



**MINERAL RESOURCES AND ENERGY
REPUBLIC OF SOUTH AFRICA**

**REMARKS BY THE HONOURABLE
DEPUTY MINISTER OF MINERAL RESOURCES AND ENERGY
DR NOBUHLE NKABANE (MP)**

**NATIONAL NUCLEAR REGULATOR AMENDMENT BILL
PARLIAMENT, CAPE TOWN**

26 MARCH 2024

House Chairperson,

Chairperson of the Portfolio Committee of Mineral Resources and Energy,
Mr Sahlulele Luzipho

Honourable Members

25 years ago, government passed the ***National Nuclear Regulator Act (NNR Act)*** to provide for a national regulatory framework for the protection of persons, property and the environment against nuclear damage and establish the National Nuclear Regulator (***the Regulator***) to regulate nuclear activities.

Thanks to these regulatory reforms that South Africa remains a trusted member of the world renowned ***International Atomic Energy Agency (IAEA)***, and fully participates in all its conventions, hence our nation has been able to safely operate ***SAFARI 1*** research reactor for more than 58 years and the ***Koeberg nuclear power plant*** for 40 years, with a plan to extend its lifespan by a further 20 years.

Notwithstanding this success story, the following developments in nuclear safety international best practices coupled by various domestic challenges have required changes to be introduced in the Act:

- The emergence of revised international regulatory best practices from the ***IAEA*** that require alignment in the NNR Act.
- The Regulator not being empowered to regulate the provision of financial security for safe rehabilitation and nuclear decommissioning activities.

- Lack of alternative penalty provisions, apart from criminal prosecution, to encourage better compliance with the NNR Act.

To ensure that the Regulator performs its' functions efficiently and effectively and to guarantee South Africa's compliance with international obligations, the **6th administration** sought to amend the Act by introducing the **National Nuclear Regulator Amendment Bill (the NNR Bill)**.

The Department of Mineral Resources and Energy (DMRE) effected the required **amendments to the NNR Act** to:

- Align the Act with current international regulatory best practices and strengthen the nuclear safety regulatory framework.
- Expand the scope of the Regulator's powers to perform additional regulatory functions.
- Introduce provisions for financial provision for costs associated with safe rehabilitation of land and decommissioning of nuclear facilities.
- Introduce provisions for administrative fines to be issued for non-compliances with the Act.

We are pleased that in effecting these amendments, we kept to the **Batho Pele Principles**, hence the Bill went through rigorous **consultations with the people** of South Africa through various processes, including **periods for public comments** initiated by the DMRE and **oral public hearings** led by Parliament.

As we table the **NNR Bill** for consideration and adoption by this august house, we are in **support of the proposal** that the **Portfolio Committee of Parliament** exercise the power of **shortlisting NNR board candidates** and **retaining the Ministerial powers of appointing board members** as recommended or shortlisted by the Portfolio Committee.

We are of a firm view that the ***strengthening of the regulatory framework for nuclear safety*** will greatly contribute towards ensuring the protection of persons, property, and the environment against harmful effects of radiation and nuclear damage. It is in this context that we are particularly encouraged by the ***support for the amendments*** to the NNR Bill by the citizens of this country.

I thank you.