

19 January 2022

Attention: Minister of Mineral Resources and Energy
Mr Samson Gwede Mantashe

Email:

CC: The Board of the
National Nuclear Regulator

C/O:

Dear Minister Mantashe,

SUSPENSION OF MR PETER BECKER FROM THE NNR BOARD
OUR REF: EN2109-028

1. We refer to the above.
2. It has come to our attention that Mr Peter Becker has been suspended from his position as a Non-executive Board Member of the National Nuclear Regulator, purportedly in terms of section 9(1) of the National Nuclear Regulator Act, 47 ("NNRA"). Furthermore, we understand that this suspension follows consideration of a legal opinion dated 6 October 2021 alleging, amongst other things, instances of conflict of interest and misconduct on the part of Mr Becker.

ORGANISATION UNDOING TAX ABUSE NPC

Reg No.: 2012/064213/08

Directors: WL Duvenage (CEO), Adv. S Fick,

Non-Executive Directors: W Modisapodi (Chair), P Majozi, LJJ Pauwen, T Pillay Van Graan, Dr H Volmink

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3. We kindly request that you advise whether due process was followed in reaching the conclusion that Mr Becker is guilty of misconduct, and/or that he has failed to perform his duties, including the basis on which such decisions were arrived at.
4. Should Mr Becker's purported suspension from the National Nuclear Regulator ("NNR") Board persist, particularly during a time when important regulatory decisions are to be made regarding the life extension of the Koeberg Nuclear Power Station beyond 2024, we believe that civil society's views and oversight in this process and important decisions will be excluded. We further believe that such action would not be in public interest.
5. We are concerned that the abrupt removal of Mr Becker from the board would mean that he is also removed from any subcommittee proceedings and ancillary processes, rendering good governance within the NNR questionable.
6. We further submit that Mr Becker's sudden suspension is in contrast with the positive attitude by both the NNR and yourself, relating to his appointment to the NNR Board less than a year ago.
7. Moreover, it is unclear as to why Mr Becker has been formally "suspended" as opposed to being "discharged" as contemplated in section 9 of the NNRA. We contend that the purported suspension is of no legal consequence and may be construed as a means for the NNR board to negate or remove formal objections and/or oversight from Mr Becker, who represents civil society's interests and in particular, his input and deliberations of the Koeberg Long Term Operation ("LTO").
8. We reiterate that Mr Becker's purported suspension comes at a peculiar time, which is exacerbated by the fact that the 'legal opinion' on which the suspension is presumably based is dated 6 October 2021. We contend that had the allegations been addressed at an earlier stage, any disputes (if at all present) would have been dealt with timeously.
9. We therefore urge you to reinstate Mr Becker without further delay. Should we not receive a satisfactory response by 20 January 2022, we reserve our right as civil society to consider the appropriate recourse.

10. We trust that you find the above in order.

Yours Sincerely,



Wayne Duvenage
Chief Executive Officer
OUTA – Organisation Undoing Tax Abuse
Email: