

NATIONAL ASSEMBLY QUESTION 1872

Mr S C Motau(DA) to ask the Minister of Energy:

- 1) Whether liability falls with her department in the event of a nuclear disaster; if not, (a) why not and (b) with whom does liability fall; if so, what (i) does such liability acceptance entail and (ii) are the further relevant details;
- 2) Whether her department will take any steps if nobody accepts liability; if not, why not; if so, what steps? NW2110E

REPLY

- 1) No, liability for nuclear damage is covered by the National Nuclear Regulator Act, No.47 of 1999. Chapter 4 of the Act addresses:
 - Financial security by holder of nuclear installation licence;
 - Strict liability of holder of nuclear installation licence for nuclear damage;
 - Special provisions for liability for nuclear damage caused by vessels;
 - Liability of holder of certificate of registration for nuclear damage;
 - Claims for compensation in excess of maximum liability; and
 - Prescription of actions;
- 2) Holders of a nuclear installation license, certificate of registration and a nuclear vessel licence are strictly liable as per section 30(1) of the NNR Act. In terms of Section 52 of the NNR Act, refusal to accept strict liability is an offence and therefore punishable by law.