

Report of the Portfolio Committee on Energy on its activities undertaken during the 6th Parliament (June 2019 – March 2024)

Overall work of the Committee during the 6th Administration: Key Highlights

1. Committee's focus areas during the Sixth Parliament

During the Sixth Parliament, the work of the Portfolio Committee on Mineral Resources and Energy (the Committee) was centred around implementation of Government policies, and the key policy recommendations espoused in the National Development Plan (NDP), amongst others. The Department of Mineral Resources and Energy (DMRE) is mandated to ensure transparent and efficient regulation of South Africa's mineral and energy resources, and the secure and sustainable provisions of energy in support of socio-economic development.

According to the NDP, the proportion of people with access to electricity should increase from 70 percent in 2010 to 95 percent by 2030, with non-grid options available for the rest. An additional 29 000 megawatts (MW) of electricity would be required by 2030. About 10 900 MW of existing capacity would need to be retired, implying new build of about 40 000 MW; and about 20 000 of this capacity should come from renewable sources. The NDP also advocates for a need for the country to transition into a low carbon economy, and it details how this could be achieved. From a petroleum perspective, the NDP directed that a decision be taken on whether a new refinery should be built, or the country continue importing fuel. Currently, over 90 percent of South Africa's fuel needs relies on imported fuel.

From a mineral resources' perspective, the NDP recognises the critical role of the mining sector towards the growth of investments, exports, gross domestic product (GDP) and job creation. Thus, the focus of the Committee for the mineral resources sector was tackling issues that presented risks to the successful performance of the mining industry as per the mandate of the Department. The Committee also focussed on the social contributions of the mining sector – be it positive or negative contributions and how the negative can be addressed.

In response to the above, the DMRE published the Integrated Resource Plan for Electricity in 2019 – in short IRP2019. According to the IRP2019, the new generation capacity to be commissioned between 2022 and 2030 consists of the following:

- ❖ 1 500 MW of coal.
- ❖ 2 500 MW of Hydro Power, mainly from the Grand Inga Hydro Power Project.
- ❖ 2 088 MW of storage.
- ❖ 6000 MW from Solar Photovoltaic.
- ❖ 14 400 from wind.
- ❖ 3000 MW of gas/diesel.
- ❖ 1 860 of Koeberg Power Plant – extension of the plant life design from 2024.
- ❖ 4000 MW embedded generation (own generation).

With regards to nuclear, decisions were taken in the IRP2019 that Koeberg power plant design life must be extended by another 20 years by undertaking the necessary technical and regulatory work. Further, that the country must commence preparations for a nuclear build programme of 2 500 MW at a pace and scale that the country can afford because it is a no-regret option in the long-term.

Moreover, some of the key policy proposals in the Plan are that the DMRE must develop a National Coal Policy and Investment Strategy, pass the Independent System and Market Operator Act, amend the National Energy Regulator Act (No. 40 of 2004) and the Electricity Regulation Act (No. 4 of 2006), in order to ensure a more efficient and predictable regulatory environment.

To ensure that the above NDP commitments are implemented, the Committee had a number of engagements with the DMRE and conducted several oversight visits to various communities during the sixth Administration.

1.1 Implementation of the Integrated Resource Plan (IRP2019) for Electricity

The Committee's focus over the five-year period was overseeing the implementation of the IRP2019. As soon as the IRP2019 was promulgated in 2019, the Committee requested the Minister of Mineral Resources and Energy (the Minister) to brief the Committee on the IRP2019. The briefing by the Minister was on 29 October 2019. From thereon, the Committee has been monitoring implementation of the IRP2019 through briefings by the Minister and the Department.

Key to the implementation of the IRP2019 is the Renewable Energy Independent Power Producers Procurement Programme (REIPPPP). This programme implements the renewable energy targets as per the IRP2019 energy mix proposals. The Minister issued Ministerial Determinations on these as per section 34 of the Electricity Regulation Act of 2006.

Through the Independent Power Producers (IPP) Office, during the period under review, a total of five thousand, nine hundred and thirty-nine megawatts (5 939 MW) from 46 IPPs was procured. As presented by the Minister at the Energy Indaba on 05 March 2024, *..of the 5 939 MW, One hundred, and fifty megawatts (150 MW) from Scatec Projects have been connected to the grid and supply the much-needed electricity. One thousand, five hundred and eighty-seven megawatts (1 587 MW) from 15 IPPs are currently under construction and expected to supply electricity to the grid from September 2024 onwards. One thousand, three hundred and sixty megawatts (1 360 MW) from 10 IPPs are preparing to reach commercial close. Two thousand, eight hundred and forty-two megawatts (2 842 MW) from 18 IPPs failed to reach commercial close for various reasons*".

The Sixth administration has further issued Requests for Proposals (RFPs) for the procurement of:

- ❖ Five thousand megawatts (5000 MW) under Bid Window 7 of the REIPPPP.
- ❖ Two thousand megawatts (2000 MW) under Bid Window 1 of Gas-to-Power.
- ❖ Six hundred, and fifteen megawatts (615 MW) under Bid Window 2 of Battery Energy Storage.

The Minister indicated that he further intended to issue RFPs for the procurement of a combined five thousand, six hundred and sixteen megawatts (5 616 MW) for Bid Window 8 of renewable energy and Bid Window 3 of battery storage by the end of the 2023/24 financial year. This capacity will add up to the seven thousand, three hundred and twenty-seven megawatts (7 327 MW) procured by the previous administrations since the launch of the IPP Programme.

It is important to note that the IRP, referred to as IRP23 is currently being reviewed and is undergoing public consultation process, the deadline of which is 23 March 2024.

1.2 Nuclear and Eskom

The Committee received briefings from the DMRE throughout the Sixth Administration on nuclear and the future of nuclear in line with the IRP2019 commitments. From the briefings, plans are afoot to extend the lifespan of the Koeberg Nuclear Power Station for the next 20 years. There are also plans to build new nuclear power plants.

The IRP2019 includes a capacity of 1,860MW in the year 2024, specifically allocated for the extension of the Koeberg design life by another 20 years by immediately undertaking the necessary technical and regulatory work. The committee has conducted robust oversight over the Koeberg Long Term Operation (LTO) project. The decision on the LTO is required in July 2024. At times, the Committee held joint meetings and oversight visits with the Portfolio Committee on Public Enterprises. Through these various forms of engagements, the Committee discovered various governance and labour issues taking place at the Koeberg Nuclear Power Station which have the potential to delay the LTO project. The Committee had intended to conduct a follow-up oversight visit in order to get to unpack the veracity of these challenges, however, due to the tight Committee programme the follow-up oversight visit did not take place.

Lastly, Decision 8 of the IRP2019 states that the country should commence with preparations of the process to procure the new nuclear energy generation capacity of 2 500MW at an affordable pace and modular scale that the country can afford because it is no regret option in the long term. Progress on this is that the Minister of Electricity, Kgosisentsho Ramokgopa gazetted a new determination launching the process to procure 2,500MW of nuclear energy for South Africa.

1.3 Just Energy Transition to a Low Carbon Economy

Chapter Five (5) of the NDP is about “*ensuring environmental sustainability and an equitable transition to a low-carbon economy*”. Much of the work of the Committee focused on this, as the mining and energy sectors are key in realising a low carbon economy. The renewable energy programme plays a key role in transitioning to a low carbon economy. Consequently, the Committee has held meetings with the Department on the Renewable Energy Independent Power Producers Procurement Programme. Additionally, the Committee was briefed by the Presidency on the Just Energy Transition Investment Plan of the country. These briefings resulted in the Committee conducting a study tour in the United Kingdom (UK) which focused on the energy transition debate and the petroleum industry, amongst other things.

1.4 Legislation

During the Sixth Administration, the Committee received five (5) pieces of legislation, namely, the Gas Amendment Bill [B9 – 2021], Upstream Petroleum Resources Development Bill [B13 – 2021], Nuclear Regulator Amendment Bill [B25 – 2023], and Electricity Regulation Amendment Bill [B23 – 2023] and the the Independent Electricity Management Operator Bill [B14 – 2019] (IEMO). All these Bills are critical in the energy sector, as they also address policy recommendations as contained in the NDP. However, the IEMO Bill, which was a Private Members Bill introduced by a Member of the Democratic Alliance (DA) was rejected by the Committee. It was argued that the Bill would interfere with the ongoing restructuring process of Eskom, and that the Bill contained many inconsistencies and contradictions, especially about the ownership of the company it will create. It was further argued that the Bill was inconsistent with government policy regarding state ownership of the transmission grid. It did not address the historical disadvantage faced by some communities and favoured Metropolitan municipalities.

On the **Gas Amendment Bill**, the Committee conducted nationwide public hearings from 13 November 2021 to 13 March 2022. However, just before the Committee could deliberate on the Bill, the Department withdrew the Bill from Parliament arguing that there were new developments in the sector. To date, the Bill has not been submitted again to Parliament.

With regards to the ***Upstream Petroleum Resources Development Bill***, the Committee conducted nationwide public hearings on the Bill from 17 February 2023 to 28 May 2023. The Committee engaged on the inputs from the public then on 20 September 2023, adopted its report on the Bill. The Bill was debated in the National Assembly (NA) on 26 October 2023. It was adopted by the NA, thereafter it was transmitted to the National Council of Provinces (NCOP) for concurrence. This Bill is critical as it enables investment in the upstream petroleum industry so that the country does not depend on imported liquid fuels.

The Committee completed nationwide public hearings on the ***Electricity Regulation Amendment Bill***. Public hearings started on 26 September 2023 and were finished on 29 January 2024. The Committee engaged on the inputs from the public and adopted its report on the Bill on 08 March 2024. Thereafter, the Bill will be debated in the NA and be transmitted to the NCOP for concurrence as it is a section 76 Bill.

The fourth Bill, the ***Nuclear Regulator Amendment Bill*** was advertised for public comments which were closed in October 2023. It was decided that this Bill would not be subjected to nationwide public hearings as it is not introducing major amendments, instead it ensures alignment of the Act to international best practices. The Committee adopted its report on the Bill on 08 March 2024. Thereafter, the Bill will be debated in the National Assembly.

A key legislation that has not been tabled to Parliament for amendment is the ***Mineral and Petroleum Resources Development Act (MPRDA)***. This Act has been subject to many litigation processes due to the various legislative gaps. As a result, the mining sector is confronted with significant policy uncertainty. The Committee has expressed the need for this Act to be amended and tabled to Parliament as a matter of urgency. However, this did not happen during the Sixth Administration.

More pieces of legislation should have been dealt with by the Committee during the current administration, but there were delays from the Department in tabling these Bills to Parliament. These pieces of legislation include Mine Health and Safety Act (1996), Radioactive Waste Management Fund Bill, Petroleum Products Act (1997) and the South African National Petroleum Company Bill.

1.5 Access to Electricity

As per the NDP aspirations to increase access to electricity from 70 percent in 2010 to 95 percent by 2030, the Committee over the current Administration deliberately focused on the implementation of the Integrated National Electrification Programme (INEP). The Committee is of the view that the Department is doing well in this programme, as year-on-year it exceeds its targets. The current electrification rate is reportedly above 87 percent, meaning the NDP target of 95 percent is well within reach. A future challenge is that the 95 percent of people with access to electricity will be confronted with the issue of loadshedding. However, based on the 2024 State of the Nation Address by the President, the issue of loadshedding will be resolved in the short to medium term. Further, one of the central aims of the Electricity Regulation Amendment Bill is to ensure that there are several players in the electricity generation space, to enable a greater supply of electricity.

1.6 Fuel Prices

The Committee held several engagements on fuel prices from 14 April 2021 to 25 March 2022. These engagements were necessitated by the exponential increase in fuel prices and the impact thereof on the economy, in particularly its impact on the cost of transport and its trickle-down effect on other costs such as the cost of food. The issue was then compounded by the crises of the Russia-Ukraine war, which threatened the security of fuel supply globally and the prices associated thereto. In these engagements, the Committee was interested in gathering information on measures to mitigate the increasing fuel prices.

In its engagements between 2021 and 2022, the Committee received briefings from various stakeholders, including the DMRE, Automobile Association of South Africa (AASA), National Treasury (NT), Council for Scientific and Industrial Research (CSIR), South African Petroleum Industry Association (SAPIA), South African Oil and Gas Alliance (SAOGA), Liquid Fuels Wholesalers Association (LFWA); South African Petroleum Retailers Association (SAPRA), and the Fuel Retailers Association (FRA). Consequently, a review of all the elements that form part of the Basic Fuel Price (BFP) was initiated and measures were introduced to mitigate the ever-increasing fuel prices in consultation with the NT. However, more work still needs to be done as the NT response was a temporary measure.

1.7 Illegal mining

The Committee has been seized with the issue of illegal mining, which formed part of the legacy issues flagged by the Portfolio Committee of the fifth Parliament as a key issue requiring ongoing monitoring. Furthermore, the DMRE had reported to the Committee that the nature of the illegal mining problem is evolving given the aggressive resistance faced by officials when trying to seal shafts that are used as entry points by illegal miners to access ore bearing material underground. Apart from the oversight visits, the Committee was briefed by various stakeholders on the issue of illegal mining. Government response on illegal mining during the Sixth Administration was commendable despite the challenges that still exist. A significant number of resources were directed at combating illegal mining and a number of the Committee recommendations contained in the Committee reports have been and are being implemented.

Further, the Department has developed and published the Artisanal and Small-Scale Mining (ASM) Policy. The objective of the ASM policy “*is to foster the creation of formalised artisanal and small-scale mining industry that can operate optimally in a sustainable manner...and for elimination of illegal ASM operations*”.¹ According to the DMRE, artisanal mining means “*traditional and customary mining operations using traditional and customary ways and means. This includes activities of individuals using mostly rudimentary mining methods, manual and rudimentary tools to access mineral ore, usually available on surface or at shallow depths*”.² On the other hand, small scale mining means “*prospecting activities or mining operation which does not employ specialised prospecting, mechanised mining technologies...does not involve an investment which exceed such amount as may be prescribed*”.³

1.8 National Solar Water Heater Programme

Since its inception in the 2009/10 financial year, the National Solar Water Heater Programme (NSWHP) has been confronted with several challenges. During the Sixth Administration, the Committee focused on ensuring that these challenges were addressed. As a result, apart from oversight visits, the Committee had several engagements with the Department.

To briefly contextualise the NSWHP, the Department procured 87 206 Baseline Systems from 12 local suppliers to be installed in 19 municipalities across South Africa as part of the National NSWHP. The DMRE NSWHP experienced significant delays in the early stages of implementation owing to several challenges in key activities of the programme such as the establishment of the appropriate institutional and implementation arrangements at municipalities. The delays in the installation resulted in storage costs incurred beyond the 120 days planned free storage by manufacturers of the solar water heaters (SWH). The Department moved 73 777 SWHs to municipalities and State-Owned Entities’ (SOE) facilities to curb the high storage costs. The DMRE, in a Committee meeting, stated that about 13 429 SWH systems are still withheld by suppliers demanding additional storage fees and DMRE was in a legal process to retrieve these without paying additional storage costs.

¹ Ibid

² Department of Mineral Resources and Energy, (2022).

³ Ibid.

Notwithstanding these challenges, the DMRE stated that installation had commenced and to date, 23 703 SWH systems had been installed out of over 38 921 that were earmarked for Phase 1. The Department had incurred fruitless and wasteful expenditure due to the storage of SWH by the suppliers beyond the 120 days designated as free storage in the SWH Supply Agreement with the manufacturers. The Department has instituted an investigation through National Treasury (NT) in this regard. The NT appointed KPMG to conduct a forensic investigation related to the fruitless and wasteful expenditure incurred by the Department as a result of delayed collection of manufactured SWH. KPMG has completed the forensic investigation on SWH storage costs. The Committee was yet to be briefed on the forensic report findings.

1.9 Oversight

Lily Mine: In 2020, the Committee conducted an oversight visit to Lily Mine in Mpumalanga, after three (3) employees (Yvonne Mnisi, Pretty Nkambule and Simon Nyerenda) that were inside a mine lamp room container were tragically trapped as the mine crown pillar or natural rock collapsed and caused the container to fall into an underground excavation. Their bodies were never recovered; therefore, an inquest was opened, and a judgment was delivered in October 2023. The court's finding was that the primary cause of the pillar collapse was illegal mining activities. On 17 October 2023, the Lily Mine Constitutional Court Judgment was also handed down. The court ruled that an amended Business Rescue Plan for the mine, which includes re-opening and enabling Lily Mine operations to resume, must be signed within 14 days of the judgment. The plan also includes digging up a new shaft in the unit in order to help retrieve the collapsed shaft and bodies of the 3 people who were presumed dead.

State Owned Entities: The Committee, during the Sixth Administration, conducted a number of oversight visits. When the Committee started in 2019, it visited all the entities of the DMRE, with the aim of establishing which entities needed more support. From the visits, it was clear that the Central Energy Fund Group of companies and the South African Nuclear Energy Corporation (NECSA) needed urgent support as NECSA and the subsidiary of CEF, PetroSA were on the verge of collapsing. Through the robust oversight by the Committee, NECSA has improved tremendously on its performance, from registering losses in the previous 5 years to making a profit during the 2022/23 financial year. Whilst there are improvements within the CEF Group, progress is not satisfactory. The Group failed to table its 2022/23 annual report as per legislative requirements.

