



**mineral resources  
& energy**

Department:  
Mineral Resources and Energy  
REPUBLIC OF SOUTH AFRICA

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**Ms. Liz McDaid**

Project Manager: Energy Governance  
Organization Undoing Tax Abuse  
O'Keeffe & Swartz Building  
318 Oak Avenue  
Randburg  
Gauteng

Dear Ms. McDaid,

**RE: CIVIL SOCIETY REPRESENTATION ON THE BOARD OF THE NNR**

The aforementioned matter, and your correspondence thereon, dated 23 September 2020, have reference.

Having perused the contents of the aforementioned correspondence, I hereby wish to respond as follows, in respect of each paragraph:-

- a) Ad paragraph 1 – 5: the contents of this paragraph are noted;
- b) Ad paragraph 6(a) – 6(d): the contents of this paragraph are noted;
- c) Ad paragraph 7.1: the impending vacancies were published in the Government Gazette and in relevant newspaper publications during August 2019;

- d) Ad paragraph 7.2: the identity of the panel remains confidential in terms of the Protection of Personal Information Act, 4 of 2013;
- e) Ad paragraph 7.3: Section 7(7)(b) of the NNR Act essentially stipulates that the panel “may” be comprised of representatives of relevant Parliamentary Committees. This therefore, implies an element of discretion in the composition of the panel, and is not necessarily prescriptive;
- f) Ad paragraph 7.4: The term of the previous Board came to an end on 6 December 2019;
- g) Ad paragraph 7.5: The process aimed at securing the appointment of the representatives of Organized Business and Civil Society is currently underway. The Minister has initiated a comprehensive consultative process with the National Economic Development and Labour Council (“**NEDLAC**”) and South African National Civic Organization (“**SANCO**”) aimed at identifying suitable candidates to be considered for appointment. Upon conclusion of this process, the identified individuals will be considered by Cabinet prior to their appointment being effective, and their identities being made public.

I assure you that all processes implemented in the identification and appointment of the NNR Board members, culminating in the approval of Cabinet at its meeting of 5 August 2020 (*ie: Please see paragraph 8.9 of the Cabinet Statement*), have been completely legally compliant.

In the event that you require any further information and/or clarification kindly contact the Head of my office, Mr. Abednigo Hlungwani on [Abednigo.Hlungwani@dmre.gov.za](mailto:Abednigo.Hlungwani@dmre.gov.za).

Yours sincerely,



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**ADV. THABO MOKOENA**  
**DIRECTOR – GENERAL**  
**MINERAL RESOURCES AND ENERGY**  
DATE: 19/10/2020