



MINISTRY OF ENERGY  
REPUBLIC OF SOUTH AFRICA

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**Memorandum from the Parliamentary Office**

**1701. Mr. G Mackay (DA) to ask the Minister of Energy:**

Whether she will furnish Mr. G Mackay with copies of the (a) proposal for the roll-out of new nuclear power plants as signed off by her, (b) Integrated Nuclear Infrastructure Review by the International Atomic Energy Agency, (c) terms of reference for the National Nuclear Energy Executive Coordinating Committee (NNEECC), (d) communication and stakeholder engagement strategy of the NNEECC, (e) phased decision-making approach of the NNEECC for implementing Government's nuclear programme, (f) designation of Eskom as the owner and operator of nuclear power plants in South Africa, (g) 2004 Bilateral International Agreement with the Russian Federation and (h) May 2013 agreement signed between South Africa and Russia during the BRICS Summit meeting held in Durban; if not, why not, in each case; if so, in each case, by when?

**NW1947E**

**Reply**

The documents requested herein are the very same documents requested by Earthlife Africa and the Southern African Faith Communities' Environmental Institute, the Applicants in a review application presently being opposed by the Minister of Energy and the President of the Republic of South Africa. This matter is the subject of ongoing litigation in the Western Cape Division of the High Court and thus *subs judice*. The Minister of Energy accordingly cannot comment directly on the documents requested. It is placed on record that the Applicants are clearly trying to litigate its case on platforms other than a court. It should be noted that it cannot be expected of any responsible

government to release sensitive Cabinet records and communication between two sovereign states in such a manner.

**With regards to the other documents the response is as follows:**

- (a) No. The document requested is privileged as it is a sensitive state document of government and the release thereof could compromise the new build process.
- (b) No. The document requested is privileged as it is a sensitive state document of government which relates to an interaction between a sovereign state and an international body or agency on an international level and on the level of international law.
- (c) No. The document requested is privileged as it is a sensitive state document of government and the release thereof could compromise the new build process.
- (d) No. The document requested is privileged as it is a sensitive state document of government and the release thereof could compromise the new build process.
- (e) No. The document requested is privileged as it is a sensitive state document of government and the release thereof could compromise the new build process.
- (f) No. The document requested is privileged as it is a sensitive state document of government and the release thereof could compromise the new build process.
- (g) The 2004 Bilateral International Agreement with the Russian Federation is in the public domain and may be availed. The requestor will be provided with a copy of this Agreement from the Department of Energy.
- (h) The agreement between South Africa and Russia was signed in March 2013 (not May 2013) during the BRICS Summit meeting held in Durban. The agreement is also in the public domain and may be availed. The requestor will be provided with a copy of this Agreement from the Department of Energy.