutlwano
Office of the Chief Justice
Private Bag X10
Marshal Town
2107
Physical address
188, 14th Road, Noordwyk
Midrand
1685

Tel: 010 493 2500
Fax: 086 649 0944
Email: KMoretlwe@judiciary.org.za

Copies of Nominations must be sent to:

The Registrar of the Tribunal
Mr Xuba Luyanda
Water Tribunal
Private Bag X316
Pretoria
0001
Tel: 012 336 8756
Fax: 012 336 7321
Email: XubaL@dws.gov.za