



Partners for Water and Sanitation

Note on project reports

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Partners for Water and Sanitation

**Exploring the Potential for Regulation Support to the
Department of Water Affairs and Forestry (DWAF), South
Africa**

Submitted by:

**Catherine Wright, Anna Tombs, George Day, Milo Purcell,
Arwyn Jones and Amina Ismail**

1 April 2009

Contents amendment record

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1	First draft by A. Ismail	23 March 2009	<i>A. Ismail</i>
2	Revised with comments and inputs from A. Jones, C. Wright, G. Day, H. Jhupsee, M. Purcell and T. Sigwaza	1 April 2009	<i>A. Ismail</i>



PAWS partners were hosted by the Director-General and senior management in the Department of Water Affairs and Forestry during their visit. L to R: Mr. Silas Mbedzi (DWAFF), Ms. Amina Ismail (PAWS), Ms. Pam Yako (D-G, DWAFF), Ms. Catherine Wright (Environment Agency), Ms. Debra Mochotlhi (DWAFF), Ms. Thoko Sigwaza (DWAFF), Dr. Cornelius Ruiters (DWAFF), Mr. Milo Purcell (DWI), Ms. Anna Tombs (Environment Agency) and Ms. Samira Kenward (DEFRA)

Exploring the Potential for Regulation Support to the Department of Water Affairs and Forestry (DWAF), South Africa.

Executive Summary

A team of water regulators from the United Kingdom (UK) visited South Africa (SA) from the 23rd to the 26th of February 2009. Senior management from the UK Drinking Water Inspectorate, the UK Water Services Regulatory Authority, and Environment Agency of England and Wales held discussions with their counterparts in South Africa's national Department of Water Affairs and Forestry (DWAF). The visit was facilitated by the UK and SA-based Partners for Water and Sanitation (PAWS), and was funded by the UK Department of Food, Environment and Rural Affairs. The objective of the visit was to explore possible support by UK regulators to the SA water sector.

Work sessions were held to identify strategic support areas for economic, social, environmental and drinking water quality and enforcement of water regulations. The Director-General of DWAF, Ms. Pam Yako, requested inputs on overarching regulation matters such as the development of a long-term vision for regulation, the prioritisation of DWAF activities to address key issues, improving water services, and improving drinking water quality. Senior DWAF officials, in addition, highlighted specific areas for possible support:

- Reducing the licensing backlog;
- Improving drinking water quality and managing pollution from wastewater discharges in priority sectors, e.g. municipalities and acid mine drainage;
- Improving capacity and performance of municipalities, especially in the areas of security of supply, social access and reporting;
- Understanding legal obligations; and
- Building capacity in DWAF.

UK partners will convey the explicit request from DWAF requesting support from UK regulatory authorities, Ofwat, DWI and Environment Agency. In the short term, Mr. Milo Purcell (Deputy Chief Inspector at the Drinking Water Inspectorate) has accepted an invitation to participate in DWAF's conference on Drinking Water Quality planned for the 11th to the 13th of May 2009. UK regulators who participated in this visit agreed that they would provide inputs in their personal capacities to DWAF's "Ring binder" document that sets out an overarching approach, prioritisation and system for regulation. In the months following the visit, DWAF will work towards identifying distinct support areas for regulation support within the broader themes scoped during this visit. Specific terms will also describe modes of support, and capacity requirements will be negotiated by the UK and DWAF partners. Any long term bid for DEFRA funding will have to be submitted by the 1st of June 2009.

1. Introduction

Partners for Water and Sanitation (PAWS) is an innovative programme that links water companies, government departments and agencies, and non-government organisations in the United Kingdom (UK) with their counterparts in South Africa (SA), Ethiopia and Nigeria. PAWS mobilises the UK water sector to support developing countries' progress towards the Millennium goals for water and sanitation. Support is demand-driven with the host organisation defining the need and identifying points in its programmes for strategic intervention. Technical, management and legal expertise is offered by over 40 PAWS UK partners that release relevant staff to work with in-country teams within specific terms of reference. The PAWS secretariat secures funding for travelling and related expenses.

The UK Department of Food, Environment and Rural Affairs (DEFRA), the Environment Agency of England and Wales (EA), the UK Drinking Water Inspectorate (DWI) and the UK Water Services Regulatory Authority (Ofwat) are PAWS partners that recently responded to a request by the Department of Water Affairs and Forestry (DWAF) to investigate the potential to support water and sanitation regulation in South Africa. The DWAF has recently shed its responsibilities as implementer and is increasingly adopting its role as regulator of water resources, and water and sanitation services. This national department has also embarked on a restructuring process that will integrate its water resources and water services functions, which traditionally were managed separately. One of the objectives of the department is to establish a co-ordinated and consolidated approach to regulation and enforcement for the South African water sector as a whole.