National Solar Water Heater Programme: The Committee conducted oversight visits to assess implementation of the National Solar Water Heater Programme which is meant to address energy poverty. When the Committee started in 2019, there were a number of implementation challenges surrounding the programme.

Nuclear: Whilst there has been some improvement, challenges still persist. To ensure that there is progress on the extension of the lifespan of the Koeberg Nuclear Power Station, the Committee conducted joint oversight visits with the Portfolio Committee on Public Enterprises to the Koeberg Nuclear Power Station, including joint visits to Eskom Head Offices in 2023.

Illegal Mining: In 2022, the Committee conducted joint oversight visits with the Portfolio Committees on Police and Home Affairs on Illegal Mining. The Committee continued conducting oversight visits on illegal mining in 2023. This is one issue that has been topical and challenging in the mining sector during the Sixth Parliament.

Jagersfontein: On 11 September 2022, a tailings dam in the Jagersfontein mining area burst, causing a mudslide and flooding in several areas in the town of Jagersfontein. The Committee undertook the oversight visit on 16 September 2022. The Committee met with the Kopanong Local Municipality and Leadership of the Xhariep District. The Committee also met the affected communities and organised labour. What the Committee

observed was that there was confusion in terms of which Department had authority in the area where the incident had started. At face value, one would have thought the DMRE had the authority since tailings are a by-product of a mining process. However, the Committee learnt that the DMRE had no authority on the tailings dam, as the Free State High Court had ruled in favour of the then owner of the mine, De Beers, that the Mineral and Petroleum Resources Development Act (MPRDA) of 2002 did not empower the DMRE to regulate tailings. In its report, the Committee made recommendations and some of the recommendations were responded to by the responsible departments, such as the Department of Water and Sanitation.

1.10 Study Tour

In line with the NDP and the IRP2019 commitments on the energy transition, the Committee undertook a study tour to the United Kingdom in July 2023. The Committee was particularly interested to learn more about the United Kingdom's Just Energy Transition Strategy as well as about the upstream petroleum industry. The United Kingdom has adopted a policy wherein it aims to phase out fossil fuels completely and rely on clean energy sources only by 2050. A key lesson learnt by the Committee was that transitioning to a low carbon economy requires careful planning and consideration. It heard that the United Kingdom regretted its decision, and further encouraged South Africa not to abandon coal but rather invest in cleaner coal technologies. Unfortunately, due to financial constraints cited by Parliament, only five (5) Members of the Committee attended the study. This greatly disadvantaged the remaining Members of the Committee to equally empower themselves on areas of key work the Committee was addressing.

1.11 Social and Labour Plans and Licensing

Job creation in the mining industry, from a departmental perspective is measured through the issuing of licenses, inter alia. There are a number of challenges confronting the DMRE when it comes to licensing. The licensing backlog and the absence of the mining licensing system, commonly known as the cadastral system, for efficient processing of licensing was the focus of the Committee during the Sixth Administration. The backlog hinders investment in the mining industry and impacts on the jobs that would have been created. Recently, the DMRE appointed a service provider for the design, implementation, and maintenance of a cadastral system. It is expected that the system will address the many issues experienced within the Department relating to licensing.

Furthermore, the Committee also focussed on the implementation of Social and Labour Plan (SLPs) by the DMRE. A Social and Labour Plan is a document that sets out the commitments a mining company makes to its employees and impacted communities and how and when these objectives will be achieved. The DMRE has the responsibility to ensure that commitments made in the SLPs are realised. However, in most instances, mining companies do not implement the SLPs. Communities impacted by the mining activities often do not benefit and the poor monitoring of the SLP implementation by the DMRE exacerbates the challenges. In August 2022, the Committee was briefed by the Mining Affected Communities United in Action (MACUA) on the Social Audit of the SLPs which the organisation had conducted. The Audits revealed that mining companies do not keep up with their commitments as contained in their SLPs, and that the DMRE fails to monitor the implementation of SLPs.

1.12 Budgetary oversight

The Committee has annually tabled Budgetary Review and Recommendation Reports (BRRR) in terms of the Money Bills Amendment Procedure and Related Matters Amendment Act. The process of developing a BRRR involves overseeing the DMRE's financial and non-financial performance over a 17-month period. Therefore, the Committee engaged in regular quarterly performance meetings with the DMRE, including its entities, to complement the required oversight on the budget and strategic plans and annual plans. As stated above, all 11 entities would be invited

during the BRRR period except in 2023 to which the entities were identified based on the audit findings from the Office of the Auditor-General and any ongoing concerns related to its governance.

2. Key challenges emerging

- ❖ Delays in Bills being introduced, and the time required from the Committee to process the Bill, particularly the Electricity Regulation Amendment (ERA) Bill.
- ❖ The quality of introduced legislation not being up to standard, for instance, the Gas Amendment Bill had to be withdrawn from Parliament when the Committee was about to deliberate on the Bill.
- ❖ Poor support provided to the Committee when conducting public hearings. The Committee had to postpone three (3) of its public hearings on the ERA Bill due to education and mobilisation that was not provided by the relevant Parliamentary units. This resulted in fruitless and wasteful expenditure being incurred.
- ❖ Sadly, when conducting public hearings on the Upstream Petroleum Resources Development Bill, four (4) people died when the taxi that was transporting them to the public hearings had an accident.
- ❖ In processing of the Bills, the Parliamentary Legal Services Unit is not adequately capacitated, in terms of human resources. There were times when an assigned legal advisor would not attend Committee meetings because he/she was assisting in another Committee. This meant that the Committee would rely on the services of a State Law Advisor.
- ❖ Parliament's time allocated for oversight during committee weeks is insufficient. This is more important for Committees overseeing two sectors, such as Mineral Resources and Energy. Ideally, this should be two weeks per quarter with no interruptions in terms of House sittings and caucuses.
- ❖ The number of entities within the DMRE. The Committee oversees eleven (11) entities. It is difficult to conduct oversight over all 11 entities for every budget vote and annual report cycle, as well as to monitor these each quarter. During the annual reporting period, the Committee invited all entities to present their Annual Reports over two days. This is a lot and does not allow for effective and robust oversight over the entities. There needs to be a more systematic approach that is fairly consistent over a five-year period. This could include creating groups of entities that are seen at a time.
- ❖ Parliamentary administration processes on oversights, meetings, study tours and public hearings are a challenge. Approval of political applications for the abovementioned activities took long, and this impacted negatively on the work of the Committee. This also impacted units that do public education and mobilisation as they had to wait for the political approval before they could go to the various provinces to conduct public education on the Bills. At times, approval would be granted a week before the public hearings, this therefore put pressure on the aforementioned unit, the Secretariat and the administration unit responsible for travelling arrangements.
- ❖ During the five years, the Committee was short-staffed. When the Sixth Administration started, the Committee did not have a Content Advisor for Energy and Researcher for Mineral Resources. During this period, the Content Advisor for Mineral Resources resigned, this meant that the Committee had only 1 person responsible for providing content support to the Committee. The Researcher for Energy was appointed as a Content Advisor in 2022, and the Researcher for Mineral Resources was appointed in February 2023. As at the end of the Sixth Administration, the Committee remains with a vacant post for the Energy Researcher. The Committee not having a full staff complement put too much pressure on the staff, and resulted in the Committee not receiving the maximum support that it is entitled to.
- ❖ The Committee was allocated two slots for its activities, Tuesdays, and Fridays. Given that the Committee deals with two important economic sectors, the allocated time was insufficient for it to effectively execute its oversight mandate.
- ❖ Linked to the above, the Committee received a lot of correspondence, some of which the Committee was not able to attend to due to the amount of work before it. There were also petitions referred to the Committee which it was able to attend to under extreme pressure.

- ❖ Delays from the Auditor General of South Africa in concluding Audit reports which resulted in some entities submitting their annual reports late.

3. Key areas for future work

- ❖ Continue with robust oversight of illegal mining, including following up on the General Laws Amendment Bill which is meant to address gaps in the law in respect of criminalising acts of illegal mining.
- ❖ Oversee implementation of the Artisanal and Small-Scale Mining Policy (2022).
- ❖ Ongoing monitoring of the implementation of the National Solar Water Heater Programme. This should include a briefing by the Department on the findings of the Forensic Investigation conducted by KPMG.
- ❖ Monitor the Social and Labour Plans and consider conducting investigative oversight on the implementation of thereof.
- ❖ Robust oversight of the State-Owned Entities under the DMRE, especially those with historical challenges, such as the Central Energy Fund (CEF) Group, in particular the subsidiary of CEF, PetroSA. Also, a follow-up and monitoring of the merger of PetroSA, IGAS and Strategic Fuel Fund.
- ❖ Ensure that critical pieces of legislation such as the MPRDA are reviewed and introduced to Parliament. Moreover, process the outstanding Bills that were planned for tabling and processing in Parliament during the Sixth Administration, such as the Gas Amendment Bill, Mine Health and Safety Bill, Radioactive Waste Management Fund Bill and the National Petroleum Company Bill.
- ❖ Ensure that challenges regarding the Mining Charter are addressed.
- ❖ Ongoing oversight of the Koeberg Nuclear Power Station Long Term Operation project as well as the New Nuclear Build Programme.
- ❖ Monitor developments regarding the IRP2023, including inviting the Department to brief the Committee on it once the public consultation process has been completed.
- ❖ Oversee the implementation of the Mining Licensing System (the Cadastral System) and monitor licensing broadly in the mining and energy sectors.
- ❖ Follow-up on the two court judgements regarding the Lily Mine Tragedy.
- ❖ Oversee and monitor the Integrated National Electrification Programme.

4. Recommendations

The Seventh Parliament should consider:

- a) Encouraging joint meetings between the relevant portfolio and select committees to be briefed on common matters and to avoid duplication of presentations, such as the consideration of international agreements and legislation, that both committees must consider.
- b) Ensuring the legislation is tabled in Parliament timeously.
- c) Facilitating improved coordination of committees dealing with cross-cutting matters to ensure effective oversight. This would require that committees are aware of how their portfolios affect national objectives/priorities.
- d) Realigning the allocation of resources to reflect the workload of specific committees – these talk to the need for the Committees to have full complement of the support staff.
- e) Ensuring that the Parliamentary Legal Services and the Parliamentary Public Education Unit are fully capacitated for effective and efficient processing of legislation by the Committees.
- f) Ensuring that the turnaround time for political approvals for Committee activities is improved.
- g) Strengthening its mandate of ensuring that it conducts public participation. In this instance, public participation refers to the public consultation of Bills that are being processed by the Committees. There is inconsistency in terms of the support that the institution provides to the

Committees. All Units that are expected to provide support to the Committees during public hearings should be allowed to execute their duties and be always present. Parliament should also have policies in place on issues relating to public participation. When the four (4) people passed away during the public hearings, it became apparent that Parliament did not have clear policies to attend to incidents such as these.

- h) Conducting post legislative scrutiny on Bills. This would entail requesting the DMRE to provide annual status reports on whether legislation had been implemented, and if not, to provide the reasons for its delay and the plans and measures to correct this.
- i) Referring petitions to the Committee that deals with petitions irrespective of the sector. Currently, the Speaker receives petitions and refers them to the relevant main Committee, instead of referring these to the committee that is mandated to deal with petitions. It should be the discretion of the Committee that deals with petitions to refer a matter to the main Committee – on the basis that the matter is beyond their scope or it requires intervention of the main Committee, such as Mineral Resources and Energy.
- j) Developing a mechanism on how to deal with correspondences received from the public.
- k) Ensuring that there is greater accountability from the entities of the Department – such as tabling the annual reports and strategic plans on time. There should be consequences if the entities fail to submit these key documents timeously as per the legislative prescripts.
- l) Ensuring that international study tours are done at the start of the Parliamentary term and that preparations for the study tours are done on time.
- m) Developing a tracking system for following up on the recommendations that would have been made by the Committee.
- n) Ensuring that the Minister of Mineral Resources and Energy attend all Committee meetings.

1. Introduction

1.1 Department and Entities falling within the committee’s portfolio

On May 29, in 2019, the President of South Africa, President Cyril Ramaphosa announced a reconfigured executive, which merged the former Department of Mineral Resources with that of the Department of Energy, giving birth to a new Department known as the Department of Mineral Resources and Energy (DMRE), going forward both Departments will be reporting as a single entity to the Portfolio Committee of Minerals and Energy (PCMRE), the merger was finalised in June 2020.

1.1.1 Department of Mineral Resources and Energy

The DMRE is mandated to ensure the transparent and efficient regulation of South Africa's mineral resources and minerals industry, and the secure and sustainable provision of energy in support of socio-economic development. The Department execute its mandate through eleven (11) entities as listed below.

1.1.2 Entities

1.	National Nuclear Regulator (NNR)	The NNR is established in terms of the National Nuclear Regulator Act, 1999 (Act No. 47 of 1999). The Act establishes the Regulator as a competent authority for	The purpose of the NNR, as outlined in Section 5 of the National Nuclear Regulator Act, 1999 (Act No. 47 of 1999), is essentially to provide for the protection of persons, property and the
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		nuclear regulation in South Africa.	environment against nuclear damage through the establishment of safety standards and regulatory practices.
2.	South African Nuclear Energy Corporation (NECSA) GROUP	NECSA is established in terms of Section 3(1) of the Nuclear Energy Act, 1999 (Act No. 46 of 1999).	Provides for the commercialisation of nuclear and related products and services, and delegates specific responsibilities to the corporation, including the implementation and execution of national safeguards and other international obligations. The Nuclear Energy Policy of 2008 reinforced NECSA's mandate relating to research and development, and nuclear fuel cycle responsibilities.
3.	Central Energy Fund (CEF) Group	Derived from the Central Energy Fund Act, 1977 (Act No 38 of 1977) and the ministerial directives issued thereafter. To finance and promote the acquisition of, research into and exploitation of oil, gas and renewable/clean energy-related products and technology.	The mandate of the CEF is to contribute to the security of the energy supply of South Africa and the region through exploration, acquisition, development, marketing and strategic partnerships.
4.	National Radioactive Waste Disposal Institute (NRWDI)	The NRWDI is a Nuclear Waste Disposal Institute established in terms of Section 3 of the National Radioactive Waste Disposal Institute Act, 2008 (Act No. 53 of 2008).	The Act provides for the establishment of an NRWDI to manage radioactive waste disposal on a national basis and to provide for its functions and for how it is to be managed.
5.	National Energy Regulator of South Africa (NERSA)	NERSA is a regulatory authority established as a juristic person in terms of Section 3 of the National Energy Regulator Act, 2004 (Act No. 40 of 2004).	NERSA's mandate is to regulate the electricity, piped gas and petroleum pipeline industries in terms of the Electricity Regulation Act, 2006 (Act No. 4 of 2006), Municipal Finance Management Act, 2003 (Act No. 56 of 2003), the Gas Act, 2001 (Act No. 48 of 2001) and the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003).
6.	South African National Energy Development Institute (SANEDI)	SANEDI is an applied energy research institute established in terms of Section 7(1) of the National Energy Act, 2008 (Act No. 34 of 2008).	The role of SANEDI is to direct, monitor and conduct energy research and development, promote energy research and technology innovation, as well as undertake measures to promote energy efficiency throughout the economy.

7.	Council for Geoscience (CGS)	The principal fixed mandate and the one under which the CGS was established is the Geoscience Act, 1993 (Act No. 100 of 1993). It is listed as a schedule 3A public entity in terms of the Public Finance Management Act, Act 1 of 1999. The second fixed mandate under which it operates forms part of the National System of Innovation as stated in South Africa's	The CGS was established to develop and publish world-class geoscience knowledge products and to render geoscience-related services to the South African public and industry. This includes documentation of the geology of the earth's surface and continental crust, including all offshore areas within the territorial boundaries of South Africa, the compilation of all geoscience data and information, basic geoscience research into the nature and origin of rocks, ores, minerals, formations, the history
8.	State Diamond Trader	The State Diamond Trader is a state-owned entity established in terms of Section 14 of the Diamonds Act, 1986 (Act No. 56 of 1986), as amended.	The State Diamond Trader operates in the diamond industry with the aim of growing local diamond beneficiation. Its mandate is to buy and sell rough diamonds and promote equitable access to and beneficiation of the country's diamond resources. It aims to grow South Africa's diamond cutting and polishing industry by enabling and increasing the participation of historically disadvantaged South Africans in the diamond beneficiation industry. The entity is empowered by law to purchase up to 10% of the run-of-mine production from all diamond producers in South Africa. It sells to registered customers through an application and approval process.
9.	South African Diamond and Precious Metals	The South African Diamond and Precious Metals Regulator was established in terms of the Diamond Act, 1986 (Act No. 56 of 1986), as amended, and Precious Metals Act, 2005 (Act No. 36 of 2005)	The South African Diamond and Precious Metals Regulator is responsible for the regulation of diamonds, gold and platinum group metals.
10.	Mintek	Mintek is established in terms of the Mineral Technology Act, 1989 (Act No. 30 of 1989).	Mintek's mandate is to serve the national interest through research, development and technology transfer, to promote mineral technology, and to foster the establishment and expansion of industries in the field of minerals and products derived therefrom.

