



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

COMMITTEES SECTION
Portfolio Committee on Energy
P.O. Box 15 Cape Town 8000 RSA
Tel: 27 (21) 403 3662
Fax: 086 5055 618
Cell: 083 709 8470
Email: akotze@parliament.gov.za

13 August 2015

Ms A Andrews

Legal Resource Centre

3rd Floor Greenmarket Place

54 Shortmarket Street

Cape Town

8001

Per e-mail: angela@lrc.org.za

Dear Ms Andrews

RE: INTERNATIONAL NUCLEAR AGREEMENTS (Your ref.: AA)

Your correspondence dated 9 July 2015, with regard to the “Intergovernmental Agreements regarding Nuclear Co-operation” refers.

As indicated in your letter, on 11 June 2015, the Minister of Energy tabled in Parliament five international agreements in terms of section 231(3) of the Constitution of the Republic of South Africa, 1996. The agreements were formally referred to the Portfolio Committee on Energy on 5 August 2015.

I believe that you have corresponded with Adv F Jenkins, Senior Parliamentary Legal Adviser, regarding the question whether these agreements have become binding. In terms of section 231(3) of the Constitution, such agreements become binding without the approval of Parliament, but must be tabled within a reasonable time. As you are aware, the agreements have been tabled. Be that as it may, the Committee will meet in due course to decide on the manner and date to facilitate

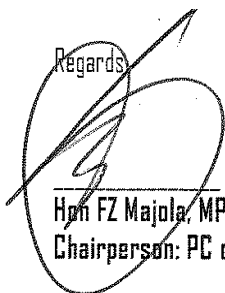
public involvement in the process before the Committee. You will be advised of this decision.

With regard to the legal opinions from the Office of the Chief State Law Advisor on whether the agreements fall under subsections 231(2) or 231(3) of the Constitution, it is advised that the necessary information be obtained from the said office. Their contact details are as follows: Office of the Chief State Law Adviser, Atterbury House, 9 Riebeeck Street, Cape Town 8000 South Africa Tel: +27 (0)21 441-4900 Fax: +27(0)21 441-7923 E-mail: OCSLA@justice.gov.za

On the advertorial in the SA Airways magazine published in July 2015, the said agenda item is not on the Portfolio Committee on Energy's meetings programme. I advise that the Legal Resource Centre monitor the Z-list, which is the National Assembly and National Council of Provinces: Meetings of Committees. This information is available on the Parliamentary website.

Please do not hesitate to contact the Committee Secretary. Mr Arico Kotze at (021) 403 3662 (T), 0865055618 (Fax), 0837098470 (Cell) or via e-mail at akotze@parliament.gov.za.

Yours sincerely

Regards

Hon FZ Majola, MP
Chairperson: PC on Energy