The visit to South Africa took place from the 23rd to the 26th of February 2009 and was funded by the DEFRA Sustainable Development Dialogue Fund (SDDF). Ms. Samira Kenward, Policy Officer for the UK-SA Sustainable Development Dialogue in the DEFRA and Ms. Amina Ismail, Country Manager of PAWS SA facilitated the request to the DEFRA SDDF. The UK PAWS partners were represented by

- Mr. George Day, Director of Network Regulations at Ofwat;
- Mr. Milo Purcell, Deputy Chief Inspector at the Drinking Water Inspectorate;
- Ms. Catherine Wright, Head of Water Resources Regulation, Environment Agency;
- Ms. Anna Tombs, International Relations Project Manager, Environment Agency; and
- Mr. Arwyn Jones, Head of Enforcement, Environment Agency.

Ms. Tombs and Mr. Jones are supporting the South African Department of Environment and Tourism with strengthening its enforcement arm, the Green Scorpions. They had been in the country conducting workshops with DEAT officials the previous week, and it was opportune that they extend their visit to share lessons for enforcement with the DWAF Blue Scorpions, which will enforce water regulations.

This report describes the proceedings and the outcomes of the visit, and is presented in the following sections:

- Programme and General Outcomes;
- Identifying Specific Outcomes for Social, Economic, Environment and Drinking Water Quality Regulation, and for Enforcement; and
- The Way Forward

2. Programme and General Outcomes

The programme for the visit allowed for the exchange of relevant information between the UK and SA teams, and was designed to be as interactive as possible. DWAF hosted the workshop sessions at the Burghers Park Hotel in Pretoria for the first two days, and meetings were held with senior DWAF officials on the third day. Site visits were arranged on the fourth day to demonstrate the strengths and challenges of water services and water resources regulation in South Africa. The Director-General of DWAF, Ms. Pam Yako, also hosted a dinner for the UK delegation.

The week's programme is attached as Appendix A, and a breakdown of the activities and outcomes for each day is presented below. Lists of attendees for all days are attached as Appendix B.

2.1. Day 1

The visit opened with a welcome from Ms. Deborah Mochotlhi, Chief Director of Water Use. Senior DWAF officials then outlined the South African framework for water resources and water services regulation and enforcement. The Environment Agency also shared its experiences with enforcement of natural resource regulation measures, in England and Wales, and in South Africa.

Ms. Thoko Sigwaza, Director of Water Services Regulations, presented the penultimate draft DWAF water services regulation strategy. She highlighted DWAF's legal mandate as regulator, and described its complementary functions as supporter and enabler to institutions responsible for delivering and regulating water services. She also differentiated between responsibilities for water services and water resources regulation and provided details of key regulatory programmes in DWAF such as improving compliance to drinking water quality standards, extending the blue and green drop certification programme, and instituting a performance management system for regulators. The strategy focuses interventions within the categories of social, economic, environmental and drinking water regulation, and Ms. Sigwaza described DWAF's roles in each of these areas.

Mr. Silas Mbedzi, Chief Director, Institutional Oversight made the case for an integrated regulatory framework. Amongst the considerations are that South Africa has scarce water resources and a need to protect poor consumers. The DWAF is taking a pragmatic approach in its transition to integrated regulation by prioritising outputs, working within capacity constraints and aligning with good international practice. He presented the three options for transformation, which differ in terms of the rate at which catchment management agencies will be established and agency functions transferred. Each option will result in a particular set of implications for regulation. Mr. Mbedzi also pointed to a possibility for introducing a Director-General for Regulation in the DWAF.

Mr. Harish Jhupsee, on behalf of Mr. Nigel Adams (DWAF Deputy Director, Enforcement), provided a legal background to DWAF enforcement, discussed successes with particular enforcement initiatives in the department, and identified some potential areas for support from UK partners.

Section 27 of the Constitution of the Republic of South Africa Act 108 of 1996 mentions the right of every South African to have *access to sufficient water* is guaranteed, and the State must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right. The National Water Act 36 of 1998 (“NWA”) gives effect to these rights with regard to the water resource. In addition the NWA draws some of its mandate from section 24 of the Constitution.

In terms of the National Water Act 36 of 1998 (“NWA”), the National Government, acting through the Minister of Water Affairs and Forestry (“Minister”), is the public trustee of South Africa’s water resources, and must ensure that water is protected, used, developed, conserved, managed and controlled in a sustainable and equitable manner for the benefit of all persons.