11.	Mine, Health and Safety Council	The Mine Health and Safety Council is a national public entity established in terms of the Mine Health and Safety Act, 1996 (Act No. 29 of 1996), as amended.	The main task of the Council is to advise the Minister of Mineral Resources and Energy on occupational health and safety legislation and research outcomes focused on improving and promoting occupational health and safety in South African mines. The Council also oversees the activities of its committees, promotes a culture of health and safety in the mining industry, arranges a summit every two years to review the state of occupational health and safety at mines, and liaises with the MQA and any other statutory bodies about mining health and safety.
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1.2 Functions of committee

The mandate of Parliament is based on the provisions of the Constitution of the Republic of South Africa, 1996, establishing Parliament and setting out the functions it performs. Parliament's role and outcomes are to represent the people and ensure government by the people under the Constitution. Such representation is put into operation by means of public representatives who represent the will of the people in the processes of passing legislation, overseeing executive action, and the facilitation of public involvement, co-operative government and international engagement.

The Rules of Parliament provides for Portfolio Committees to:

- ❖ Process legislation introduced by the corresponding Minister, or referred to it by resolution of the House, and where necessary initiate legislation.
- ❖ Oversee the work of the corresponding Department and associated institutions.
- ❖ Make policy recommendations in the portfolio area on the basis of wider public consultation where necessary.
- ❖ Engage the Executive with respect to related international matters.

Furthermore, Section 5 of the Money Bills Amendment Procedure and Related Matters Act (No. 9 of 2009) requires Portfolio Committees to annually assess the performance of each national department. A Committee must submit a report of this assessment known as a Budgetary Review and Recommendation Report (BRRR). The overarching purpose of the BRRR is for the Committee to make recommendations on the forward use of resources to address the implementation of policy priorities and services as these may require additional, reduced or re-configured resources for the department.

In terms of section 57(2) of the Constitution, with regard to the powers of committees, the Portfolio Committee on Mineral Resources and Energy exercises oversight over the DMRE and 11 entities. It also oversees the implementation of all pieces of legislation administered by the DMRE and its entities and will oversee recently enacted legislation in relation to this broad mandate.

1.3 Method of work of the committee

In terms of budgetary oversight, the Money Bills Amendment Procedure and Related Matters Act (No. 9 of 2009) sets out the process for Parliament to make recommendations to the Minister of Finance to amend the budget of a national department. In October of each year, portfolio committees must compile BRRR that assess a department's service delivery performance, allocative efficiency with respect to its financial, human and capital resources; evaluate the effective and efficient use and forward allocation of resources; and may make recommendations on the forward use of resources over the Medium-Term Expenditure Framework (MTEF) period.

Committee meetings were scheduled on Tuesdays and Fridays, for four (4) hours, 09:00 – 13:00. Most of the Committee meetings during the period under review were held virtual, however, physical meetings were also scheduled for the processing of the various pieces of legislation that were before the Committee and briefings by the DMRE and its entities on annual reports during the BRRR process. The Committee endeavoured to undertake at least one (1) oversight visit per term.

1.4 Purpose of the report

The purpose of this report is to provide an account of the Portfolio Committee on Mineral Resources and Energy work during the 6th Parliament and to inform the members of the new Parliament of key outstanding issues pertaining to the oversight and legislative programme of the Department of Mineral Resources and Energy and its entities.

This report provides an overview of the activities the committee undertook during the 6th Parliament, the outcome of key activities, as well as any challenges that emerged during the period under review and issues that should be considered for follow up during the 7th Parliament. It summarises the key issues for follow-up and concludes with recommendations to strengthen operational and procedural processes to enhance the committee's oversight and legislative roles in future.

2. Key statistics

The table below provides an overview of the number of meetings held, legislation and international agreements processed and the number of oversight trips and study tours undertaken by the committee, as well as any statutory appointments the committee made, during the 6th Parliament:

Activity	2019/2020	2020/21	2021/2022	2022/2023	2023/24	Total
Meetings held	29	43	36	36	39	183
Legislation processed	1	0	2		2	5
Oversight trips undertaken	0	2	1	2	1	6
Study tours undertaken	0	0	0	0	1	1
International agreements processed						1
Statutory appointments made	0	0	0	0	0	0
Interventions considered	0	0	1	2	0	3
Petitions considered	0	0	1	2	0	3

3. Stakeholders

- ❖ Department of Mineral Resources and Energy and its entities
- ❖ Department of Public Enterprises (DPE)
- ❖ National Treasury
- ❖ Auditor General of South Africa (AGSA)
- ❖ Department Forestry, Fisheries and Environment (DFFE)
- ❖ Industry bodies
- ❖ Various other national departments
- ❖ Labour unions
- ❖ Non-Governmental Organisations (NGO's) – mining and energy sectors.
- ❖ Mining Houses
- ❖ Professional bodies

4. Briefings to the Committee during the Sixth Administration

Date of meeting	Agenda
02 July 2019	<ul style="list-style-type: none"> • Election of Committee Chairperson
02 July 2019	<ul style="list-style-type: none"> • Departments of Mineral and Energy 2019/20 Annual Performance Plans: Committee staff briefing and analysis
03 July 2019	<ul style="list-style-type: none"> • Departments of Mineral Resources and Energy 2019/20 Annual Performance Plans, with Minister & Deputy Minister
05 July 2019	<ul style="list-style-type: none"> • Mineral Resources and Energy Budgets: Committee Reports
20 August 2019	<ul style="list-style-type: none"> • Stakeholder Engagement with Trade Unions: NUM, UASA, Solidarity; CEPPWAWU

Date of meeting	Agenda
21 August 2019	<ul style="list-style-type: none"> • Stakeholder Engagement: SAMDA, CSIR, Minerals Council & SAPIA • Stakeholder Engagement: SAOGA, SAREC, EIUG & SAPIA
03 September 2019	<ul style="list-style-type: none"> • Fifth Parliament Committee Legacy Reports; Committee priorities
10 September 2019	<ul style="list-style-type: none"> • Central Energy Fund, NERSA, NNR, NRWDI & SANEDI 2018/19 Annual Reports
13 September 2019	<ul style="list-style-type: none"> • DMRE legislative programme & litigation
08 October 2019	<ul style="list-style-type: none"> • Briefing by the Auditor General on the audit outcomes of the Department of Mineral Resources for 2018/2019 financial year • Briefing by the Department of Mineral Resources and Energy (Vote 29) for 2018/2019 financial year. • Briefing by the Department of Mineral Resources and Energy (Vote 26) for 2018/2019 financial year • Briefing by the Department of Mineral Resources and Mine Health and Safety Council on the annual reports for 2018/2019 financial year. • Presentation by the following entities on their respective Annual Reports for 2018/19: State Diamond Trader, South African Diamond and Precious Metals (SADPMR), Council for Geosciences, Mintek
09 October 2019	<ul style="list-style-type: none"> • Briefing by the National Energy Regulator of SA (NERSA), National Nuclear Regulator (NNR), National Radioactive Waste Disposal Institute, SA National Energy Development Institute (SANEDI), the Central Energy Fund and its subsidiaries on the respective Annual Reports for 2018/2019 financial year.
16 October 2019	<ul style="list-style-type: none"> • Tabling of the 1st draft of the BRRR – Mineral Resources (Vote 29) • Tabling of the 1st draft of the BRRR – Energy (Vote 26) • Tabling of the draft Committee Programme for the remainder of the 3rd Term 2019
22 October 2019	<ul style="list-style-type: none"> • Adoption of the BRRR for Vote 29 and Vote 26, respectively • Adoption of the Committee 3rd Term Programme
23 October 2019	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy on the grid and non-grid electrification
29 October 2019	<ul style="list-style-type: none"> • Briefing by the Minister of Mineral Resources and Energy, Mr SG Mantashe and the Department of Mineral Resources and Energy on the Integrated Resource Plan 2019 (IRP 2019)
30 October 2019	<ul style="list-style-type: none"> • Consideration and adoption of Draft Stakeholder report • Consideration and adoption of Draft Oversight report to entities • Consideration and adoption of outstanding minutes
05 November 2019	<ul style="list-style-type: none"> • Consideration and adoption of the oversight report and outstanding minutes
12 November 2019	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy on the Basic Fuel Price (BFP) • Consideration and adoption of outstanding minutes: 16, 22 October and 05 November 2019
19 November 2019	<ul style="list-style-type: none"> • Briefing and overview by the Minister of Mineral Resources and Energy, Mr GS Mantashe and the Department of Mineral Resources and Energy on the respective international agreements and partnerships with a focus on the Grand Inga Hydro Power project, South-Sudan oil agreement, Saudi Aramco agreement and the PetroSA-Rosgeo agreement.

Date of meeting	Agenda
	<ul style="list-style-type: none"> • Consideration and adoption of outstanding minutes: 16, 22 October and 05 November 2019
20 November 2019	<ul style="list-style-type: none"> • Briefing by Department of Mineral Resources and Energy (DMRE) on the interventions by government as a whole to deal with the legacy issues of mining and the amount of resources devoted to dealing with ownerless and derelict mines. • Consideration and adoption of outstanding minutes: 16, 22 October and 05 November 2019
03 December 2019	<ul style="list-style-type: none"> • Briefing by Ms N Mazzone, MP on the Independent Electricity Management Operator Bill [B14 – 2019] (IEMO) • Response by the Department of Mineral Resources and Energy on the Independent Electricity Management Operator Bill [B14 – 2019] • Consideration and adoption of outstanding minutes: 19 and 20 November 2019
11 February 2020	<ul style="list-style-type: none"> • Briefing by Department of Mineral Resources and Energy (DMRE) and Business Rescue Practitioners (BRPs) on the investigation conducted following the incident that happened in Lilly mine and resulted in three workers being trapped underground in a container on 05 February 2016. Presentation on latest Developments at Lilly Mine
18 February 2020	<ul style="list-style-type: none"> • Response by the Department of Mineral Resources and Energy on the Independent Electricity Management Operator Bill [B14 – 2019] (IEMO)
19 February 2020	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy on: <ul style="list-style-type: none"> ○ Agreement between the Republic of South Africa and the European Atomic Energy Community (EURATOM) for Co-operation on the Peaceful Uses of Nuclear Energy, tabled in terms of section 231(2) of the Constitution, 1996. ○ Explanatory Memorandum to the Agreement between the Republic of South Africa and the European Atomic Energy Community (EURATOM) for Co-operation in the Peaceful Uses of Nuclear Energy. • Consideration and adoption of outstanding minutes: 03 December 2019 and 11 February 2020
10 March 2020	<ul style="list-style-type: none"> • Discussions and deliberations on the processing of the Independent Electricity Management Operator Bill [B14 – 2019] • Consideration and adoption of outstanding minutes: 18 & 19 February 2020
07 May 2020	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy on their Strategic Plan 2020 – 2025, Annual Performance Plan 2020/21 and Budget Vote No 34
12 May 2020	<ul style="list-style-type: none"> • Briefing by the Council for Geoscience, Mintek and the Central Energy Fund (CEF) on their respective, Annual Performance Plans 2020/21 and Budgets
19 May 2020 (morning session)	<ul style="list-style-type: none"> • Briefing by National Radio-active Waste Disposal Institute (NRWDI), National Nuclear Regulator (NNR) and Mine Health and Safety Council (MHSC) on their respective, Annual Performance Plans 2020/21 and Budgets
19 May 2020 (afternoon session)	<ul style="list-style-type: none"> • Briefing by the SA National Energy Development Institute (SANEDI), Mintek and the SA Nuclear Energy Corporation (NECSA) on their respective, Annual Performance Plans 2020/21 and Budgets
20 May 2020	<ul style="list-style-type: none"> • Briefing by the SA Diamond and Precious Metals Regulator (SADMR), State Diamond Trade (SDT) and the National Energy Regulator of SA (NERSA) on their respective Annual Performance Plans for 2020/21 and their budgets
26 May 2020	Joint meeting: PC on Mineral Resources and Energy and the SC on Land Reform, Environment, Mineral Resources

Date of meeting	Agenda
	and Energy: <ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy (DMRE) on their response and strategies with regards to Covid-19, including regulations thereof relating to the Covid-19
27 May 2020	<ul style="list-style-type: none"> • Tabling of the 1st draft of the committee Budget Vote Report No. 34
02 June 2020	<ul style="list-style-type: none"> • Update by the Department of Mineral Resources and Energy on the Solar Water heater programme • Formal consideration and adoption of the Committee Budget Vote Report No 34 • Consideration and adoption of outstanding minutes: 07, 12, 19 (2 sets), 20, 26, 27 May 2020
10 June 2020	<ul style="list-style-type: none"> • Formal consideration and adoption of the: <ul style="list-style-type: none"> ○ Agreement between the Republic of South Africa and the European Atomic Energy Community (EURATOM) for Co-operation in the Peaceful Uses of Nuclear Energy, tabled in terms of section 231(2) of the Constitution, 1996. ○ Explanatory Memorandum to the Agreement between the Republic of South Africa and the European Atomic Energy Community (EURATOM) for Co-operation in the Peaceful Uses of Nuclear Energy. • Consideration and adoption of outstanding minutes: Wednesday 02 June 2020
19 June 2020	<ul style="list-style-type: none"> • Briefing by the Minerals Council of South Africa (Mincosa), National Union of Mineworkers (NUM), Association of Mineworkers and Construction Union (AMCU), Solidarity and The UASA on COVID-19 related work in the mining industry
23 June 2020	<ul style="list-style-type: none"> • Update by Mr F Arendse (Executive Director: Vantage Gold Fields) (Pty) Ltd on the issues raised with regards to Lilly Mine. • Status Update by the Department of Mineral Resources and Energy and the Business Rescue Practitioners (BRPs) on the Optimum Mine in Mpumalanga • Consideration and adoption of Minutes • Consideration and adoption of the 3rd Term programme
24 June 2020	<ul style="list-style-type: none"> • Briefing by the Department of Public Enterprises and Eskom on their respective responses to the Independent Electricity Management Operator Bill [B14 – 2019]
07 July 2020	<ul style="list-style-type: none"> • Briefing by the Minister of Mineral Resources and Energy, Hon. S.G. Mantashe and the Department of Mineral Resources and Energy on its adjustment budget allocations – financial and non-financial - and its impact on delivery programmes.
14 July 2020	<ul style="list-style-type: none"> • Consideration and adoption of the adjusted budget of the Department of Mineral Resources and Energy
18 August 2020	<ul style="list-style-type: none"> • Update by Minister and Department of Mineral Resources and Energy on the restructuring and review of its entities
13 October 2020	Consideration and adoption of the: <ul style="list-style-type: none"> • Agreement between the Republic of South Africa and the European Atomic Energy Community (EURATOM) for Co-operation in the Peaceful Uses of Nuclear Energy, tabled in terms of section 231(2) of the Constitution, 1996. • Explanatory Memorandum to the Agreement between the Republic of South Africa and the European Atomic Energy Community (EURATOM) for Co-operation in the Peaceful Uses of Nuclear Energy
21 August 2020	<ul style="list-style-type: none"> • Update and progress by the Mintek on the repurposing of its activities, production of sanitizers and the

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	<ul style="list-style-type: none"> development of manufacturing local test kits • Consideration of the reports related to Lilly Mine and Optimum Mine • Discussions on the Third Term Committee programme
25 August 2020	<ul style="list-style-type: none"> • Briefing by the Department of Public Enterprises and Eskom on their respective responses to the Independent Electricity Management Operator Bill [B14 – 2019] • Consideration and adoption of reports: Lilly Mine and Optimum Mine
01 September 2020	<ul style="list-style-type: none"> • Deliberations and discussions on the Independent Electricity Management Operator Bill [B14 – 2019] • Consideration and adoption of outstanding minutes
02 September 2020	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy (DMRE) in their 2nd, 3rd and 4th Quarterly Performance Reports for 2019/20 • Update by DMRE on their legislative programme • Consideration and adoption of the 4th term Programme • Consideration and adoption of the Independent Electricity Management Operator Bill [B14 – 2019]
13 October 2020	<p>Consideration and adoption of the:</p> <ul style="list-style-type: none"> • Agreement between the Republic of South Africa and the European Atomic Energy Community (EURATOM) for Co-operation in the Peaceful Uses of Nuclear Energy, tabled in terms of section 231(2) of the Constitution, 1996. • Explanatory Memorandum to the Agreement between the Republic of South Africa and the European Atomic Energy Community (EURATOM) for Co-operation in the Peaceful Uses of Nuclear Energy
14 October 2020	<ul style="list-style-type: none"> • Update by the Department of Mineral Resources and Energy on the National Solar Water Heater (SWH) Programme
20 October 2020	<ul style="list-style-type: none"> • Update and progress report by the Council of Geo-Science (CGS) on the Molteno project. • Consideration and adoption of outstanding minutes: 01 & 02 September and 13 & 14 October 2020.
21 October 2020	<ul style="list-style-type: none"> • Tabling of the 1st draft oversight visit report: 09 – 11 October 2020
27 October 2020	<ul style="list-style-type: none"> • Update by the Department of Mineral Resources and Energy (DMRE) on the adherence of mines relating to COVID-19 regulations • Consideration and adoption of outstanding minutes: 20 and 21 October 2020.
28 October 2020	<ul style="list-style-type: none"> • Briefing by Harmony Gold Mining Company on Combating Illegal Mining
03 November 2020	<ul style="list-style-type: none"> • Briefing by the Auditor-General of SA (AGSA) on the audit outcomes of the Department of Mineral Resources and Energy (DMRE) and its entities for 2019/20 • Consideration and adoption of outstanding minutes: 27 and 28 October 2020.
03 November 2020	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy (DMRE) on its Annual Reports (Vote 26 & 29) for 2019/20
10 November 2020	<ul style="list-style-type: none"> • Tabling of the 1st draft Budgetary Review and Recommendations Report (BRRR)
11 November 2020	<ul style="list-style-type: none"> • Consideration and adoption of the oversight visit report to Limpopo, Mpumalanga and Gauteng • Consideration and adoption of minutes: 03, 04 and 10 November 2020
17 November 2020	<ul style="list-style-type: none"> • Update by the Department of Mineral Resources and Energy (DMRE) on derelict and ownerless mines (including

