

GOVERNMENT NOTICES

DEPARTMENT OF ENERGY

No. 963

9 October 2009

NATIONAL RADIOACTIVE WASTE DISPOSAL INSTITUTE ACT, 2008 (ACT NO. 53 OF 2008)**NOTICE IN TERMS OF SECTION 7(8) OF THE NATIONAL RADIOACTIVE WASTE DISPOSAL INSTITUTE ACT, 2008 (ACT NO. 53 OF 2008), TO INVITE NOMINATIONS TO THE BOARD OF THE NATIONAL RADIOACTIVE WASTE DISPOSAL INSTITUTE**

Under section 7(8), read with section 7(2) (e) of the National Radioactive Waste Disposal Institute, 2008 (Act No. 53 of 2008), I D Peters, Minister of Energy, hereby invite interested parties to submit nominations of suitably qualified persons as candidates for the positions on the board of the National Radioactive Waste Disposal Institute. The Directors will hold office for a three-year period.

Candidates nominated must be South African citizens who are not disqualified in terms of section 8 of the National Radioactive Waste Disposal Institute.

The functions of the National Radioactive Waste Disposal Institute are outlined in section 5 of the Act.

Each nomination must be accompanied by curriculum vitae and submitted within 30 days of the date of this notice to: The Director-General, Department Energy, Private Bag X59, Pretoria, 0001, for attention Ms D Kgomo, Acting Chief Director Nuclear. Fax: (012) 679 9550 Email: Ditebogo.kgomo@dme.gov.za. Further enquiries can be directed to the Acting Chief Director Nuclear, telephone (012) 679 9086.

D PETERS
MINISTER OF ENERGY

SUMMARY

SUBJECT: Appointment of the board of directors of the National Radioactive Waste Disposal Institute.

1. BASIC ISSUES INVOLVED

The main functions of the National Radioactive Waste Disposal Institute are, amongst others, to design and implement disposal solutions for all classes of radioactive waste ; develop radioactive waste acceptance and disposal criteria in compliance with applicable regulatory health safety environmental requirements; assess and inspect the acceptability of radioactive waste for disposal and issue radioactive waste disposal certificates; and manage, operate, and monitor operational radioactive waste disposal facilities. The Disposal Institute is governed and controlled, in accordance with the National Radioactive Waste Disposal Institute Act, Act no: 53 of 2008, by a Board of Directors. The Board must ensure that the functions of the Institute are carried out and exercise general control over the performance of the Institute's functions.

The legislation will be operationalised during 2009 and it is necessary for the Board to be appointed.

2. RECOMMENDATIONS

It is recommended that the Minister approve: (1) the submission and proposed process for the appointment of the Disposal Institute Board (**Annexure B**); (2) the publication for the call on nomination of the Directors on the Board (**Annexure C**); and (3) sign the letters to the Minister of Water and Environmental Affairs (**Annexure D**) and the Minister of Health (**Annexure E**).

3. LEVEL OF URGENCY

Very High

(E/2/5/9/3)

MINISTER**SUBJECT: Appointment of the board of directors of the National Radioactive Waste Disposal Institute.****1. PURPOSE**

To request approval to start the process to appoint the Board of Directors of the National Radioactive Waste Disposal Institute.

2. BACKGROUND AND MOTIVATION

2.1 National Radioactive Waste Disposal Institute is the national competent authority established in terms of the National Radioactive Waste Disposal Institute Act (Act No 53 of 2008) (**Annexure A**).

2.2 The main functions of the National Radioactive Waste Disposal Institute are, amongst others, to design and implement disposal solutions for all classes of radioactive waste ; develop radioactive waste acceptance and disposal criteria in compliance with applicable regulatory health safety environmental requirements; assess and inspect the acceptability of radioactive waste for disposal and issue radioactive waste disposal certificates; manage, operate, and monitor operational radioactive waste disposal facilities; and to manage and monitor closed radioactive waste disposal facilities.

2.3 The Minister's Budget Vote speech delivered on 23 June 2009 highlighted the commitment to establish National Radioactive Waste Disposal Institute during this year. This initiative is geared at addressing issues of radioactive waste management.

2.4 In terms of Section 7 of the Disposal Institute Act, the board must consist of the following directors appointed by the Minister:

- i. an official of the Department of Minerals and Energy;
- ii. an official nominated by the Department of Environmental Affairs and Tourism;
- iii. an official nominated by the Department of Water Affairs and Forestry;
- iv. an official from the Department of Health;
- v. not more than five other directors;
- vi. the chief executive officer; and

vii. the Chief Financial Officer

2.5 The term of office of most of the board members is three years and directors may be reappointed upon expiry of the term of office. A director of the Board may not serve more than 2 consecutive terms.