The Minister must regulate all water use in South Africa in terms of the NWA. Central to the NWA and/or regulations promulgated in terms of the Act, is section 21 which defines and controls “*water use*”. The concept of “*water use*” encompasses the consumption of water as well as activities that may affect water quality and the condition of water resources. In terms of section 21 of the NWA “*water use*” is listed in this section. The Department has the option to either apply the law via an administrative process or engage a criminal process. It must be noted that these different routes are driven by different laws and Acts.

When a Directive is issued then the Department uses the Administrative process. This process must incorporate Promotion of Administrative Justice Act 3 of 2000. The non compliance of the issuance of the directive is also a criminal offence in terms of section 151 of the NWA. This process allows the Department as the responsible authority to rectify contraventions and recover costs from the person on whom the notice was served. The Department may also apply to the competent court for appropriate relief.

The Criminal process involves the Department applying section 151 of the NWA. However this involves an investigation in the offences listed in this section. During this process the Department must also interact with other stakeholders like the South African Police Services (SAPS) and the National Prosecuting Authority (NPA). Only when all the evidence that is relevant to the charges that the Department may wish to put to the offender, is gathered then will the offender be charged in court. This sometimes takes longer than normal. The reason can be varied; it could be because of complex investigation and or shortage of skilled staff. Nevertheless, this method of prosecution is sometimes preferred because it may yield better results than an administrative route. Usually in these matters the Department will be the compliant and the NPA makes the decision to prosecute or not based on evidence gathered.

The Department recent had its inaugural Blitz Week (24-28 November 2008). During this week various actions were taken against all transgressors ranging from issuing notices, directives and executing works. The Minister was present during the entire week on site and involved with the Blitz Week.

The successes of the week shows clearly that PARTNERSHIPS with other Government Departments and other Institutions are critical. The well worded statements supported by on site media briefings, made it easy for print and electronic media to engage with activities, as evidenced by the broad media coverage secured about the campaign. The Department’s Toll Free Call Center experienced a high volume of calls by complainants and received enquiries regarding compliance.

The Department would like to explore the possibility of attaching a monetary value to the unlawful use of our water resources and the social and economic affect this could have on the South African community. Discussions and support with regard to this option could help the Department in presenting to the judiciary the effects of unlawful water use based on a monetary, social and economic methodology. Further, the Department would also like to explore the possibility of training methods in the investigation of water related cases on an international basis (i.e. how to prepare a successful case in terms of water related offences to ensure successful prosecutions)

Mr Arwyn Jones, Head of National Enforcement Services for the Environment Agency then presented an outline of the work that had been undertaken with DEAT over the past 4 years.

The work had focussed on building capacity in enforcement skills for Environment Management Inspectors (EMI's) to enable them to more effectively implement the National Environmental Management Act (NEMA). The work had helped deliver a basic 2 week course that enables EMI's to be designated, provided some specialist courses on topics like forensics, and investigative interviewing, provided technical support on regulating the industry sectors of refineries and Ferro-Alloy, and had also worked with the judiciary in South Africa to raise awareness of the impacts of environmental crime.

The Current phase of the DEAT work is concentrating on providing technical support in relation to the cement and paper and pulp sectors, along with general assistance on prioritisation processes to allow better targeting of regulatory resources.

The approach in the work has always been based upon sharing learning and techniques that the Environment Agency has applied in its work, and working with colleagues in South Africa to help them tailor those to meet the specific needs they face.

2.2. Day 2

Interactive presentations were made by members of the UK team on the second day. Priority areas for support were then discussed in detail with DWAF officials.

Mr. George Day presented the purposes of economic regulation, which broadly are assumed to regulate water service entities to provide consumers with economic and efficient water services, and protect consumers, in the absence of market disciplines, in the key aspects of price, fairness and quality of service. It was noted that in the South African context, this conception of the role of 'economic' regulation also includes many of the issues which DWAF describes as 'social regulation'. In particular, it ensures that maximum value for money is extracted from subsidies and grants directed at 'pro-poor' service provision, and allows for long term financial and physical viability of service delivery in disadvantaged communities.

Catherine Wright gave a presentation on how the EA manages water. It covered the environmental issues for water; catchment planning; an approach to regulating discharges and abstractions; key issues for the water industry in England and Wales; and the future impact of climate change.

Discussion included the organisational design of the EA; contrasting approaches to demand management in South Africa and EA; compliance, monitoring and enforcement (UK risk-based approach vs 'zero tolerance' approach in South Africa). The issue of one government body regulating other government bodies was also discussed. Also discussed were ways to improve the time taken to issue permits.

Mr. Milo Purcell presented an update on current drinking water quality regulatory practice in the UK. This addressed the role and practices of the Drinking Water Inspectorate, and various issues of the day, including governance issues and the implementation of a risk-based approach to regulation as advocated by the World Health Organisation. In the wide-ranging discussions that followed, the significance of appropriate primary and secondary legislation in supporting a regulatory regime was noted, which in turn led to a useful discussion of options for regulatory action and the use of enforcement powers. Other matters discussed included provisions for the protection of public health and the maintenance of public confidence.

DWAF participants were requested to submit priority regulatory challenges to initiate discussion in the work groups. Challenges were categorised as those related to:

- Economic Regulation;
- Social Regulation;
- Environmental Regulation;
- Drinking Water Regulation;
- Enforcement; and
- General.

The two criteria that were applied for the prioritisation exercise were that:

1. It was critical that the challenge be addressed in the short term, i.e. within the next two or three years; and
2. DWAF would benefit from support from UK regulators to address the challenge.

It was found that there was a strong financial element in the social regulation component, and it was decided that the social and economic regulation concerns be considered together. Similarly, enforcement was closely related to environmental regulation and the two categories were combined. The priority challenges were unpacked with DWAF officials to identify possible areas for support. Mr. Day led the Economic and Social Regulation discussions, Ms. Wright and Ms. Tombs the focus group dealing with environmental regulation and enforcement, and Mr. Purcell consulted with DWAF on support related to drinking water quality. The results from the work sessions were captured on a mindmap (figure 1). The outcomes from the work sessions are discussed in section 2 of this report.

UK partners had the opportunity to engage with the Director-General, Ms. Pam Yako, at the end of Day 2. The visit from the UK regulators was prompted by a direct request from Ms. Yako to PAWS in October 2008, and she reaffirmed her support for DWAF collaboration with UK regulatory experts. Whilst the outcomes from the work sessions were acknowledged by the D-G as potential support areas, she requested partners' assistance with establishing an overarching system, approach and a prioritisation to direct regulation in the water sector. Ms. Yako highlighted the following priority areas:

- development of a long-term vision for regulation
- prioritisation of DWAF activities on key issues
- improving drinking water quality
- improving water services