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	<ul style="list-style-type: none"> rehabilitation of asbestos mines) • Consideration and adoption of minutes: 11 November 2020
18 November 2020	<ul style="list-style-type: none"> • Update by the DMRE on the developments relating to the Ketlaphela State Owned Pharmaceutical Company
24 November 2020	<ul style="list-style-type: none"> • Briefing by the State Diamond Trade (SDT) on the challenges in the diamond sector • Consideration and adoption of minutes: 17 & 18 November 2020 • Other matters: <ul style="list-style-type: none"> • Amendments to the Committee programme for the remainder of the 4th term • Committee programme for 2021
25 November 2020	<ul style="list-style-type: none"> • Briefing by the DMRE on the financial sustainability of the State Diamond Trader (SDT), South African Diamond and Precious Metals Regulator (SADPMR) and National Nuclear Regulator (NNR)
02 December 2020	<ul style="list-style-type: none"> • Consideration and adoption of the PetroSA oversight visit report • Consideration and adoption of the PCMRE Committee programme for the 1st term of 2021 • Consideration and adoption of minutes: 24 & 25 November 2020
Date of meeting	Agenda
Tuesday, 23 February 2021	<ul style="list-style-type: none"> • Update by the Department of Mineral Resources and Energy on the Nuclear New Build Programme (NNBP), Request for Information (RFI). • Consideration and adoption of minutes: 02 December 2020 and 10 February 2021
Wednesday, 24 February 2021	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy on the impact of the 2021 State-of-the-Nation on their activities • Briefing by the Department of Mineral Resources on the licensing regime (both minerals and energy) especially the South African Mineral Resources Administration System (SAMRAD) – including the National Energy Regulator of SA (NERSA)
Tuesday, 02 March 2021	<ul style="list-style-type: none"> • Update by the Department of Mineral Resources and Energy and the Central Energy Fund (CEF) on the merger of the PetroSA, iGas and Strategic Fuel Fund. • Briefing by the Central Energy Fund on Project Ikhwezi, including briefing on all forensic reports within the CEF Group (completed and in progress). • Consideration and adoption of minutes: 23 and 24 February 2021
Wednesday, 03 March 2021	<ul style="list-style-type: none"> • Responses by the Department of Mineral Resources and Energy on the licensing regime (both minerals and energy)
Tuesday, 09 March	<ul style="list-style-type: none"> • Briefing by the Mining Affected Communities in Action (MACUA) and the Women Affected by Mining United in

Date of meeting	Agenda
2021	Action (WAMUA): Overview of the two entities, current challenges experienced and possible recommendations. <ul style="list-style-type: none"> • Briefing by the Eskom on clean coal initiatives and projects and how these technologies will meet the international standards on emissions
Wednesday, 10 March 2021	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy on their 1st, 2nd and 3rd Quarterly Performance Report for 2020/21 • Consideration and adoption of minutes: 02 & 03 March 2021
Tuesday, 16 March 2021	<ul style="list-style-type: none"> • Tabling of the committee oversight visit report to the Western Cape: 26-27 February 2021 • Discussion by the committee on the outstanding audit reports of the Department of Mineral Resources and Energy entities
Wednesday, 17 March 2021	<ul style="list-style-type: none"> • Consideration and adoption of the PCMER oversight visit report to the Western Cape • Consideration and adoption of the 2nd Term Committee programme • Consideration and adoption of minutes: 09, 10 & 16 March 2021
Wednesday, 14 April 2021	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy (DMRE) on the Basic Fuel Price (BFP), including a briefing on the recent increases in the price of fuel and mitigating alternatives to address fuel price increases. • Briefing by the Automobiles Association of SA (AASA) on their views and mitigating strategies relating to the BFP • Briefing by the Department of Mineral Resources and Energy on the state of refining capacity in the country
Tuesday, 20 April 2021	<ul style="list-style-type: none"> • Briefing by the Minister of Mineral Resources and Energy and the Department of Mineral Resources and Energy (DMRE) on the recent Preferred Bidders for the Risk Mitigation IPP Procurement Programme (RMIPPPP) • Briefing by the Minister of Mineral Resources and Energy and the Department of Mineral Resources and Energy on the Karpowership contract to supply power from vessels to South Africa.
Wednesday, 28 April 2021	<p style="text-align: center;">09:00 – 11:00</p> <ul style="list-style-type: none"> - Consideration and adoption of the minutes of 14 April 2021 - Committee discussions on the meeting of 14 April 2021, relating to the Basic Fuel Price (BFP) and the state of refining in SA <p style="text-align: center;">11:00 - 13:00</p> <ul style="list-style-type: none"> - Consideration and adoption of minutes of 20 April 2021 - Committee discussions on the meeting of 20 April 2021, relating to the Risk Mitigation IPP Procurement Programme (RMIPPPP)
Tuesday, 04 May 2021	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy on their Annual Performance Plan for 2021/22 and their Budget Vote No 34 • Briefing by the Mine Health and Safety Council on their Annual Performance Plan and budget for 2021/22
Wednesday, 05 May 2021	<ul style="list-style-type: none"> • Briefing by the Mintek, SA National Energy Development Institute (SANEDI); National Energy Regulator of SA (NERSA), National Radioactive Waste Disposal Institute (NRWDI) and the National Nuclear Regulator (NNR) on

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	their respective Annual Performance Plans and budget for 2021/22
Friday, 07 May 2021	<ul style="list-style-type: none"> • Briefing by the Council for Geoscience (CGS), the State Diamond Trader (SDT) and the SA Diamonds and Precious Metals Regulator (SADPMR) on their respective Annual Performance Plans and budget for 2021/22
Tuesday, 11 May 2021	<ul style="list-style-type: none"> • Briefing by the Department of Trade, Industry and Competition (DTiC) on the Black Industrialist programme • Briefing by the Department of Mineral Resources and Energy on its commitment to the Black Industrialist Programme (how it is being implemented and how it is complying)
Wednesday, 12 May 2021	<ul style="list-style-type: none"> • Consideration and adoption of minutes of 28 April 2021, including discussions • Consideration and adoption of outstanding minutes: 04, 05 & 07 May 2021
Friday, 14 May 2021	<ul style="list-style-type: none"> • Consideration and adoption of Budget Vote Report (Vote 34).
Tuesday, 03 August 2021	<ul style="list-style-type: none"> • Briefing by the Parliamentary Legal Services on the legal opinions received, relating to the: <ul style="list-style-type: none"> ○ Tabling of Annual Performance Plans of Schedule 2 entities (Central Energy Fund (CEF) and the SA Nuclear Energy Corporation (NECSA)) ○ Opinion on various issues in relation to the Risk Mitigation Independent Power Producers Procurement Programme (RMIPPPP). • Discussions on the processes to be followed regarding the Risk Mitigation IPPP
Tuesday, 10 August 2021	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy about the impact of the recent events in Gauteng and KwaZulu-Natal on the mineral resources and energy sectors.
Tuesday, 17 August 2021	<ul style="list-style-type: none"> • Consideration and adoption of the 3rd Term Committee Programme • Discussions/deliberations on the way forward with regard to public participation processes relating to the Gas Amendment Bill • Update by the DMRE on the licensing regime (both Minerals and Energy), especially the SAMRAD • Update by the NERSA on their licensing processes
Tuesday, 18 August 2021	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy on their 4th Quarter Performance Report for 2020/21 FY • Consideration and adoption of minutes
Tuesday, 24 August 2021	<ul style="list-style-type: none"> • A comprehensive briefing by the Department of Mineral Resources and Energy, National Energy Regulator of SA (NERSA), SA Nuclear Energy Corporation (NECSA), iGas and PetroSA on risks, threats and challenges in the mining and energy sector, respectively
Wednesday, 25 August 2021	<ul style="list-style-type: none"> • Briefing by Minerals Council SA (MINCOSA) on the involvement of the mining industry in the vaccine rollout • Consideration and adoption of minutes: 17 and 18 August 2021
Tuesday, 31 August 2021	<ul style="list-style-type: none"> • Update by the Department of Mineral Resources and Energy on all outstanding forensic reports and consequence management matters.

Date of meeting	Agenda
Wednesday 01 September 2021	<ul style="list-style-type: none"> Briefing by the Minister of Mineral Resources and Energy on the Risk Mitigation Independent Power Producer Procurement Programme (RMIPPPP) Consideration and Adoption of Minutes of 24 and 25 August 2021
Tuesday, 09 November 2021	<p style="text-align: center;">09:00 – 11:00</p> <ul style="list-style-type: none"> Briefing by the Auditor-General of South Africa (AGSA) on the audit outcomes of the Department of Mineral Resources and Energy (DMRE) and its entities for the 2020/21 financial year. <p style="text-align: center;">11:00 – 17:00</p> <ul style="list-style-type: none"> Briefing by the DMRE and its entities on their respective Annual Reports for 2020/21 financial year.
Tuesday, 16 November 2021	<ul style="list-style-type: none"> Tabling of the 1st draft of the Committee Budgetary Review and Recommendations Report (BRRR) for 2021 Consideration and adoption of minutes: 25 August and 09 November 2021
Friday, 19 November 2021	<ul style="list-style-type: none"> Consideration and adoption of the Committee Budgetary Review and Recommendations Report for 2021
Tuesday, 23 November 2021	<ul style="list-style-type: none"> Briefing by Department of Mineral Resources and Energy (DMRE) on the recent High Court Judgement on the Mining Charter
Tuesday, 30 November 2021	<ul style="list-style-type: none"> Public Hearings on the Gas Amendment Bill [B9 – 2021]
Friday, 03 December 2021	<ul style="list-style-type: none"> Continuation of the Public Hearings on the Gas Amendment Bill [B9 – 2021] Consideration and adoption of outstanding minutes
Tuesday, 07 December 2021	<ul style="list-style-type: none"> Deliberations on the draft Terms of Reference relating to the Risk Mitigation Independent Power Producer Procurement Programme (RMIPPPP) Consideration and adoption of the 1st Term Committee Programme for 2022 Consideration and adoption of outstanding minutes.
08 February 2022	<ul style="list-style-type: none"> De-briefing on the provincial public participation processes undertaken relating to the Gas Amendment Bill. Consideration and adoption of the revised 1st Term Committee Programme for 2022 Consideration and adoption of outstanding minutes: 07 December 2021.
15 February 2022	<ul style="list-style-type: none"> Briefing by the Department of Mineral Resources and Energy (DMRE) on their 1st, 2nd and 3rd Quarterly Performance Reports for 2021/22 Briefing by the DMRE on its Implementation Action Plans including of its entities to address the findings and recommendations of the Auditor-General of SA (AGSA) Consideration and adoption of outstanding minutes: 08 February 2022.
22 February 2022	<ul style="list-style-type: none"> Briefing by the Central Energy Fund (CEF) and the South African Nuclear Energy Corporation (NECSA) on their respective Corporate Plans for 2021/22 Financial Year Consideration and adoption of outstanding minutes: 15 February 2022
01 March 2022	<ul style="list-style-type: none"> Status of the audit outcomes of the Central Energy Fund (CEF Group): Clarification by the Auditor-General of South Africa (AGSA) and the Department of Mineral Resources and Energy (DMRE) Briefing by the AGSA on the audit outcomes of the South African Nuclear Energy Corporation (NECSA) Group and

Date of meeting	Agenda
	<p>the South African Diamond and Precious Metals Regulator (SADPMR) for the 2020/21 Financial Year</p> <ul style="list-style-type: none"> • Briefings by the NECSA and the SA SADPMR on their respective Annual Reports for 2020/21 Financial Year. • Consideration and adoption of outstanding minutes: 15 and 22 February 2022
08 March 2022	<ul style="list-style-type: none"> • Briefing by the Parliamentary Legal Service on the recent High Court decision relating to the Risk Mitigation Independent Power Producers Procurement Programme (RMIPPPP); • Providing a clear way forward to the PCMRE, relating to its envisaged Inquiry, taking into consideration the recent court outcome • Tabling of correspondence received • Consideration and adoption of outstanding minutes: 01 March 2022
15 March 2022	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy, Central Energy Fund, National Treasury and the Council for Scientific and Industrial Research (CSIR), respectively, on the impact of the increasing fuel prices on the economy and possible alternatives and/or considerations in addressing increases in fuel prices. • Consideration and adoption of outstanding minutes: 08 March 2022
18 March 2022	<ul style="list-style-type: none"> • Briefing by the MINCOSA, National Union of Mineworkers (NUM), Association of Mineworkers and Construction Union (AMCU) and the United Association of South Africa (UASA), respectively, on the impact of the High Court Judgement in September 2021, relating to the Mining Charter. • Consideration and adoption of outstanding minutes: 15 March 2022.
22 March 2022	<p>Briefing by the Department of Mineral Resources and Energy on the:</p> <ul style="list-style-type: none"> • Amendment to the Convention on Physical Protection of Nuclear Material (CPPNM), tabled in terms of section 231(2) of the Constitution, 1996. • Explanatory Memorandum of the Amendment to the Convention on Physical Protection of Nuclear Material.
25 March 2022	<ul style="list-style-type: none"> • Briefing by the South African (SA) Petroleum Industry Association (SAPIA), SA Oil and Gas Alliance (SAOGA), Liquid Fuels Wholesalers Association (LFWA), SA Petroleum Retailers Association (SAPRA) and the Fuel Retailers Association (FRA), respectively, on the impact and/or experiences relating to the fuel price increases and alternatives and/or other considerations in mitigating the increases in fuel prices.
29 March 2022	<ul style="list-style-type: none"> • Tabling and discussions on the Committee 1st draft report on the fuel price increases. • Consideration and adoption of outstanding minutes: 18, 22 and 25 March 2022
01 April 2022	<ul style="list-style-type: none"> • Consideration and adoption of the Committee report on the fuel price increases. • Consideration and adoption of the Committee 2nd term programme for 2022 • Consideration and adoption of outstanding minutes: 25 and 29 March 2022
03 May 2022	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy on their Annual Performance Plan and Budget Vote No. 34 for the 2022/23 financial year (FY) • Briefing by the Mine Health and Safety Council (MHSC) on their Annual Performance Plan and Budget for 2022/23 FY • Consideration and adoption of outstanding minutes: 01 April 2022

Date of meeting	Agenda
	<ul style="list-style-type: none"> Briefing by the Council for Geo-Science (CGS), Mintek and the South African National Energy Development Institute (SANEDI) on their respective Annual Performance Plans and Budgets for 2022/23 Financial Year (FY)
06 May 2022	<ul style="list-style-type: none"> Briefing by the South African Nuclear Energy Corporation (NECSA), National Nuclear Regulator (NNR), National Radioactive Waste Disposal Institute (NRWDI), National Energy Regulator of South Africa (NERSA), Central Energy Fund (CEF) Group, South African Diamond and Precious Metals Regulator (SADPMR) and the State Diamond Trader (SDT) on their respective Annual Performance Plans and Budgets for 2022/23 Financial Year (FY).
13 May 2022	<ul style="list-style-type: none"> Tabling and Discussions on the Committee Budget Vote Report. Tabling and Discussions on the Consolidated Public Hearings Report on the Gas Amendment Bill.
17 May 2022	<ul style="list-style-type: none"> Briefing by the Department of Mineral Resources and Energy on the Upstream Petroleum Resources Development Bill [B13 – 2021]. Consideration and adoption of the Committee Budget Vote Report. Consideration and adoption of the consolidated provincial public hearings report on the Gas Amendment Bill.
20 May 2022	<ul style="list-style-type: none"> Briefing by the Department of Mineral Resources and Energy on its responses to the written submissions on the Gas Amendment Bill [B9 – 2021] Consideration and adoption of the outstanding minutes: 01 April, 03 (2 sets), 06 and 13 May 2022
24 May 2022	<ul style="list-style-type: none"> Consideration and adoption of the Motion of Desirability on the Gas Amendment Bill [B9 – 2021] Discussions on the way forward with regard to the Upstream Petroleum Resources Development Bill [B13 – 2021] Consideration and adoption of outstanding minutes: 17 and 20 May 2022
31 May 2022	<ul style="list-style-type: none"> Briefing by the Department of Mineral Resources and Energy (DMRE) on the Revised African Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA) Agreement, tabled in terms of section 231(2) of the Constitution, 1996, and the Explanatory Memorandum to The Revised African Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology Agreement (AFRA). Consideration and adoption of minutes: 24 May 2022
03 June 2022	<ul style="list-style-type: none"> Legal opinion by the Parliamentary Legal Services on various issues relating to the Upstream Petroleum Resources Development Bill [B13 – 2021] Letter from the Office of the House Chairperson relating to Glencore.
07 June 2022	<ul style="list-style-type: none"> Deliberations on Gas Amendment Bill [B9- 2021]
23 August 2022	<ul style="list-style-type: none"> Briefing by the Committee Content Advisor on the issue of Glencore Bribery Case and the alleged misuse of the Mining Rehabilitation Funds. Briefing by the Parliamentary Legal Services on its legal opinion on committee processes in relation to legal proceedings against Glencore Tabling of correspondences received. Consideration and adoption of the committee 3rd Term Programme.
30 August 2022	<ul style="list-style-type: none"> Briefing by Mining Affected Communities United in Action (MACUA) and Woman Affected by Mining United in Action (WAMUA) on their 2022 report on Social Labour Plans Audit. Briefing by MACUA and WAMUA on the High Court outcomes relating to the Mining Charter.

Date of meeting	Agenda
	<ul style="list-style-type: none"> • Briefing by MACUA and WAMUA on their views relating to illegal mining. • Consideration and adoption of outstanding minutes: 31 May, 03 June, 07 June and 23 August 2022.
13 September 2022	<ul style="list-style-type: none"> • Briefing by the Auditor General of South Africa (AGSA) on the Performance Audit Report on the Rehabilitation of Derelict and Ownerless Mines. • Briefing by the South African Human Rights Commission (SAHRC) on its recommendations on issues and challenges in relation to unregulated artisanal underground and surface mining activities in South Africa. • Tabling of correspondences received.
20 September 2022	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy on their Quarterly Performance Reports for 2021/22: Quarters 1, 2 and 3 • Consideration and adoption of minutes: 30 August and 13 September 2022 • Tabling of correspondence
21 September 2022	<ul style="list-style-type: none"> • Tabling of the 1st draft of the oversight visit to Jagersfontein • Correspondences.
23 September 2022	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy on its responses to the Auditor General of South Africa (AGSA), South African Human Rights Council (SAHRC) presentations on 13 September 2022, including the matters raised by Mining Affected Communities United in Action (MACUA) and Women Affected by Mining United in Action (WAMUA). • Deliberations on the Upstream Petroleum Resources Development Bill [B13 – 2021] – consideration and adoption of the Motion of Desirability (MoD) • Consideration and adoption of the Jagersfontein oversight visit report. • Consideration and adoption of minutes:
11 October 2022	<ul style="list-style-type: none"> • Briefing by the Auditor-General of South Africa (AGSA) on the audit outcomes of the Department of Mineral Resources and Energy and its entities for the period 2021/22 Financial Year (FY). • Briefing by the Department of Mineral Resources and Energy (DMRE) on its Annual Report for 2021/22 FY. • Briefing by the Mine Health and Safety Inspectorate (MHSI) and the Mine Health and Safety Council (MHSC) on their respective Annual Reports for 2021/22 FY. • Briefing by the National Energy Regulator of South Africa (NERSA), the South African Diamond and Precious Metals Regulator (SADPMR), the State Diamond Trader (SDT) and Mintek on their respective Annual Reports for 2021/21 FY.
13 October 2022	<ul style="list-style-type: none"> • Briefing by the South African National Energy Development Institute (SANEDI), the National Nuclear Regulator (NNR), the National Radioactive Waste Disposal Institute (NRWDI) and the Council for Geoscience (CGS) on their respective Annual Reports for 2021/22 Financial Year (FY). • Briefing by the South African Nuclear Energy Corporation (NECSA) and the Central Energy Fund (CEF) Group on its respective Annual Reports for 2021/22 FY
18 October 2022	<ul style="list-style-type: none"> • Tabling of the 1st Draft of the Committee Budgetary Review and Recommendations Report (BRRR).

Date of meeting	Agenda
	<ul style="list-style-type: none"> • Tabling of the 1st Draft of the Oversight Visit in April 2022. • Discussions on the oversight visit to Koeberg Nuclear Power Plant on Friday, 21 October 2022.
20 October 2022	<ul style="list-style-type: none"> • Consideration and adoption of the Committee Budgetary Review and Recommendations Report (BRRR). • Consideration and adoption of the Oversight Visit in April 2022 • Update on the oversight visit to Koeberg Nuclear Power Plant on Friday, 21 October 2022.
01 November 2022	<ul style="list-style-type: none"> • Briefing by the Minister of Mineral Resources and Energy and the Department of Mineral Resources and Energy on all Glencore activities and mining rights in South Africa • Tabling of correspondence • Consideration and adoption of outstanding minutes
02 November 2022	<ul style="list-style-type: none"> • Joint meeting with the PC on Public Enterprises: Engagement with Eskom board on the energy crisis and Koeberg related issues as raised by National Union of Mineworkers
04 November 2022	<ul style="list-style-type: none"> • Tabling of the draft programme relating to the provincial public hearings on the Upstream Petroleum Resources Development Bill [B13 – 2021] which will be conducted in 2023.
08 November 2022	<ul style="list-style-type: none"> • Briefing by the Minister of Mineral Resources and Energy and the Department of Mineral Resources and Energy (DMRE) on the following: <ul style="list-style-type: none"> ○ Status of the Mining Rehabilitation Fund. ○ Investigation relating to the three regional offices in Limpopo, Mpumalanga and the North West Provinces. ○ Update on the Cadastral System and Licensing Backlog. • Consideration and adoption of minutes: 01 and 04 November 2022
15 November 2022	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy (DMRE) on the following: • First and Second Quarterly Performance Reports for the 2022/23 Financial year. • Update on the National Solar Water Heater Programme (NSWHP). • Consideration and adoption of minutes: 08 November 2022.
18 November 2022	<ul style="list-style-type: none"> • Oral presentations on the Upstream Petroleum Resources Development Bill [B21 – 2021]
22 November 2022	<ul style="list-style-type: none"> • Responses by the Department of Mineral Resources and Energy (DMRE) on the written submissions received on the Upstream Petroleum Resources Development Bill [B13– 2021]
25 November 2022	<ul style="list-style-type: none"> • Consideration and adoption of the consolidated report relating to the joint oversight visits on illegal mining.
29 November 2022	<ul style="list-style-type: none"> • Consideration and adoption of the 1st Term programme • Consideration and adoption of the Committee programme on provincial public hearings on the Upstream Petroleum Resources Development Bill [B13 – 2021]. • Consideration and adoption of outstanding minutes.
06 December 2022	<ul style="list-style-type: none"> • Briefing by the Presidency on the Just Energy Transition Investment Plan. • Consideration and adoption of outstanding minutes.

Tuesday, 21 February 2023	<ol style="list-style-type: none"> 1. Update to the Committee on the following referrals: <ul style="list-style-type: none"> • Mining Affected Communities United in Action (MACUA) and Women Affected Communities in Action (WAMUA) • Organisation Undoing Tax Abuse (OUTA) • Swartkops Sea Salt/SIMAPA • Energy crisis 2. Information requested and received from the Department of Mineral Resources and Energy 3. Consideration and adoption of outstanding minutes
Friday, 24 February 2023	<ul style="list-style-type: none"> • A comprehensive briefing by the Department of Mineral Resources & Energy (DMRE) and the Independent Power Producers Office on the Independent Power Producers Procurement Programme.
Tuesday, 07 March 2023	<ul style="list-style-type: none"> • Briefing by the Central Energy Fund (CEF) on its 1st, 2nd and 3rd Quarterly Performance Reports for 2022/23 Financial Year.
Tuesday, 14 March 2023	<ul style="list-style-type: none"> • Update by the Central Energy Fund (CEF) on the merger of PetroSA, iGas and the Strategic Fuel Fund (SFF). • Briefing by the SFF on the Milnerton and Saldanha Bay fuel storage facilities
Tuesday, 18 April 2023	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy on its Annual Performance Plan and Budget for 2023/24 financial year. • Briefing by the Mine Health and Safety Council (MHSC), Council for Geoscience (CGS), Mintek, National Energy Regulator of SA (NERSA), South African Diamond and Precious Metals Regulator (SADPMR), State Diamond Trader (SDT) and the South African National Energy Development Institute (SANEDI) on their respective Annual Performance Plans and budgets for 2023/24 financial year.
Wednesday, 19 April 2023	<ul style="list-style-type: none"> • Briefing by the South African Nuclear Energy Corporation (NECSA), National Radioactive Waste Disposal Institute (NRWDI), National Nuclear Regulator (NNR) and the Central Energy Fund on their respective Annual Performance Plans for 2023/24 and budgets.
Tuesday, 02 May 2023	<ul style="list-style-type: none"> • Tabling of the 1st Draft of the Committee Budget Vote Report for 2023 • Discussions on the Mining Affected Communities United in Action (MACUA) and Women Affected by Mining United in Action (WAMUA)
Wednesday, 03 May 2023	<ul style="list-style-type: none"> • Consideration and Adoption of the Committee Budget Vote Report for 2023 • Update on the Provincial Public Hearings on the UPRD in Mpumalanga
Tuesday, 09 May 2023	<ul style="list-style-type: none"> • Update by the Department of Mineral Resources and Energy (DMRE), the National Nuclear Regulator (NNR) and Eskom on the Koeberg Nuclear Power Plant's Long Term Operations (LTO). • Consideration and Adoption of outstanding minutes
Tuesday, 23 May 2023	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy (DMRE) on their 3rd and 4th Quarter Performance Reports for 2022/23 Financial Year. • Update by the DMRE on the cadastral system. • Update by the DMRE on the licensing backlog.

	<ul style="list-style-type: none"> • Consideration and Adoption of outstanding minutes: 03 and 09 May 2023.
Tuesday, 30 May 2023	<ol style="list-style-type: none"> 1. Comprehensive update by the Department of Mineral Resources and Energy (DMRE) on the following: <ul style="list-style-type: none"> • Shale gas developments • Solar Water Heater Programme (SWH) 2. Announcements
Tuesday, 13 June 2023	<ul style="list-style-type: none"> • Consideration and adoption of the 3rd Term Programme – including processing of legislation during the constituency period. • Update on the envisaged international study tour. • Outstanding matters – which the Committee still need to address. • Consideration and adoption of minutes of 23 and 30 May 2023.
Tuesday, 08 August 2023	<ul style="list-style-type: none"> • Consideration and adoption of the consolidated provincial public hearings report on the Upstream Petroleum Development Resources Bill [B13 – 2021]. • Consideration and adoption of the Mineral and Petroleum Resources Development Act Review Summit report. • Consideration and adoption of the United Kingdom study tour report • Discussions on illegal mining. • Discussions on the Electricity Regulation Amendment Bill (ERA). • Consideration and adoption of minutes: 13 June 2023.
Tuesday, 15 August 2023	<ul style="list-style-type: none"> • 09:00 – 13:00 – Responses from the Department of Mineral Resources and Energy (DMRE) on issues emerging from the consolidated provincial public hearings report on the Upstream Petroleum Resources Development (UPRD) Bill • 14:00 – 16:30 – Deliberations on the UPRD Bill [B13 – 2021]
Wednesday, 16 August 2023	<ul style="list-style-type: none"> • Legal opinion by the Parliamentary Legal Services on the tabling of the Electricity Regulation AB • Deliberations on the Upstream Petroleum Resources Development Bill [B13 – 2021]
Thursday, 17 August 2023	<ul style="list-style-type: none"> • Deliberations on the Upstream Petroleum Resources Development Bill [B13 – 2021]
Tuesday, 22 August 2023	<ul style="list-style-type: none"> • Deliberations on the Upstream Petroleum Resources Development Bill [B13 – 2021]
Wednesday, 23 August 2023	<ul style="list-style-type: none"> • Deliberations on the Upstream Petroleum Resources Development Bill [B13 – 2021]
Tuesday, 29 August 2023	<ul style="list-style-type: none"> • Deliberations on the Upstream Petroleum Resources Development Bill [B13 – 2021]
Tuesday, 05 September 2023	<ul style="list-style-type: none"> • Deliberations on the Upstream Petroleum Resources Development Bill [B13 – 2021]
Wednesday, 06 September 2023	<ul style="list-style-type: none"> • Briefing by the Department of Mineral Resources and Energy (DMRE) on the: <ul style="list-style-type: none"> ○ National Nuclear Regulator Amendment Bill [B25 – 2023] ○ Electricity Regulation Amendment Bill [B23 – 2023]
Tuesday, 12	<ul style="list-style-type: none"> • Deliberations on the Upstream Petroleum Resources Development Bill [B13 – 2021]

September 2023	
Tuesday, 19 September 2023	<ul style="list-style-type: none"> Briefing by the Department of Mineral Resources and Energy (DMRE) on their 1st Quarter Performance Report for 2023/24 Financial Year
Wednesday, 20 September 2023	<ul style="list-style-type: none"> Clause-by-clause on the Upstream Petroleum Resources Development Bill [B13 – 2021]. Consideration and adoption of the Committee report on the Upstream Petroleum Resources Development Bill [B13 – 2021]. Consideration and adoption of the 4th Term Committee programme
Tuesday, 10 October 2023	<ul style="list-style-type: none"> Briefing by the Auditor-General of South Africa (AGSA) on the audit outcomes of the Department of Mineral Resources and Energy (DMRE) and its respective entities for the 2022/2023 Financial Year (FY) Briefing by the DMRE on their Annual Report for the 2022/2023 FY Briefing by the South African Nuclear Energy Corporation (NECSA) on their Annual Report for 2022/2023
Tuesday, 17 October 2023	<ul style="list-style-type: none"> Tabling and discussions on the Committee's 1st draft of its Budgetary Review and Recommendations Report (BRRR) for 2023. Consideration and adoption of the Committee Budgetary Review and Recommendations Report for 2023.
Friday, 20 October 2023	<ul style="list-style-type: none"> Consideration and adoption of outstanding minutes.
Thursday, 07 December 2023	<ul style="list-style-type: none"> Public hearings on the Electricity Regulation Amendment Bill [B23 – 2023] – oral submissions
Friday, 08 December 2023	<ul style="list-style-type: none"> Public hearings on the National Nuclear Regulator Amendment Bill [B25 – 2023] – oral submissions
Tuesday, 12 December 2023	<ul style="list-style-type: none"> Responses by the DMRE on the written submissions received on the National Nuclear Regulator Amendment Bill [B25 – 2023]
Tuesday, 12 December 2023	<ul style="list-style-type: none"> Discussions on the provincial public hearings not undertaken in Bethlehem, Welkom and Zeerust Correspondence Responses by the DMRE on the written submissions received on the Electricity Regulation Amendment Bill [B23 – 2023]
06 February 2024	<ul style="list-style-type: none"> Consideration and adoption of the Committee 1st Term Programme for 2024
09 February 2024	<ul style="list-style-type: none"> Tabling of the 1st draft of the Consolidated Provincial Public Hearings Report on the Electricity Regulation Amendment Bill Consideration and adoption of outstanding reports
14 February 2024	<ul style="list-style-type: none"> Responses by the Department of Mineral Resources and Energy (DMRE) on issues emanating from the Consolidated Provincial Public Hearings (CPPH) report on the Electricity Regulation Amendment Bill [B23 – 2023] Consideration and adoption of the Motion of Desirability (MoD) of the Electricity Regulation Amendment Bill [B23 – 2023] (ERA) and the National Nuclear Regulator Amendment Bill [B25 – 2023] (NNR), respectively.
20 February 2024	<ul style="list-style-type: none"> Consideration and adoption of outstanding minutes Update on the week's meetings. Deliberations on the Electricity Regulation Amendment Bill [B23 – 2023]

21 February 2024	<ul style="list-style-type: none"> • Deliberations on the Electricity Regulation Amendment Bill [B23 – 2023]
22 February 2024	<ul style="list-style-type: none"> • Deliberations on the Electricity Regulation Amendment Bill [B23 – 2023] • Deliberations on the National Nuclear Regulator Amendment Bill [B25 – 2023]
27 February 2024	<ul style="list-style-type: none"> • Deliberations on the Electricity Regulation Amendment Bill [B23 – 2023] • Deliberations on the National Nuclear Regulator Amendment Bill [B25 – 2023]
28 February 2024	<ul style="list-style-type: none"> • Deliberations on the Electricity Regulation Amendment Bill [B23 – 2023] • Deliberations on the National Nuclear Regulator Amendment Bill [B25 – 2023]
01 March 2024	<ul style="list-style-type: none"> • Continuation of deliberations on the Electricity Regulation Amendment Bill [B23 – 2023]
05 March 2024	<ul style="list-style-type: none"> • Deliberations on the Electricity Regulation Amendment Bill [B23 – 2023] • Deliberations on the National Nuclear Regulator Amendment Bill [B25 – 2023]
08 March 2024	<p>ERA A/B</p> <ul style="list-style-type: none"> • Clause-by-clause on the National Nuclear Regulator Amendment Bill [B25 – 2023] • Consideration and adoption of the Committee report on the National Nuclear Regulator Amendment Bill [B25 – 2023] <p>NNR A/B</p> <ul style="list-style-type: none"> • Clause-by-clause on the National Nuclear Regulator Amendment Bill [B25 – 2023] • Consideration and adoption of the Committee report on the National Nuclear Regulator Amendment Bill [B25 – 2023] <p>NR A/B</p>
12 March 2024	<ul style="list-style-type: none"> • Tabling of the 1st draft of the Legacy Report 2019 - 2024
20 March 2024	<ul style="list-style-type: none"> • Briefing by the Auditor General of SA on the audit outcomes of the CEF Group for 2022/2023 financial year and the reason for the delays in releasing audit outcomes. • Briefing by the CEF Group on their Annual Report for 2022/23.

5. Legislation

The following pieces of legislation were referred to the committee and processed during the 4th Parliament:

Year	Name of Legislation	Tagging	Objectives	Completed/Not Completed
2019/2020	Independent Electricity Management Operator Bill [B14 - 2019]	S76	<p>The objects of this Act are to provide for the incorporation of Independent Electricity Management Operator Bill [B14 – 2019] (IEMO) as a private company that—</p> <ul style="list-style-type: none"> • is financially viable and that will manage the system in an efficient manner; • will act as a trader of electricity in line with Government policy; 	The Committee rejected the Bill.

Year	Name of Legislation	Tagging	Objectives	Completed/Not Completed
			<ul style="list-style-type: none"> • will prepare appropriate input into the planning of electricity supply and transmission planning; • is responsible for the establishment, practice and maintenance of the integrated power system; • ensures efficient dispatch within the integrated power system; and • provides for matters related thereto. 	
2021/2022	Gas Amendment Bill [B9 – 2021]	S76	To amend the Gas Act, 2001, so as to amend and insert certain definitions; to provide for the promotion of the orderly development of the gas industry; to enhance the national regulatory framework; to promote broad-based black economic empowerment; to provide for socio-economic and environmentally sustainable development; to provide for new developments and changing technologies in the gas sector; to facilitate gas infrastructure development and investment; to provide for cooperation between the private and public sectors in the gas industry; to strengthen enforcement and improve compliance; and to provide for matters connected therewith.	Not completed – Department of Mineral Resources and Energy retracted the Bill prior the formal processing of the Bill.
	Upstream Petroleum Resources Development Bill [B13 – 2021]	S76	To provide for orderly development of petroleum resources; to provide for equitable access to, and sustainable development of, the nation’s petroleum resources; to provide for active State and black persons’ participation in the development of the nation’s petroleum resources; to provide for a petroleum right that integrates the right to explore and to produce; to provide for the facilitation of acquisition of petroleum geo-technical data; to provide for a controlled application system through licensing rounds; to create an enabling environment for the acceleration of exploration and production of the nation’s petroleum resources; to provide for third party access to upstream petroleum infrastructure; to provide for a petroleum right holder to sell a percentage of petroleum to	Completed

Year	Name of Legislation	Tagging	Objectives	Completed/Not Completed
			the State for strategic stock requirements; to designate a state-owned company as an entity responsible for managing the State's carried interest in petroleum rights; to provide for the advancement of national developmental imperatives by the state-owned company through the development of petroleum resources; to provide for the holder of a petroleum right to retain its empowerment status after the exit of black persons under circumscribed circumstances; to provide for local content as a development strategy to enable skills development, local recruitment and national participation through supply of goods and services; to designate the Petroleum Agency of South Africa as the regulatory authority for the upstream petroleum sector; and to provide for matters connected therewith.	
2022/2023	N/A	N/A	N/A	N/A
2023/2024	Electricity Regulation Amendment Bill [B23 – 2023]	S76	To amend the Electricity Regulation Act, 2006, so as to delete, amend, and insert certain definitions; to provide for the application of the Act; to provide for the National Energy Regulator to consider applications for licences and the issue of licences; to provide for revocation and deregistration of licences; to provide for additional electricity, new generation capacity and electricity infrastructure; to provide for the establishment, duties, powers and functions of the Transmission System Operator SOC Ltd and transitional measures; to provide for an open market platform that allows for competitive electricity trading; to assign the duties, powers and functions of the Transmission System Operator SOC Ltd to the National Transmission Company South Africa SOC Ltd; to provide for delegation and assignment; to provide for offences and penalties; and to provide for matters connected therewith.	Completed
	National Nuclear Regulator Amendment Bill [B25 – 2023]	S75	To amend the National Nuclear Regulator Act, 1999, so as to substitute certain definitions and insert new definitions; to authorise the Regulator to perform additional regulatory	Completed

Year	Name of Legislation	Tagging	Objectives	Completed/Not Completed
			functions; to provide for conditions applicable to the transfer of responsibility for authorised activities; to provide for additional powers of inspectors; to provide for financial provision for costs associated with safe rehabilitation or decommissioning of nuclear facilities; to provide for administrative fines; to provide for the establishment of the National Dose Register; to provide for a centralised database of radiation workers; and to provide for matters connected therewith.	

a) Challenges emerging

The following challenges emerged during the processing of legislation:

❖ **Technical/operational challenges that may have delayed legislation and/or complicated the processing thereof**

- ✓ Legislation being tabled late during the 6th Parliament by the Department of Mineral Resources and Energy, such as the Electricity Regulation Amendment Bill and the National Nuclear Regulator Amendment Bill. This meant that the Committee had to abandon its planned activities and focus on these two pieces of legislation which were referred to the Committee as priority legislation.
- ✓ The Parliamentary Legal Services lacks human resource capacity as at times Legal Advisors supporting the Committee would not attend the meeting due to commitments in other Committees. This compromises the work of the Committee in processing of Bills.
- ✓ The Parliamentary Public Education Unit and the poor management thereof resulted in delays in finalisation of the legislation before the Committee, in particular the ERA Bill. The Committee had to extend public hearings due to the fact that in three areas, the Unit failed to mobilise and educate the public on the Bill.
- ✓ Late political application approvals by the relevant division also resulted in delays in public hearings/oversight visits/study tours.

❖ **Content-related challenges**

- ✓ Poorly drafted legislation, such as the Gas Amendment Bill that had to be withdrawn from Parliament.

b) Issues for follow-up

The 7th Parliament should consider following up on the following concerns that arose:

- A new company is being established by the Upstream Petroleum Development Resources Bill, and the legislation establishing the Company is being developed. Therefore, it is important to monitor the legislation that is establishing the South African National Petroleum

Company as the effective implementation of the Upstream Petroleum Resources Development Bill is dependent on this company being established.

6. Oversight trips undertaken

The following oversight trips were undertaken:

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
9 - 11 October 2020	<ul style="list-style-type: none"> Mpumalanga - Optimum, Koorfontein and Lily Mine Limpopo - Northam Platinum Limited Gauteng 	<ul style="list-style-type: none"> Both Optimum Coal Mine and Lily Mine are under Business Rescue (BR). Based on the presentations received from the Business Rescue Practitioners (BRPs), the Committee resolved to visit these mines to get the progress on recovery of the three mine workers who were trapped underground at Lily Mine. On 06 September 2019, a letter was received from the Speaker of the 	<ul style="list-style-type: none"> The Department of Mineral Resources and Energy facilitate an engagement between the Community of Thabazimbi and the Northam Mine Executive and provide feedback to the Committee. As the mining companies are developing the third generation of Social Labour Plans for submission to the Department, robust oversight by the Department, on the implementation of the Plans is critical. During the Third Quarter of the 2020/21 financial year, the Department should 	Ongoing	<ul style="list-style-type: none"> Follow-up on the 2 judgements of Lily Mine 	Adopted

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
		<p>National Assembly (NA), Ms T Modise, for the PCMRE to consider a submission from Mr Mguzulu, Branch Secretary of the National Union of Mineworkers (NUM) in Optimum mine where he alleged that Optimum and Koorfontein mines were placed under BRPs since February 2018 because the mines not access banking facilities. Consequently, workers were living in abject poverty and have never received income since 2018.</p> <ul style="list-style-type: none"> • Additionally, on 26 November 	<p>brief the Committee on progress made by the BRPs on Optimum Mine business rescue process.</p> <ul style="list-style-type: none"> • The DMRE to ensure that former employees of Optimum are given first preference on employment, when the mine is opened and ramped up to full capacity. • The DMRE to ensure that the next generation Social and Labour plan of Optimum primarily addresses the economic and social needs of former employees, who had been negatively affected by the business rescue process. • The DMRE continue to provide full legal and administrative support to the process of reopening mines currently under business rescue. 			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
		<p>2019, a letter was received from the Speaker of NA where Mr Kevin Tiro raised concerns regarding Northam Platinum Limited (NPL) Zondereide mine in Thabazimbi. Mr Tiro alleged that while the company has been existence for 30 years, where the mine conducts its operations has not benefitted anything. The Speaker requested to be kept abreast of the developments in this regard.</p>				
13 – 14 November 2020	Mosselbay – Western Cape	<ul style="list-style-type: none"> Meeting with the Mossel Bay Municipality as well as PetroSA 	<ul style="list-style-type: none"> Ensure that a plan for sourcing feedstock for the PetroSA GTL refinery is presented to 	Ongoing	Continuously monitor the turnaround strategy of PetroSA	Adopted

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
		and visit Solar Water Heater storage facilities within the Municipality	<p>the Committee as a matter of urgency.</p> <ul style="list-style-type: none"> • Update the Committee on progress made on the installation of the 87 000 solar water geysers by the end of January 2021. Moreover, officials who contributed to the failure of the programme should account to Parliament. • Ensure that the training of solar water geysers is skilled based and not be product based. • Submit and present to the Committee the Project Ikhwezi, including details of the officials and the Board Members involved at the time. • Encourage the Centre of Excellence to continue with their work and collaborate with other institutions in advancing skills development in the area. • Submit and present to the Committee all forensic investigations 			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>within the CEF group, completed and those in progress by the end of January 2021.</p> <ul style="list-style-type: none"> • Actively engage with Total on the Brulppada gas discovery project. The Committee should be updated on progress. • Ensure that the PetroSA corporate turnaround strategy compliments and strengthens the merger process. • Urge CEF, PetroSA and DMRE to avoid any potential job loses • Ensure that the CEO of CEF and the Mayor and Municipal Manager of Mossel Bay Municipality meet and actively engage on the challenges facing PetroSA and its impact on Mossel Bay livelihoods in the region. • Ensure the relationship between organised labour and PetroSA be strengthened in order to create a good 			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>working relationship.</p> <ul style="list-style-type: none"> Ensure that views and opinions of the organised labour are taken into consideration to assist the process going forward. 			
26 – 27 February 2021	<ul style="list-style-type: none"> Saldanha Bay and Milnerton – Western Cape 	<p>Strategic Fuel Fund (SFF) storage facilities in Saldanha Bay and Milnerton. Furthermore, the Committee visited PetroSA Head Office in Parow, wherein the Department of Mineral Resources and Energy (DMRE) also briefed the Committee on the implementation of the National Solar Water Heater Programme (SWHP). In its oversight programme, the Committee had planned to visit Eskom’s Koeberg Nuclear Power</p>	<ul style="list-style-type: none"> The Director-General (DG) of the DMRE should urgently meet with the DG of COGTA and the Chief Executive Officer of SALGA to intervene in the implementation of the National Solar Water Heater Programme. An oversight visit to areas where the solar water heater units are installed should be undertaken. DMRE should provide monthly update on the installation progress on the solar water heater programme. DMRE present by the end of June 2021 the overall status on the implementation of the National Solar Water Heater programme. 	Ongoing	<ul style="list-style-type: none"> Continuously monitor the implementation of the National Solar Water Heater Programme Monitor the refurbishment of the Milnerton storage facility. 	Adopted

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
		<p>Plant. However, due to unforeseen circumstances, the Eskom leg of the visit had to be postponed until further notice.</p>	<ul style="list-style-type: none"> • On the unlawful safe of strategic fuel stock, SFF and CEF should furnish the Committee with a copy of the forensic report as a matter of urgency in order to follow up on consequence management. • The National Energy Regulator of South Africa (NERSA) should brief the Committee on its licensing regime, especially with reference to Petroleum Pipelines. • The Strategic Fuel Fund should explore ways to have Intellectual Property Rights for its facilities. • The Committee should receive an update on the refurbishment of the SFF Milnerton crude oil storage facility by 31 March 2021. • The Committee should undertake its previously planned oversight visit to Koeberg Power station. 			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<ul style="list-style-type: none"> • The Department provides better utilisation model of all idle capacity at PETRO SA once the merger process (PETRO SA, I GAS and SFF) is completed. • As soon as merger is completed, an audit of all facilities owned or operated by the three entities that will merge should be conducted in order to identify facilities that are underutilised, to ascertain whether there is a need to retain or look at other alternatives for those facilities. • DMRE should provide a detailed report on the disposal of Orgies strategic fuel stock. 			
	•	•				
19 – 22 April 2022	<ul style="list-style-type: none"> • Western Cape – Eskom’s Koeberg Nuclear Power Plant and meeting with 	<ul style="list-style-type: none"> • Meeting with Eskom at the Koeberg Nuclear Power Station in Milnerton, 	<ul style="list-style-type: none"> • By the end of June 2022, PetroSA submit Preliminary Report to the Committee on its engagements with the KwaNonqaba 	Ongoing	<ul style="list-style-type: none"> • Conduct robust oversight to the Koeberg Nuclear Power Station 	Adopted

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
	<p>NGO in Mosselbay regarding PetroSA</p> <ul style="list-style-type: none"> • North-West – SA Nuclear Energy Corporation (Pelindaba) • Gauteng – Council for Geo-Science (CGS) and Mintek 	<ul style="list-style-type: none"> • PetroSA together with KwaNonqaba Development Forum in Mosselbay, • Meeting with the SA Nuclear Energy Corporation (NECSA) on recent developments • Look at the Acid Mine Drainage in Gauteng 	<p>Development Forum and the Mossel Bay Municipality. [NB: This Report has been received].</p> <ul style="list-style-type: none"> • A Joint follow-up oversight visit to Koeberg power station for an in-depth investigation on the serious allegations of corruption at the plant be conducted. • NECSA to send a summary report of the work it does with Eskom on the Koeberg Nuclear Power Station. • NECSA to consider doing and submitting to the Committee a visual presentation of the waste to energy technology. • The Minister of Mineral Resources and Energy, in collaboration with other relevant Ministers ensure that the Offtake agreement regarding Ketlaphela Pharmaceutical is signed, as a matter of urgency. • The National Energy 			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>Regulator of South Africa should ensure that it simplifies the requirements for projects less than 100 MW.</p> <ul style="list-style-type: none"> • The Department to prioritise the safety of the employees when conducting research and doing practical projects in mining sites. • The Department should ensure proper coordination between the different spheres of Government when projects are being handed over by the implementers. • The Minister of Mineral Resources and Energy continue to improve, strengthen and enhance collaborations between the entities of the Department that are doing similar work. 			
	•	•				
16 September 2022	<ul style="list-style-type: none"> • Free State - Jagersfontein town in Kopanong Local 	<ul style="list-style-type: none"> • On 11 September 2022, a tailings dam in the Jagersfontein 	<ul style="list-style-type: none"> • The Department of Mineral Resources and Energy urgently reviews the MPRDA in order to include the 	Completed	<ul style="list-style-type: none"> • Completed 	Adopted

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
	Municipality	<p>mining area in Free State burst, causing a mudslide and flooding in several areas in the town of Jagersfontein. Tailings are the waste products from mining – mining waste.</p>	<p>regulation of tailings dam/mine dumps.</p> <ul style="list-style-type: none"> • A full investigation of the cause of the incident, including investigations on the Directors of the company. • The Department of Water and Sanitation to explain and make available the compliance report that it supposedly issued when it declared the dam safe in 2021. • The following Committees amongst others engage with the Jagersfontein Community: Environment, Forestry and Fisheries, Health, Social Development, Employment and Labour and Home Affairs. • The company (owners of the tailing dam) should take full responsibility in ensuring the restoration of the area. • The Committee, within six months' time, do a follow up visit, to 			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>assess progress on reconstruction.</p> <ul style="list-style-type: none"> • A broader investigation by the PC on Water and Sanitation, in collaboration with relevant departments/entities, on the status of tailing dams in South Africa should be conducted, and a findings and report back to the National Assembly as a matter of urgency. • The Portfolio Committee on Social Development, should ensure that the Department of Social Development provides urgent psychological support should be provided to the affected communities. • Government should conduct an investigation on the impact of the incident beyond Jagersfontein. • The DMRE to conduct investigation on possible illegal mining happening around the processing facility. • A joint meeting be held 			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>with Mintek and the Council for Geoscience to brief the Committee/s on the problems of tailings dam generally.</p> <ul style="list-style-type: none"> • The Portfolio Committee on Water and Sanitation to invite the Department of Water and Sanitation to account on the closure and the reopening of the dam. • Informed by the court judgement, the DMRE table a legislation to Parliament that would address tailings dam. • The Committee or Parliament must do everything possible to protect those who give evidence to it, in order for it to execute its mandate effectively. 			
23 – 28 August 2023	To conduct oversight visit on illegal mining in the Gauteng and North West Provinces from 23-28 August 2023	To meet and engage with the DMRE, SAPS and Affected Communities on the Riverlea incident which had recently occurred regarding illegal mining.	<ul style="list-style-type: none"> • The Department of Mineral Resources and Energy in the immediate should consider illegal mining as a project with a dedicated project manager. • The Department of Mineral Resources 	Ongoing	<ul style="list-style-type: none"> • Continuous monitoring and oversight 	Adopted

