

New Water Tribunal members appointed

Water and Sanitation Minister Senzo Mchunu has welcomed the newly appointed members of the Water Tribunal, a structure set to hear water related appeals against the department or any responsible authority in line with the National Water Act.



Image source: Nyau Mri from [Pexels](#)

The Water Tribunal is an independent body established in terms of Section 146(1) of the National Water Act, 1998 (Act No 36 of 1998) as amended, and members are appointed on a four-year term.

The Act provides for the Minister of Water and Sanitation to establish a Water Tribunal to presides on appeals against the decisions taken regarding declining of water use licence applications, adverse decisions on transfers of water use rights or during the processing of water use authorisations applications, directives issued, as well as claim by a catchment management agency for the recovery of costs.

Welcoming the nine members, Mchunu said their appointment completed the institutional arrangement needed for the water sector to thrive.

“As you start your four-year term and execute your role, I would like to implore you to be conscious, sensitive and considerate of the role you will be playing in a developmental state this country is. I am looking forward to working with you and hope you will work objectively and within the parameters of the law.

“We are dependent on you to work with us in continuing to clean the image and the perception that the department had garnered overtime - that of tardiness, delays, inefficiencies and corruption- by promoting good governance, zero tolerance to corruption and ultimately making sure that the country occupies a good space and lead in the continent and globally as a sector,” Mchunu said.

He added that the principals have been working very hard to reposition the department to be where it is now, and “cannot be seen to be going backwards”.

The Minister further implored the newly appointed chairperson of the Water Tribunal to fast-track the finalisation of the amendment of rules governing the processes of structure, as it is one of the main contributors to delays in concluding matters before the Tribunal.

The newly appointed tribunal is composed of nine members, including the chairperson and deputy chairperson, as well as seven additional members.

The newly appointed members are:

- Advocate Puseletso Loselo (Chairperson)
- Unathi Mbeki (Deputy Chairperson)
- Advocate Nomusa Lekgetho
- Rainy Disebo Mashitisho
- Maxwell Sirenya
- Khuliso Mudau
- Peter-John Veldhuizen
- Lahlane Malema
- Emmanuel Mpanza

In terms of the Act, the Water Tribunal has jurisdiction in all provinces of the country and may conduct hearings anywhere within the Republic.

Some of the decisions that can be appealed through the tribunal, include directives issued by a catchment management agency under section 19 (3) or 20 (4) (d) by the recipient; a claim by a catchment management agency for the recovery of costs by affected person; a decision to decline a water use licence application in terms of section 40 of NWA; a decision of a responsible authority on the verification of a water use under section 35 by a person affected; as well as against amendment of a condition of a licence by a responsible authority.

Appeals and applications to the Water Tribunal take the form of a rehearing, written or oral evidence and all parties are given opportunity to make their own representation, question or be questioned in terms Rule 7 of the Water Tribunal Rules.

The judgment is then sent to the office of the Registrar for publication on the Tribunal website.