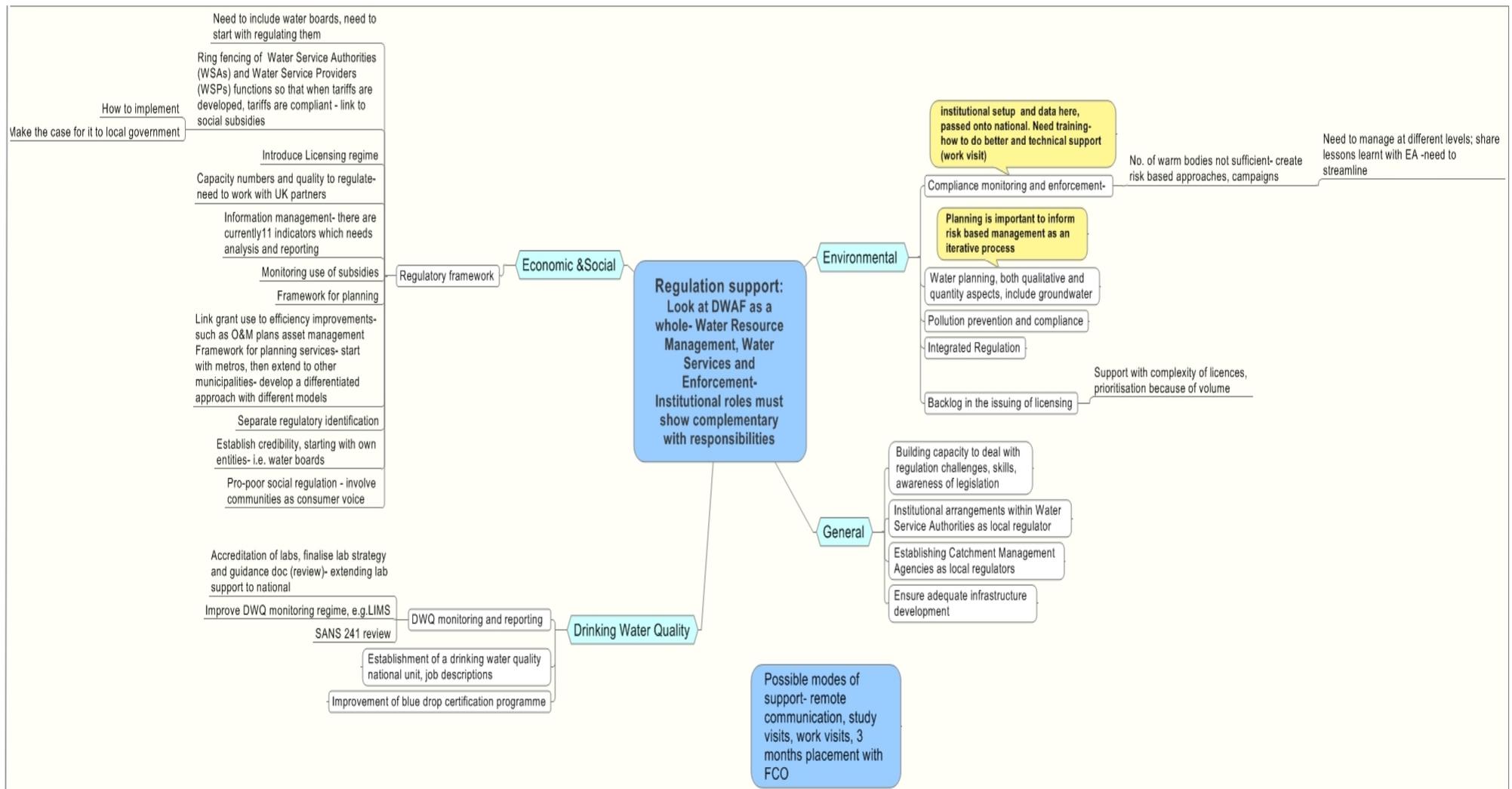


Figure 1: Possible areas of support to DWAF from UK regulators

2.3. Day 3

The work sessions generated numerous potential areas for regulatory support. On Day 3, DWAF senior management met with the UK team to narrow down the list. The following five areas were identified as initial priorities for regulatory support:

- Reducing licensing backlog;
- Improving drinking water quality and managing pollution from wastewater discharges in priority sectors, e.g. municipalities and acid mine drainage;
- Improving capacity and performance of municipalities, especially in the areas of security of supply, social access and reporting;
- Understanding legal obligations; and
- Building capacity in DWAF.

These priorities will be discussed further amongst DWAF officials following the visit.

It was also established that DWAF had drafted an overarching system, approach and prioritisation to regulation (referred to as “The Ring Binder”). UK partners who participated in this first visit could provide comments to the document as a means of providing support in areas requested by the D-G.

A report back session was also held with the DEFRA official, Ms. Samira Kenward, to discuss the outcomes for the week, the possible ways forward, and requirements for formal reporting to the DEFRA SSDF. It was agreed that the visit report submitted to PAWS would also be sent to DEFRA by the 1st of April 2009. If there was a request for funding long term support to DWAF exceeding £30 000 this would have to be forwarded to DEFRA by the 1st of June 2009.

2.4. Day 4

Site visits were arranged by DWAF to demonstrate the regulatory challenges discussed earlier in the week. The Rietvlei Water Works and the Roodeplaat Dam were visited.

At Rietvlei, the water source is polluted by discharges from uncontrolled sources in the catchment. Staff not only focused on treatment solutions, but also sought to influence catchment activities that contributed to deterioration in quality of the raw water source. However, this approach was not applied in a systematic way, but opportunistically by dedicated individuals who in turn depended on third parties to facilitate responsible behaviour.

Water hyacinth is a major problem in the Roodeplaat Dam as a result of the elevated levels of phosphates and nitrates in the water body. Again, possibilities for upstream interventions were discussed, such as improved control of wastewater discharges to the water body and the potential for restrictions on phosphates in detergents. The team was also introduced to the DWAF training and research facilities at the Hydrological Research Institute at Roodeplaat.

3. Outputs from Work sessions: Identifying Potential Support Areas

3.1. Environmental Regulation and Enforcement

Discussions with DWAF identified the following priorities for further support:

- Integration of regulatory approaches
- Prioritisation and targeting of regulatory activity
- Streamlining the licensing process
- Fair allocation of available water

The work of DWAF on their new strategy offers significant opportunities to integrate their functions. Better management of environmental controls in catchments will ultimately help deliver better drinking water quality.