2.6 In terms of section 7(8) of the Disposal Institute Act, the Minister must,:

- i. through the media and by notice in the gazette invite nominations of suitable persons from members of the public as candidates for the relevant position on the board,
- ii. appoint a panel to compile a short list of not more than 15 candidates from the persons so nominated;

2.7 Since the proclamation of the new government Departments, the Disposal Institute Act will have to be amended to reflect these changes, especially in section 7(2). However, no problems or challenges are foreseen regarding proceeding with the appointment of the Board according to the Act as is.

2.8 The proposed process for constituting the board of the Disposal Institute for the period 2009 – 2012 has been prepared (**Annexure B**).

2.9 The call for the nominations of persons as candidates for the relevant positions on the board has been prepared (**Annexure C**).

2.10 A letter to the Minister of Water and Environment Affairs, requesting the nominations of the representatives of the Departments of Water Affairs and Environmental Affairs, has been drafted (**Annexure D**).

2.11 A letter to the Minister of Health, requesting the nomination of the representative of the Department of Health, has been drafted (**Annexure E**).

3. COMMUNICATION WITH OTHER DEPARTMENTS/ORGANISATIONS None

4. STAFFING IMPLICATIONS None

5. FINANCIAL IMPLICATIONS

Costs of advertisements, transport and accommodation of panellists and other incidentals arising in the board appointment process would be covered by Directorate Nuclear Safety.

Allocations: Fund- Voted Funds, Objective- Nuclear, Responsibility- Nuclear Safety, Item: Advert Recruitment


6. SECURITY IMPLICATIONS None

7. RECOMMENDATION

It is recommended that the Minister approve (1) the submission and proposed process for the appointment of the Disposal Institute Board (**Annexure B**); (2) the publication for the call on nomination of the Directors on the Board (**Annexure C**); and (3) sign the letters to the Minister of Water and Environmental Affairs (**Annexure D**) and the Minister of Health (**Annexure E**).


Recommended

Not recommended


N MAGUBANE
ACTING DIRECTOR-GENERAL
DATE: 7/09/09

N MAGUBANE
ACTING DIRECTOR-GENERAL
DATE:

Recommendation 7 approved


Ms D PETERS, MP
MINISTER
DATE: 12/09/09

Comments/amendments -----

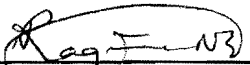
Recommendation 7.... not approved

Ms D PETERS, MP
MINISTER
DATE:

Comments/amendments-----


7. RECOMMENDATION

It is recommended that the Minister approve: (1) the submission and proposed process for the appointment of the Disposal Institute Board (**Annexure B**); (2) the publication for the call on nomination of the Directors on the Board (**Annexure C**); and (3) sign the letters to the Minister of Water and Environmental Affairs (**Annexure D**) and the Minister of Health (**Annexure E**).




E RAGIMANA
CHIEF FINANCIAL OFFICER
DATE: 27/07/09

Recommendation 7 ... supported / not-supported ...



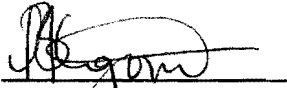
N MAGUBANE
DEPUTY DIRECTOR-GENERAL: ELECTRICITY AND NUCLEAR
DATE: 27/05/09

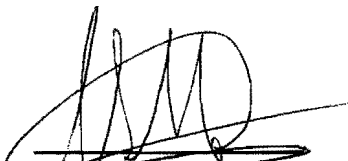


T ZUNGU
DEPUTY DIRECTOR-GENERAL: COPORATE SERVICES
DATE: 06/08/2009

7. RECOMMENDATION

It is recommended that the Minister approve: (1) the submission and proposed process for the appointment of the Disposal Institute Board (**Annexure B**); (2) the publication for the call on nomination of the Directors on the Board (**Annexure C**); and (3) sign the letters to the Minister of Water and Environmental Affairs (**Annexure D**) and the Minister of Health (**Annexure E**).

**D KGOMO****DIRECTOR: NUCLEAR SAFETY****DATE: 22/05/2009****D KGOMO****DIRECTOR: NUCLEAR SAFETY****DATE: 22/05/2009**

P ALBERTS**DIRECTOR: LEGAL SERVICES****F NDOU****DIRECTOR: LEGAL COMPLIANCE AND GOVERNANCE****DATE: July 10, 2009****J KATENGA****CHIEF COMPLIANCE OFFICER****DATE: 22/7/2009**