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>and Energy inspectors work closely with regional offices and the department should consider rotating them. They also should have an inspection plan and keep data on both legal and illegal mining, including where there is a double granting of licenses. The state should ensure the safety and security of inspectors as they carry out their work.</p> <ul style="list-style-type: none"> • The Department of Mineral Resources and Energy submit a progress report on resolving coordination issues, including the outcomes of the stakeholder engagement meeting in the North West by the 30th of September 2023. • The Department of Mineral Resources and Energy improve on licensing and also put mechanisms in place to end double granting. It must also 			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>accelerate the process of small-scale and artisanal mining, especially in places like Witrantjies Village in North West and Burgersfort in Limpopo, amongst others.</p> <ul style="list-style-type: none"> • Noting that there is an overarching strategy to deal with illegal mining, there should also be a costing exercise in order to determine the financial resources required. • When holes have been closed off, the land must be utilized for formal land use purposes to effectively deal with illegal mining. • By the end of November 2023, the China African Precious Metals mine through the Department should submit a progress report on feasibility study it is conducting relating to the possibility of reopening the mine in 2024. • For the Steelfontien 			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>Gold Mine in North West, the DMRE must demolish and flatten the shaft structure while the legal processes are proceeding regarding the liquidation query.</p> <ul style="list-style-type: none"> • There should be an effective oversight over the refineries, smelters and wash plants. • There needs to be an analysis of the nexus of illegal mining and Lesotho. • By the fourth quarter of the current financial year, the National Security Task Team on illegal mining should brief the Portfolio Committees on Mineral Resources and Energy, Home Affairs, Police, Justice and Correctional Services on progress made to address illegal mining. • The Regional Manager of Gauteng should convene a meeting with the community of Riverlea and account 			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			on the issues that the community had raised and report back to the Committee as a matter of urgency..			

a) Challenges emerging

The following challenges emerged during the oversight visit:

❖ Technical/operational challenges

- ✓ Constrained timeframes allocated to the Committee to undertake oversight visits
- ✓ At times, poor logistical arrangements
- ✓ Slow turnaround time of political applications and financial applications
- ✓ Constant changes in the Parliamentary programme

❖ Content-related challenges

- ✓ For the better part of the period under review the Committee had no Researcher (Mineral Resources) and Content Advisor (Energy). This may have had a negative impact in terms of providing background information to the various delegations.

7. Study tours undertaken

The following study tours were undertaken:

Date	Places Visited	Objective	Lessons Learned	Status of Report
09 – 14 July 2023	<ul style="list-style-type: none"> • Meeting with UK Parliamentary Energy Security and 	<ul style="list-style-type: none"> • The main purpose of the study tour was to learn about energy policies governing the UK energy 	<ul style="list-style-type: none"> • The Committee observed that energy transition does not mean that countries must do away with the abundant 	Adopted

Date	Places Visited	Objective	Lessons Learned	Status of Report
	<p>Net Zero Committee (House of Commons, Palace of Westminster)</p> <ul style="list-style-type: none"> Meeting with Offshore Energy UK (Annan House, Aberdeen) Visit offshore Wind Energy Turbines (Offshore, Lower Scotland, Aberdeen) Meeting with Centre for Energy Transition (University of Aberdeen) Meeting with Oil and Gas Authority now North Sea Transition Authority. (NSTA, 3rd Floor, 1 Marischal Square, Broad Street, Aberdeen) 	<p>sector. Below are some of the areas the Committee explored.</p> <ul style="list-style-type: none"> Legislative Framework Governing the Energy Industry, with a particular emphasis on the Upstream Petroleum Industry. Challenges the country face in promoting the Upstream Petroleum Industry, and how the challenges are addressed. The role of the State in the Upstream Petroleum Industry How the UK Government is dealing with Just Energy Transition. To engage with companies that are in the upstream petroleum industry including a State Company or how the State controls the Upstream Petroleum industry. To enable the Committee to develop sound recommendations to Parliament in relation to its findings when dealing with the legislation (Upstream Petroleum Resources Development Bill) that is currently in front of it. 	<p>resources they have.</p> <ul style="list-style-type: none"> South Africa is not the only country that experiencing the grid capacity issues, UK has also the problem with grid. UK made its net zero recently through coal mine power stations The Mission need DMRE on board to take South Africa to greater heights, to discover its manufacturing potential and its refining capacity. There is an appetite for investment in South Africa, but investors get discouraged by the licensing backlog and end up going to invest in other countries. 	

a) Challenges emerging

The following challenges emerged during the study tours:

- ❖ Technical/operational challenges
- ✓ Slow turnaround of political applications and financial applications.
- ✓ Poor relations between Parliament and the Department of International Relations and Cooperation (DIRCO) when dealing with international study tour applications.
- ✓ Minimal staff complement accompanying the delegation on these study tours.
- ✓ Only five (5) Members of the Committee attended the study tour to UK due to financial constraints as cited by Parliament. This was contrary to the Committee's role of conducting effective oversight on international related matters as this process excluded other political parties.
- ❖ Content-related challenges
- ✓ Content Advisor and Researcher did not form part of the delegation, due to financial constraints. Therefore, the Committee did not have content support during the study tour.

8. International Agreements:

The following international agreements were processed and reported on:

Date referred	Name of International Agreement	Objective	Status of Report	Date of enforcement
14 November 2019	European Atomic Energy Community (EURATOM) Agreement	<p>The main purpose of the Cooperation Agreement is to further expand and deepen the mutual beneficial economic, scientific and technical cooperation.</p> <p>These may include:</p> <ul style="list-style-type: none"> • Research and development in the field of nuclear • Use of nuclear materials and technologies such as applications in health and agriculture • Transfer of nuclear 	Adopted by the Committee.	When approved by both the National Assembly and the National Council of Provinces.

Date referred	Name of International Agreement	Objective	Status of Report	Date of enforcement
		materials and equipment; <ul style="list-style-type: none"> • Nuclear safeguards; • Nuclear safety, radioactive waste and spent fuel management, decommissioning, radiation protection including emergency preparedness and response 		
18 November 2020	Amendment to the Convention on Physical Protection of Nuclear Material (CPPNM)	<ul style="list-style-type: none"> • The objective of this agreement is to encourage and facilitate, on the basis of mutual benefit, equity and reciprocity, cooperation in the peaceful uses of nuclear energy with a view to strengthen the overall co-operative relationship between the Community and South Africa, in accordance with the needs and priorities of their respective nuclear programmes. • The Agreement aims to foster the scientific cooperation between the Community and South Africa, in particular to facilitate the participation of South African research entities in research projects carried out in the framework for the relevant Community research programmes and to ensure a reciprocal 	Adopted by the Committee.	When approved by both the National Assembly and the National Council of Provinces.

Date referred	Name of International Agreement	Objective	Status of Report	Date of enforcement
		<p>participation of research entities of the community and its members states in South African projects in similar areas of research.</p> <ul style="list-style-type: none"> • Nothing contained in the Agreement shall be construed as binding the parties to any form of exclusivity and each party shall be entitled to conduct business independent of the other where market requirements so dictate. 		
20 April 2022	<p>Revised African Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA) Agreement</p>	<p>The objectives of AFRA programme are to:</p> <ul style="list-style-type: none"> • maximize the utilization of available infrastructure and expertise in Africa in the field of nuclear science and technology; • accelerate moves toward regional self-sufficiency in selected peaceful applications by coordinating intellectual and physical resources and disseminating innovative methods and practices cost-efficiently 	Adopted by the Committee	When approved by both the National Assembly and the National Council of Provinces.

a) Challenges emerging

- ❖ There were no challenges encountered except that Parliament seems to play an administrative role of considering and approving these international treaties and agreements. There is a need for Parliament to be involved during the early stages of these agreements before they are tabled in Parliament. This will ensure that the relevant Committees are fully empowered on the impact of the treaties/agreements on South Africa.



9. Statutory appointments

For the period under review, the Committee did not make any statutory appointments. However, it is important to note that the Nuclear Energy Regulator Bill that was recently adopted by the Committee, empowers the Committee to make statutory appointments, such as appointment of Board Members for the Nuclear Energy Regulator.

10. Interventions

The following interventions were referred to and processed by the committee:

Title	Date referred	Status
South African Human Rights Commission (SAHRC)	22 August 2022	The South African Human Rights Commission wrote to the Committee Chairperson on 22 August 2022, informing the Chairperson and the Committee that the Commission had, in 2015, had published a Report on Investigative Hearings into issues and challenges related to Unregulated Artisanal Underground and Surface Mining Activities in South Africa. According to the Commission, this Report was relevant for the work that the Committee had embarked on, the investigative oversight on illegal mining. In response to the request, the Committee scheduled a meeting with SAHRC on 13 September 2022 to brief it on their 2015 Report.
Auditor General of SA (AGSA)	30 March 2022	On 30 March 2022, the AGSA submitted its Report through the Office of the Speakers on its "Follow-up Performance Audit at the Department of Mineral Resources and Energy on the Rehabilitation of Derelict and Ownerless Mines [RP93/2022]", for tabling in the National Assembly. Similarly, to the SAHRC Report, this Report was relevant to the work that the Committee was busy with, the oversight on illegal mining. A meeting with the AGSA, to brief the Committee on this Report was held on 13 September 2022.
Organisation Undoing Tax Abuse (OUTA)	31 August 2022	On 31 August 2022, the Committee Chairperson received an email from the Office of the Speaker, with a report attached from OUTA titled "OUTA 2021 Report on Parliamentary Oversight in South Africa". The report assessed nine portfolio committees, including Mineral Resources and Energy Committee. The report was addressed to the Presiding Officers of Parliament, Chief Whips and the House Chairpersons responsible for Committees. It was stated in the email that "please bring the report to the attention of your Committees to deal with it in whatever way they deem appropriate". In response to this, on 30 September 2022, the Committee was briefed by OUTA on their 2021 Report on Parliamentary Oversight in South Africa. The Committee welcomed the Report, although it did not agree with some of the findings by OUTA.

Title	Date referred	Status
		<p>In August 2022, while Parliament was on recess, the Committee received a number of correspondences from the Speakers Office and various platforms. One of the correspondences was from MACUA in which MACUA was complaining about its petition that was not attended to by the Portfolio Committee on Mineral Resources and Energy, amongst other things. MACUA threatened to issue a media statement and have some of its members camp in Parliament until their issues were attended to by Parliament. However, it was felt that it was necessary to hold a Committee Management Meeting with MACUA, prior to tabling its correspondence to the Committee. The Committee Management met with Mr. Rutledge and four other Leaders of MACUA on 19 August 2022. The objectives of this meeting were twofold: to address and clear any misunderstandings, between the Committee and MACUA, and to build and mend the Committee relationship with MACUA.</p> <p>On 23 August 2022, MACUA correspondence was tabled, and the Committee resolved that, MACUA be invited to brief the Committee 30 August 2022 on their 2022 Social Labour Plan (SLP) Audit Report, on their views relating to the High Court outcomes of the Mining Charter and on illegal mining</p> <p>An update was sent, by the Committee to the Office of the Speaker on 11 November 2022.</p>

a) Challenges emerging

The following challenges were experienced during the processing of interventions:

- ❖ Technical/operational challenges
- ✓ As stated above, the Committee was overseeing two important economic sectors, with only two days per week allocated to it. At times it became too much for the Committee to deal with many correspondences that were addressed to it. However, under the circumstances, the Committee did its best to attend to the issues.

11. Petitions

The following petitions were referred to and considered by the committee:

Title	Date referred	Current status
Mining Affected Communities United in Action (MACUA) and Women Affected by Mining United in Action (WAMUA)	August 2022	<p>In August 2022, while Parliament was on recess, the Committee received a number of correspondences from the Speakers Office and various platforms. One of the correspondences was from MACUA in which MACUA was complaining about its petition that was not attended to by the Portfolio Committee on Mineral Resources and Energy, amongst other things. MACUA threatened to issue a media statement and have some of its members camp in Parliament until their issues were attended to by Parliament. However, it was felt that it was necessary to hold a Committee Management Meeting with MACUA, prior to tabling its correspondence to the Committee. The Committee Management met with Mr. Rutledge and four other Leaders of MACUA on 19 August 2022. The objectives of this meeting were twofold: to address and clear any misunderstandings, between the Committee and MACUA, and to build and mend the Committee relationship with MACUA.</p> <p>On 23 August 2022, MACUA correspondence was tabled, and the Committee resolved that, MACUA be invited to brief the Committee 30 August 2022 on their 2022 Social Labour Plan (SLP) Audit Report, on their views relating to the High Court outcomes of the Mining Charter and on illegal mining.</p> <p>An update was sent, by the Committee to the Office of the Speaker on 11 November 2022 and again in April 2023.</p>
Hon Dr W Boshoff – Calling on the Assembly to investigate SA's Energy Crisis	22 July 2022	<p>A petition to investigate South Africa's Energy Crises was referred by the Speaker to the Committee for consideration and report. The petition was received by the Committee on 22 July 2022. In the same month, the Chairperson of the Portfolio Committee on Public Enterprises (PCPE) received a correspondence from the Speaker stating the PCPE, in collaboration with the Committee on Mineral Resources and Energy prioritise the energy crisis with regard to load shedding and the impact thereof on South Africa. This was in response to a request made by Honourable NS Kwankwa. The petition and the request from Honourable Kwankwa were similar, it was therefore felt that the issues should be dealt with at the same time by the two Committees.</p>
Kwanonqaba Development Forum	07 February 2022	<p>On 7 February 2022, the Greater KwaNonqaba Development Forum (KDF), representing Greater Mossel Bay Non-Governmental Organisations (NGO's), Not for Profit Organisations (NPOs), Churches, and Small, Medium and Micro Enterprises (SMME's) wrote a petition to the Speaker, requesting that the Committee visit the Community of KwaNonqaba in order to talk about challenges that are facing PetroSA, and the impact thereof on the host communities. The Committee undertook an oversight visit on 19 April</p>

Title	Date referred	Current status
		2022 to the Greater Kwa-Nonqaba Development Forum and PetroSA in Mossel Bay. For the fairness and completeness of the purpose of the oversight visit, the Committee invited the Executive Management of PetroSA to respond to the issues raised in the petition.

b) Challenges emerging

The following challenges were experienced during the processing of petitions:

- ❖ Technical/operational challenges
- ✓ Same as with interventions, the Committee was overseeing two important economic sectors, with only two days per week allocated to it. However, the Committee was able to process all petitions referred to it during the period under review.

12. Obligations conferred on committee by legislation

The Money Bills Procedures and Related Matters Amendment Act (Act 9 of 2009) mandates Parliament to develop the Budget Review and Recommendations Report (BRRR). The Act sets out the process that allows Parliament to make recommendations to the Minister of Finance to amend the budget of a national department. The BRRR also acts as a source document for the Standing/Select Committees on Appropriations/Finance when they make recommendations to the Houses of Parliament on the Medium-Term Budget Policy Statement (MTBPS). The comprehensive review and analysis of the previous financial year’s performance, as well as performance to date, form part of this process. A number of financial and non-financial recommendations were made by the Committee to the Minister of Mineral Resources and Energy throughout the tenure of the 6th Parliament.

Date of adoption	Recommendations
2019	<ul style="list-style-type: none"> • Ensure that Department and its entities consistently submit their Annual Reports as per the deadline prescribed by the PFMA. • Ensure that there is not a repeat of a dispute between the Department and AGSA. • Ensure that decisive action will be taken by the Executive Authority against any official who challenge the authority of the AGSA. • Conduct an investigation whether the issue of an alternative audit to that of the AGSA, is not an act of misconduct on its own. • Consider conducting forensic investigations on the expenditure of public funding with specific reference to the Central Energy Fund (CEF) and its subsidiaries, and any other entity reporting to the Department. • Conduct an investigation into NECSA’s failure in tabling its Annual Financial Statements timeously.