Specific areas of work include:

- Water resources - providing advice for the development of a simple model to allocate water fairly to people, business and the environment
- Development of an integrated model for regulation of water including catchment management
- Permitting: permits were considered enforceable by DWAF but the backlog of permits, yet to be determined is hampering compliance. Support to look at ways to streamline the permitting process would help reduce backlog and provide better service to permit holders. (It should be noted that the EA has already been contacted by a consultant to DWAF to provide help)
- Compliance, monitoring and enforcement.
- Further support to introduce risk-based approaches to compliance monitoring and enforcement. There are currently significant differences in approach between EA and DWAF. The EA targets effort on basis of environmental risk whereas DWAF has a 'zero tolerance' approach. DWAF focuses on inspections, whereas EA uses a range of approaches to improve compliance, including working with industry sectors at Board level, publicity and education. EA also recommends that DWAF Blue Scorpions work with DEAT Green Scorpions as much of the training will be relevant. Some support to update materials to reflect water priorities may be helpful.
- Environmental advocacy. Use of indicators and evidence to report on environmental performance of sectors.
- Informal support sharing ideas on water resource planning demand management and security and quality of supply.
- In the longer term, it may be of help to support work to look at the impact of climate change on water availability in South Africa.

3.2. Social and Economic Regulation

. A very preliminary view of the water sector structure and regulatory framework indicates that:

- Economic regulation of water services, in the conventional sense, does not currently exist in South Africa. The implicit assumption, from a regulatory point of view, is that government control and delivery ensures that services are developed in a way that promotes social and economic welfare;

- The water sector is dominated by public sector provision and management of services (mainly local authorities and government owned water boards). In many respects, local government currently performs the functions that an economic regulator would otherwise carry out, particularly in relation to price setting;
- Water service provision to consumers is the constitutional responsibility of local government. The capacity and professionalism of the water service provision function is apparently widely variable ranging from a fairly highly developed capacity in metropolitan urban areas to less developed arrangements in smaller municipalities and disadvantaged areas.
- There is comparatively little use of 'incentives' to promote efficient and high quality service delivery. The water regulatory framework drawn up by DWAF appears to anticipate a largely 'compliance-based' approach, with monitoring and regulatory intervention by DWAF where there are compliance failures;
- The DWAF policy is that there should be a separation of the water service provision (WSP) role from the 'water service authority' (WSA). The intention appears to be that WSA's should commission water services on behalf of communities from WSP's, under contract, and agree the prices to be charged. It is not clear how far the WSA/WSP separation is a reality, if at all, in many areas. DWAF staff indicate that this separation has not been implemented in many areas. WSAs appear to be intended to have at least partially a regulatory function, in specifying the service package to be delivered to consumers, and to ensure that a fair price is charged.
- The regulatory arrangements to ensure that sound asset management is carried out lack clarity. It is not clear if WSAs have the capacity to ensure that this is carried out professionally to safeguard the long term viability of the assets underpinning water services. DBSA and other literature suggest that there are real problems in compliance at wastewater treatment works, and with leakage from distribution systems. There are severe issues in technical capacity to maintain assets; and
- The Water Boards do not appear to be subject to arms length regulation or review. In effect, DWAF as 'shareholder' fulfils the role of ensuring that the WB's broad strategy is in line with government objectives and that there is financial discipline. It is not clear if these bodies are subject to any form of performance regulation or benchmarking to ensure they deliver best value for their customers (generally local government, and ultimately water consumers). It is also not clear if there is a coherent policy on bulk water pricing, to ensure appropriate price signals about the value of raw water.

3.3. Drinking Water Quality

The discussion noted the regulatory provisions and priorities for drinking water quality management in South Africa that were proposed in the current draft (April 2008) of the DWAF report "National Water Services Regulation Strategy". The participants then distilled priority focus to the following issues, as potential areas where the PAWS initiative might contribute support in the short term.

- The drinking water quality compliance programme. Specific areas of challenge that might be suitable for collaboration included:
 - A review of the South African National Standards 241 Drinking Water Specification (SANS 241), and in particular, the issues for delivery through public sector Water Service Authorities;

- Guidance on requirements for a national drinking water quality monitoring and reporting regime, in particular, the need to prioritise support for analytical practice, especially Laboratory Information Management Systems (LIMS); this was considered essential to underpinning the integrity of the regulatory regime, monitoring and reporting on performance, and providing the evidential base for making decisions for investment;
 - Support on finalising a national strategy for analytical services, and the accreditation processes to service a laboratory network.
- Support in the strategic determination of capacity requirements in DWAF to put in place and oversee an appropriate drinking water quality regulatory regime for South Africa, as part of a broader capacity building exercise for water sector regulation.
 - Support in the development and delivery of the Blue Drop certification initiative.

3.4. General

Some general challenges that could benefit from support were:

- Building capacity to deal with regulation challenges, skills, awareness of legislation
- Institutional arrangements within Water Service Authorities as local regulator
- Establishing Catchment Management Agencies as local regulators
- Ensure adequate infrastructure development

These issues, however, were cross-cutting and featured in some form in the specific working group discussions.

4. Way Forward

The visit was valuable for initiating collaboration between DWAF senior management and senior regulators in the UK. Preliminary assessments were carried out to identify the regulation challenges faced by the South African regulator, DWAF. UK and SA parties agreed on broad areas for support.

