**MEDIA STATEMENT

SCOPA RECEIVES LEGAL OPINION ON STATE SECURITY AGENCY VETTING MATTER**

**Parliament, Wednesday, 16 November 2022 –** The Standing Committee on Public Accounts (SCOPA) today received a legal opinion from the Parliamentary Legal Services on the refusal of the Minister and Deputy Minister in the Presidency responsible for the State Security Agency (SSA) to appear before the committee to provide an update on the vetting of officials working at Eskom.

The legal opinion confirms the committee’s position that SCOPA is empowered by law to request the update on the vetting of employees of state-owned enterprises (SOEs). To argue that such an update is part of “accountability to the Joint Standing Committee on Intelligence (JSCI)”, as the Minister is doing, and therefore that only the JSCI may hold the SSA to account, is a narrow interpretation of the Intelligence Services Oversight Act, 1994, that could lead to a situation that is inconsistent with the Constitution and the requirement for Parliament to maintain oversight of all organs of state.

In the past, SCOPA has received briefings on the matter of SSA vetting from previous Cabinet ministers in both the fifth and sixth parliaments. Former Minister Bongani Bongo briefed SCOPA in 2017 and former Minister Ayanda Dlodlo also briefed the committee in 2019 on this matter. The request for the briefing is informed by the 2014 Cabinet resolution that says executives and people in supply chain management must be vetted.

Based on the legal advice received, the committee has written again to the Minister in the Presidency to inform him of the legal opinion and to request him to appear before SCOPA on this matter on Wednesday, 30 November 2022. Should the Minister refuse to report to SCOPA, the committee will exercise its right to initiate the process to summon the Minister to provide the information requested.

**ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF SCOPA, MR MKHULEKO HLENGWA.**

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