	<ul style="list-style-type: none"> • Ensure that governance issues at the entities are addressed. • Expedite the filling of vacancies of Boards and Senior Executives in State- Owned Entities. • Should include in the performance agreements of the Board Members a provision that commits them to upholding their fiduciary responsibilities at all times. • Ensure the start of the installation of the 87 000 solar water heater units by the Third Quarter of 2019/20 and provide a comprehensive update on the programme during the Fourth Quarter of the 2019/20 financial year. • Revisit the areas where the 400 000 imported solar water heater units installed in an effort to establish if they are still functioning. • Ensure that there is consequence management and encourage entities to undertake investigations if there is a suspicion of wrongdoing. • Finalise the Bio-fuels Framework within the current financial year. • Provide robust oversight on entities reporting to the Department, especially NECSA and CEF. • Ensure the finalisation of the Turnaround Strategies of the Central Energy Fund, PetroSA and NECSA, respectively. • In consultation with the SFF review the Strategic Fuel Stock policy. • Explore projects and initiatives to address the decline (from 2023) of production supply from the Rompco pipeline. • Carefully consider the issue of overlapping mandates between entities during the merger process and provide the Committee with the outcome of the above analysis, as well as any applicable legislative proposals. • Expedite the finalisation of the Integrated Resource Plan for Electricity and also provide timeframes for review thereof. • Address the Electricity Distribution Challenges, the impasse between Eskom and Municipalities. • Support NERSA in the execution of its duties as an institution which protects public interests. • Ensure that the five pieces of legislation that the Department intends to finalise during the Sixth Parliament are indeed finalised. Key amongst these is the National Radioactive Waste Management Fund Bill and National Energy Regulator Amendment Bill.
2020	<ul style="list-style-type: none"> • Ensure that there should be the required urgency by management in responding to the AGSA's requests relating to addressing risks identified and improving internal controls that will improve the audit outcomes of both the department and its entities. • Ensure and emphasize that there should be regular and timely reviews of performance information by senior management to ensure that valid, accurate and complete reporting is done to minimise reporting errors. • Provide feedback on the implementation and progress of action plans to ensure improvement in the audit outcomes of the portfolio. • Address the non-compliance with key legislation which remains a challenge especially in Supply

	<p>Chain Management (SCM), which has led to irregular expenditure and fruitless and wasteful expenditure being incurred.</p> <ul style="list-style-type: none"> • Develop intervention to ensure that management implement the necessary controls and checks in place to ensure that annual financial statements prepared are of a good quality. • Focus more on gold and coal mines when devising a strategy to achieve the zero harm goal. • Identify all activities that are likely to be negatively affected by level one regulations and develop a mitigation plan to address these. • Present the findings of the legislative reviews that were performed during the last financial year, as well as the programme of action before the Committee. • Present a medium term plan to deal with obsolete ICT system, which was identified by the internal audit, as posing risk to the sustainability of the departments operation. • Present on the licensing regime, including the SAMRAD system, so as to evaluate turnaround time and efficiency in relation to revenue collected. • Provide a comprehensive report relating to the incident of the employee who incurred fruitless and wasteful expenditure on travelling. The report should detail how the cost was incurred, how the department intend addressing the issue and who was responsible for this loss. The aim of the information requested is to ensure that the wasteful expenditure does not flow into the next financial year. • Ensure that the outstanding audits are finalised by 30 November 2020, • Engage the National Treasury regarding the financing of the ICT system as to minimise risks to the department's operations.
2021	<ul style="list-style-type: none"> • Ensure that the three outstanding entities, i.e. SA National Nuclear Energy Corporation (NECSA), Central Energy Fund (CEF) and the SA Diamond and Precious Metals Regulator (SADPMR) table their outstanding Annual Reports for the 2020/21 financial year before the end of the 1st Term of 2022. • Ensure that the findings and recommendations of the Auditor-General of SA (AGSA) are implemented. • Develop an Implementation Action Plan including of its entities to address the findings and recommendations of the Auditor-General of SA (AGSA), and brief the Committee on these plans during the 1st Term of the 2022/23 financial year, and thereafter on a regular basis. • Ensure that Department and its entities consistently submit their Annual Reports, as per the deadline prescribed by the PFMA. Ensure uniformity in the Department of Mineral Resources and Energy (DMRE), regarding interest charged on outstanding debt. • Ensure that the IT infrastructure shortcomings at the Department of Mineral Resources and Energy (DMRE) are addressed as highlighted by the findings and recommendations of the Auditor-General of SA (AGSA). • Update the Committee on the Roadmap for implementation of the 2 500 MW nuclear programme during the 1st Term of the 2022/23 financial year.

	<ul style="list-style-type: none"> • Update the Committee on the Review of the Electricity Pricing Policy during the 1st Term of the 2022/23 financial year. • Present to the Committee the Framework for a Just Transition to a low carbon economy, during the 1st Term of the 2022/23 financial year. • Expedite implementation of the National Solar Water Heater Programme in order to avoid the recurrence of the fruitful and wasteful expenditure relating to the storage costs. • Brief the Committee on the outcomes of the Council for Geo-Science's (CGS) Geo-Environmental Baseline study pertaining to shale gas in the Karoo. • Update the Committee on the Artisanal Small Scale Mining Policy once finalized. • Brief the committee on the outstanding Annual Reports of the Central Energy Fund (CEF) Group, SA Nuclear Energy Corporation Group (NECSA) and the SA Diamond and Precious Metals Regulator (SADPMR).
2022	<ul style="list-style-type: none"> • Continuously monitor and ensure that the NECSA further improve on its current performance. • Ensure that the DMRE submit its draft Annual Performance Plan timeously to the AGSA on an annual basis. • In consultation with the DMRE and its entities develop processes and procedures to address and minimize the number of days relating to debt collection as well as creditor payments. • Expedite the implementation of the Electrification Master Plan as the pace in which the electrification of households carried out through Eskom and municipalities is likely to miss the grid and non-grid additional connections set for 2024. • Implement and strengthen the Mine Communities and Stakeholder Engagement Unit as outlined in the DMRE Strategic Plan 2020-2025 to improve communication, consultations, and collaborations between mines, communities, and other government institutions. • Attract investments in clean coal technologies, including Carbon Capture, Utilisation and Storage (CCUS) to improve coal's sustainability as a primary energy source whilst at the same time addressing issues between Eskom, Independent Power Producer Office (IPPO), and NERSA that causes delays in finalising renewable energy programmes already procured. • Work closely with National Treasury (NT) to ensure that financially struggling State Owned Entities are allowed to utilise the services rendered by other state entities without subjecting such services to competitive bidding processes. • Encourage the National Treasury (NT) and the AGSA to provide training to State Owned Entities with a number of instances of non-compliance with the PFMA and other related regulatory legislation. • Address the vacancy rate of 9,7 percent, by filling the 157 vacant posts. • Finalise the Mineral Beneficiation Masterplan as transformation and mineral beneficiation in the mining sector are not at expected levels. • Address the capacitation of the Revenue Collection Unit within the Department, as well the challenges related to the Information Communication Technology (ICT) system in order to

	<p>strengthen and improve debt collection and creditor payments.</p> <ul style="list-style-type: none"> • Continuously monitor and ensure that the new off the shelf Cadastral System procurement is implemented within the 2022/23 financial year. • Address the continuous fruitless and wasteful expenditure reported under the National Solar Water Programme. Furthermore, on a regular basis update the Committee on the National Solar Water Heater Programme, including on the investigation being conducted by the KPMG, before the end of the 1st term of the 2023/24 financial year. • With National Treasury (NT), present a cost-benefit analysis on the Solar Water Heater Programme, in order to ascertain if there is value for money regarding the programme • Collaborate with Departments of Cooperative Governance and Traditional Affairs, Human Settlements and the South African Local Government Association, respectively, in order to achieve buy-in of the solar water heater programme. • Update the Committee on the Independent Power Producers Procurement Programmes, including delays with regard to Bid Window 6 and 7. • Address and develop mechanisms across the eleven entities in upscaling or commercialization of projects. • Prioritize the filling of the Chief Financial Officer (CFO) and the Chief Executive Officer (CEO) posts at the State Diamond Trader (SDT). • In consultation with the Minister of Finance address the SADPMR's plea for VAT exemption on imports for the industry. • Ensure that the Board of NRWDI make a written submission to the Committee explaining how its handling the allegations of unpleasant working conditions. • Ensure that the AEMFC make a written submission to the Committee explaining the allegations of the mining licence submissions and subsequent withdrawals. • Provide a report of CEF and the AEMFC, relating to allegations made in respect of retrenchments and appointments, which have not been approved. • The DMRE should explore the option of ensuring that the AEMFC is the primary coal supplier to Eskom. • Ensure that entities that are having the necessary capacity to provide certain services (such as coal to Eskom) are prioritised when work becomes available. • Improve the working relations and collaboration between the AGSA and the DMRE, DMRE and its entities, as well as between entities and other departments and entities. <ul style="list-style-type: none"> • Ensure that the AEMFC collaborate with the CGS, Mintek and other relevant stakeholders to prioritize and ensure that all new discovered mineral deposits are explored, mined and processed by the state. • Provide a comprehensive report on all entities, whom recorded, irregular, fruitless and wasteful expenditure. On consequence management undertaken, the Minister should also include reports on recouping money and initiating criminal cases against those found to have defrauded the State in one way or the other.
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	<ul style="list-style-type: none"> • Explore legislative and policy amendments that will prevent State departments and/or entities taking each other to court as opposed to resolving all conflict as the State. • Enable Mintek to be in a position to pilot some of the projects they believe will be of commercial value. • Address the self-sustainability of Mintek relating to funding and reviewing of legislation. • Provide a comprehensive report, by both the DMRE and Mintek on a workable strategy outlining how they intend to handle the closure and rehabilitation of abandoned and derelict mines as a matter of urgency. • Ensure that NRWDI provides a comprehensive report on how they plan to fund the decommissioning and disposal of radioactive waste materials from Koeberg Nuclear Power Plant, considering the delays in finalising the Radioactive Waste Disposal Fund Bill. • Ensure that the DMRE, with the NRWDI provide a report on how they plan to address challenges – e.g. budget constraints, amongst others – with regard to the Centralised Interim Storage Facility, including the repository.
2023	<ul style="list-style-type: none"> • Ensure that the Department and its entities aim to achieve clean audits in the next financial year. • Ensure that once the audit of the Central Energy Fund Group is signed and the Annual Reports are tabled, the AGSA must brief the Committee on these audit outcomes. • Ensure that the entities of the Department abide by the legislative deadlines in terms of submitting financial information for auditing purposes, as the entities are aware of the submission date of 31 May of each year. • Foster a good relationship with stakeholders such as the South African Local Government Association, the Department of Human Settlement and the Department of Cooperative Governance and Traditional Affairs in order to bring about the speedy implementation of the National Solar Water Heater Programme. The National Solar Water Heater Programme is an important project that can address the challenge of energy shortage and it could possibly form part of the Integrated National Electrification Programme. • Ensure that adequate measures are undertaken to finalise the investigation into the solar water heaters project, including storage costs and any other related costs, to determine the circumstances that led to the non-compliance for the purpose of taking appropriate corrective actions and to address control weaknesses as well as to identify responsible officials. • Institute consequence management against officials who had incurred unauthorised, irregular as well as fruitless, and wasteful expenditure as required by section 38(1)(h)(iii) of the Public Finance Management Act (PFMA) and finalize disciplinary actions without undue delays. • Ensure that the Department's performance indicators are linked to government priorities, both the AGSA and the Department of Planning, Monitoring and Evaluation are important players in this regard. • Linked to the above, ensure that the Department clearly defines its performance targets as well as the metric used for calculation so that the performance information is reported in the prescribed

	<p>manner.</p> <ul style="list-style-type: none"> • Consult with the National Treasury in respect of adequate funding required to address the closure of derelict and ownerless mines. • Strengthen the Department's administrative capacity to collect all money due, as required by section 38(1)(c) (i) of the PFMA since the current capacity has simply proven inadequate. • Improve the Department's internal control measures so that effective and appropriate steps can be taken to prevent fruitless and wasteful expenditure as required by section 38(1)(c)(ii) of the PFMA and treasury regulation 9.1.1. • Ensure that the Department improve its strategic planning mechanisms to enable the monitoring of progress made towards achieving performance targets, core objectives and service delivery as required by public service regulation 25(1)(e)(i) and (iii) so that evidence that the Department has achieved key performance indicators is not presumed but rather drawn deductively from tangible evidence. • Ensure that the Department consider increasing the budget earmarked for training its personnel to reduce the dependence on consultants which runs counter to the goal of creating a capable developmental state since it deprives the personnel the opportunity to develop their skills and expertise. • Ensure that the implementation of the Black Economic Empowerment (BEE) and Local Content Development receive considerable attention in the procurement practices of State-Owned Companies and the Department in the manner that complements the proposed amendment to the Preferential Procurement Policy Framework Act (PPPFA). • Minimize delays in the finalization of procurement processes and in appointing service providers. These must be addressed with practical solutions to reverse the current trend of budget underspending due to these delays. • Implement corrective measures and practical solutions to address the vacancy rate within the confines of the National Treasury's cost containment measures. • Expedite the finalization of the pre-feasibility study on coal to incentivize investment required to procure additional 1 500MW from coal. • Ensure that mechanisms are put in place to address barriers to investment in the expansion of the transmission network since transmission constraints inhibit the procurement of new generation capacity.
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13. Summary of outstanding issues relating to the department/entities that the committee has been grappling with

The following key issues are outstanding from the committee's activities during the 6th Parliament:

- ❖ Continue with robust oversight of illegal mining, including following up on the General Laws Amendment Bill which is meant to address gaps in the law in respect of criminalising acts of illegal mining.

- ❖ Oversee implementation of the Artisanal and Small-Scale Mining Policy (2022).
- ❖ Ongoing monitoring of the implementation of the National Solar Water Heater Programme. This should include a briefing by the Department on the findings of the Forensic Investigation conducted by KPMG.
- ❖ Monitor the Social and Labour Plans and consider conducting investigative oversight on the implementation of thereof.
- ❖ Robust oversight of the State-Owned Entities under the DMRE, especially those with historical challenges, such as the Central Energy Fund (CEF) Group, in particular the subsidiary of CEF, PetroSA. Also, a follow-up and monitoring of the merger of PetroSA, IGAS and Strategic Fuel Fund.
- ❖ Ensure that critical pieces of legislation such as the MPRDA are reviewed and introduced to Parliament. Moreover, process the outstanding Bills that were planned for tabling and processing in Parliament during the Sixth Administration, such as the Gas Amendment Bill, Mine Health and Safety Bill, Radioactive Waste Management Fund Bill and the National Petroleum Company Bill.
- ❖ Ensure that challenges regarding the Mining Charter are addressed.
- ❖ Ongoing oversight of the Koeberg Nuclear Power Station Long Term Operation project as well as the New Nuclear Build Programme.
- ❖ Monitor developments regarding the IRP2023, including inviting the Department to brief the Committee on it once the public consultation process has been completed.
- ❖ Oversee the implementation of the Mining Licensing System (the Cadastral System) and monitor licensing broadly in the mining and energy sectors.
- ❖ Follow-up on the two court judgements regarding the Lily Mine Tragedy.
- ❖ Oversee and monitor the Integrated National Electrification Programme.

14. Recommendations

The Seventh Parliament should consider:

- 1) Encouraging joint meetings between the relevant portfolio and select committees to be briefed on common matters and to avoid duplication of presentations, such as the consideration of international agreements and legislation, that both committees must consider.
- 2) Ensuring the legislation is tabled in Parliament timeously.
- 3) Facilitating improved coordination of committees dealing with cross-cutting matters to ensure effective oversight. This would require that committees are aware of how their portfolios affect national objectives/priorities.
- 4) Realigning the allocation of resources to reflect the workload of specific committees – these talk to the need for the Committees to have full complement of the support staff.
- 5) Ensuring that the Parliamentary Legal Services and the Parliamentary Public Education Unit are fully capacitated for effective and efficient processing of legislation by the Committees.
- 6) Ensuring that the turnaround time for political approvals for Committee activities is improved.
- 7) Strengthening its mandate of ensuring that it conducts public participation. In this instance, public participation refers to the public consultation of Bills that are being processed by the Committees. There is inconsistency in terms of the support that the institution provides to the Committees. All Units that are expected to provide support to the Committees during public hearings should be allowed to execute their duties and be always present. Parliament should also have policies in place on issues relating to public participation. When the four (4) people passed away during the public hearings, it became apparent that Parliament did not have clear policies to attend to incidents such as these.
- 8) Conducting post legislative scrutiny on Bills. This would entail requesting the DMRE to provide annual status reports on whether legislation had been implemented, and if not, to provide the reasons for its delay and the plans and measures to correct this.

- 9) Referring petitions to the Committee that deals with petitions irrespective of the sector. Currently, the Speaker receives petitions and refers them to the relevant main Committee, instead of referring these to the committee that is mandated to deal with petitions. It should be the discretion of the Committee that deals with petitions to refer a matter to the main Committee – on the basis that the matter is beyond their scope or it requires intervention of the main Committee, such as Mineral Resources and Energy.
- 10) Developing a mechanism on how to deal with correspondences received from the public.
- 11) Ensuring that there is greater accountability from the entities of the Department – such as tabling the annual reports and strategic plans on time. There should be consequences if the entities fail to submit these key documents timeously as per the legislative prescripts.
- 12) Ensuring that international study tours are done at the start of the Parliamentary term and that preparations for the study tours are done on time.
- 13) Developing a tracking system for following up on the recommendations that would have been made by the Committee.
- 14) Ensuring that the Minister of Mineral Resources and Energy attend all Committee meetings.

15. Master attendance list

- The Master Attendance list can be obtained from the Committee Secretariat on request.