In closing, the following was agreed between UK partners and DWAF senior management:

1. UK partners will convey the explicit request from DWAF requesting support to the UK regulatory authorities, Ofwat, DWI and the Environment Agency;
2. In the months running up to formulating specific terms of support, Mr. Purcell, Mr. Day, Ms. Tombs and Ms. Wright will provide remote assistance informally to DWAF;
3. In the short term, Mr. Purcell has accepted an invitation from DWAF to address and participate in the Drinking Water Quality Conference planned to take place in Port Elizabeth, South Africa from the 11th to the 13th of May 2009;
4. Comments to DWAF's overarching "Ring binder" document will be provided by the UK partners in their personal capacity, and not as a view of their respective organisations;
5. In the months following the UK partners' visit in February 2009, DWAF will work towards identifying distinct support areas for regulation support within the broader themes scoped during this visit. Specific terms will also describe modes of support and capacity requirements will be negotiated with UK partners, Ofwat, DWI and the Environment Agency, preferably in the period March to May 2009 if a long term bid for funding is to be submitted to DEFRA by 1 June 2009; and
6. The PAWS SA country manager will facilitate the preparation of a bid for any specific area of support successfully negotiated with a UK partner organisation and which will require long term DEFRA funding. Preparation of such a bid will have to commence early in May 2009 to allow submission by 1 June 2009.

Appendix A
Visit Programme

DRAFT PROGRAMME: DWAF REGULATION

South African (SA) Partners: Department of Water Affairs and Forestry (DWAF)

United Kingdom (UK) Partners: Environment Agency (EA), Drinking Water Inspectorate (DWI) and Water Services Regulation Authority (OFWAT)

DAY 1 : MONDAY, 23 FEBRUARY 2009 – BURGERSPARK HOTEL	
12h00	Introduction and Welcome <ul style="list-style-type: none"> • Introductions • Welcome • Overview of the Programme and Objectives of the Week
12h30	LUNCH
13h30	Presentation by DWAF: Regulatory Framework <ul style="list-style-type: none"> • SA Framework for Regulation and Current Implementation • Opportunities and Challenges for Regulation of Water Resources • Brief questions and clarifications
14h00	Presentation by DWAF: Water Services Regulation <ul style="list-style-type: none"> • SA Strategy for Water Services Regulation and Current Implementation • Opportunities and Challenges for Regulation of Water Services • Brief questions and clarifications 10min
14h30	Presentation by DWAF: Enforcement <ul style="list-style-type: none"> • DWAF enforcement of water regulations • Current implementation • Opportunities and challenges for enforcement of water regulations • Brief questions and clarifications 10min
15h00	TEA BREAK
15h20	Presentation by Mr. Arwyn Jones – Environment Agency Head of Enforcement <ul style="list-style-type: none"> • To outline enforcement challenges in UK and experiences with the SA Green Scorpions • To identify areas for potential support to DWAF enforcement – how we could extend work with DEAT enforcement • Questions and Discussions
16h00	Overview of Tuesday's programme and Close
DAY 2: TUESDAY, 24 FEBRUARY 2009 - BURGERSPARK HOTEL	
09h00-09h30	Identification of priority challenges and possible support areas, following previous day's discussions
9h30	Presentation by Ofwat Water Services Regulation Authority (Mr George Day) 30min <ul style="list-style-type: none"> • UK Framework for Water Services Regulation • OFWAT organisational structure and responsibilities • Complementary roles, interactions and co-operation with DWI and EA • Presentation of potential areas to support, including feedback from Parallel session on Economic Regulation from previous day • Questions and Discussions 10min
10h45	TEA BREAK
11h00	Presentation by Environment Agency (Ms Catherine Wright) 30min <ul style="list-style-type: none"> • UK Framework for Water Resources Management • EA Organisational structure and responsibilities, including policy development and enforcement • Complementary roles with DWI and OFWAT • Questions and Discussion 10min
12h30	LUNCH

13h15	Presentation by Drinking Water Inspectorate (Mr. Milo Purcell) 30min <ul style="list-style-type: none"> • UK Framework Water Quality Management • DWI organisational structure and responsibilities • Complementary roles, interactions and co-operation with OFWAT and EA • Questions and Discussion 10min
14h20	Working groups beginning to scope specific regulation support relevant to water services, water quality, water resources and enforcement: <ul style="list-style-type: none"> • Economic Regulation - facilitated by George Day • Water Resource Management and Enforcement – facilitated by Catherine Wright and Anna Tombs • Drinking Water Quality- facilitated by Milo Purcell
15h20	TEA
15h30	Report back from working groups
15h50	Overview of programme for Wednesday. Close
DAY 3: WEDNESDAY, 25 FEBRUARY 2009 - DWAF, WATERBRON 8TH FLOOR CONFERENCE ROOM	
10h00	Open session for one-on-one discussions between DWAF officials and international partners
12h30	Lunch
13h15	Report back on week's proceedings to DEFRA
14h50	Arrangements for site visit on Thursday and closure for Day 3
DAY 4: THURSDAY, 26 FEBRUARY 2009 – PICKUP POINT: WATERBRON, GROUND FLOOR	
09h00	Site visit. International delegation accompanied by Regulation Unit.

