

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

## THE PRESIDENCY

NO. 4274

26 January 2024

## Government Notice

NO  2024**DETERMINATION UNDER SECTION 34(1) OF THE ELECTRICITY REGULATION ACT, 2006 (ACT NO.4 OF 2006)**

1. **WHEREAS** I was appointed Minister of Electricity on 6 March 2023 and the administration of powers and functions under Section 34(1) and (2) of Act No.4 of 2006 was transferred to me under Proclamation 121 of 2023 published in *Government Gazette No.48662* of 26 May 2023;
2. **AND WHEREAS** the Minister of Mineral Resources and Energy had already submitted the Determination for concurrence to the National Energy Regulator of South Africa (NERSA) under Section 34(1) of Act No.4 of 2006 regarding a process to procure a new Nuclear Energy generation capacity through a draft *Government Notice*;
3. **AND WHEREAS** NERSA gave its concurrence on the Determination on 3 September 2021;
4. **NOW THEREFORE**, in terms of Section 34(1) of Act 4 of 2006, I hereby issue the said determination as attached herein.



**DR KGOSIENTSO RAMOKGOPA**  
**MINISTER OF ELECTRICITY**  
**22-JANUARY-2024**

**GOVERNMENT NOTICES****DEPARTMENT OF MINERAL RESOURCES AND ENERGY****DETERMINATION UNDER SECTION 34(1) OF THE ELECTRICITY REGULATION ACT, 2006 (ACT NO. 4 OF 2006)**

The Minister, in consultation with the National Energy Regulator of South Africa ("NERSA"), acting under section 34(1) of the Electricity Regulation Act, 2006 (Act No. 4 of 2006) (as amended) (the ERA) has determined as follows:


1. To commence the process to procure the new nuclear energy generation capacity of 2 500 MW as per decision 8 of the Integrated Resource Plan for Electricity 2019 - 2030 (published as GN 1360 of 18 October 2019 in *Government Gazette* No. 42784) ("IRP 2019");
2. The generator of this electricity produced will be either Eskom Holdings (SOC) Limited, or any other organ of state, or in partnership with any other juristic person.
3. The buyer of the electricity will be Eskom Holdings (SOC) Limited or any entity determined through the Eskom's unbundling process as the future buyer of electricity.
4. The procurer of the nuclear new build programme will be the Department of Mineral Resources and Energy, or any other organ of state, or in partnership with any other juristic person.
5. The procurer designated above will be responsible for determining the procurement process which will be established through a tendering procedure which is fair, equitable, transparent, competitive and cost effective.



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## DETERMINATION UNDER SECTION 34(1) OF THE ELECTRICITY REGULATION ACT, 2008 (ACT NO. 4 OF 2008)

Concurrence to this Determination  
given by the National Energy Regulator  
of South Africa on the below mentioned  
date:

Signed: 

MR JACOB-MOKOISE T K SIBANDA

CHAIRPERSON: NERSA

DATE: 03/09/2021

Determination made by the Minister of  
Energy on the below mentioned date:

Signed: 

MR GWEDE MANTASHE, MP

MINISTER: MINERAL RESOURCES  
AND ENERGY

DATE: 10-03-2020