Appendix B
List of Attendees

ATTENDANCE REGISTER : DWAF REGULATION SESSIONS WITH PAWS UK PARTNERS 23rd TO 26th FEBRUARY 2009

								Attendance			
	NAME	POSITION	INSTIT	LANDLINE	CELL NO	EMAIL	FAX	D1	D2	D3	D4
1	Jenny Evans	Deputy Director	DWAF	012 336 8796	082 806 3857	evansj@dwaf.gov.za			x		
3	Thoko Sigwaza	Director	DWAF	012 336 6600	082 908 4375	sigwazat@dwaf.gov.za		x	x	x	x
4	Leonardo Manus	Deputy Director	DWAF	012 336 6583	082 802 1005	manusl@dwaf.gov.za	012 336 6679	x	x		x
5	Mariette Swart	DWQ	DWAF	012 336 6871	082 371 5826	mariettes@dwaf.gov.za	012 336 6679	x	x		
6	Deborah Machotlhi	Chief Director	DWAF	012 336 7238	083 629 2565	mochotlhid@dwaf.gov.za ; DOE@dwaf.gov.za		x	x	x	
7	Amina Ismail	Country Manager	PAWS	012 336 8070	082 452 9799	lsmaila@dwaf.gov.za	01 336 6690	x	x	x	x
8	Magarette Mogane	Admin Assistant	PAWS	012 336 8070	073 334 1924	lsmaila@dwaf.gov.za		x	x		x
9	Catherine Wright	Head: Water Resource Mangmt	EA		+44 77897 745143	catherine.wright@environment-agency.gov.uk		x	x	x	x
10	George Day	Director: Network Regulation	OFWAT	44 121 625 1300		george.day@ofwat.gsi.gov.uk			x	x	x
11	Anna Tombs	International Relations	EA	44 77 9633 6366		anna.tombs@environment-agency.gov.uk		x	x	x	x
12	Arwyn Jones	Head: Enforcement	EA					x			
13	Milo Purcell	Deputy Chief Inspector	DWI	44 20 7270 3162	+4414542 5748	Milo.purcell@defra.gsi.gov.uk	+44 20 7270 3177	x	x		
14	Humbulani Nevondo	Deputy Director	DWAF	012 336 6689	082 874 5534	NevondoH@dwaf.gov.za	01 336 6673	x	x		x
15	Kavitha Kassie	Deputy Director	DWAF	012 336 6757	082 806 9717	vbi@dwag.gov.za	012 336 6679	x	x		
16	Johann van Aswegen		DWAF	012 336 7842	082 807 4198		013 932 2071	x	x	x	
17	M.M Komape	Director:	LIMP					x			
18	Edward Oupa Mohosi	Assistant Director CME	DWAF MPUM	013 759 7506	071 604 9709		013 759 7510	x	x	x	
19	Dumiso Mabharai	DWAF Comm Supp	DWAF	012 336 7142	079 268 2942	dumiso@boloko.co.za		x	x		
20	G. Constantinides	PSP BULK	DWAF	011 450 2670	082 322 5164	gcon@mweb.co.za			x		
21	Helgard Muller	Chief Director:WS	DWAF	012 336 6567	082 807 4332	helgard@dwaf.gov.za			x		
22	Eustathia Bofilatos	Director: WMIG	DWAF	012 336 7562	082 883 7871	bofilatose@dwaf.gov.za		x	x		
23	Bongani Msimang	Strategy Support	DWAF	083 294 1678	083 294 1678	bongsm@iafrica.com	086 528 7580	x	x		
24	Jay Bhagwan		WRC		083 290 7232	jayb@wrc.org.za		x			
25	Bheka Zondi	Deputy Director	DWAF	012 336 8817	820877022	ZondiB@dwaf.gov.za			x		
26	Silas Mbedzi	Chief Director	DWAF	012 336 8752	082 888 3697	silasmbedzi@dwaf.gov.za ; XOA@dwaf.gov.za	012 336 7188				