



Information requested by the Committee from DMR and its entities.

1. Outstanding from PCMR 2015 BRRR

2015 BRRR Recommendations	Response by the Department
The Department should, immediately after the conclusion of the Mining Phakisa process report to the Committee	[Mining Phakisa has not yet been launched by the Presidency]
The Department should develop a comprehensive report on the outcomes of the mining charter including the names of the companies that did not comply with commitments or meet the targets. Such a report should also provide clarity on the interim measures.	The requested information was not supplied.
Department should as a matter of urgency clarify the status of the mining charter, and clearly spell out interim targets that mining companies are expected to meet in 2015/16.	[A reporting template was issued for 2015/16 but the DMR has not reported on progress on the reviewal of the Mining Charter.]
DMR should report on applications for and the granting of the rights to minerals and provide the outstanding information on SAMRAD requested in March 2015.	The requested information was not supplied in writing, despite repeated requests and undertakings. See page 3, below)
The Women in Mining Strategy needs to be finalized and implemented urgently.	This is still under consultation with stakeholders. (This same response in 2016 was given in 2015).

2. Outstanding from Committee Minutes Sep-2015 to Oct-2016

*Table 1: RECORD of outstanding questions/ information requests of the Portfolio Committee on Mineral Resources to DMR between **09-Sep-15 and 12-Oct-16***

Date of meeting	Topic	Question / Information requested
12-Oct-16	Information from the Council for Geoscience	The CGS should send the figures and proposals put forward to the National Treasury to the Committee (This information was needed for the BRRR 2016, but was not received).
11-Oct-16	Information from the Mine Health and Safety Council	MHSC should provide information on how are they going to spend the surplus (break down) and further briefing be scheduled by the Committee.

Date of meeting	Topic	Question / Information requested
7-Sep-16	Information from the SAMRAD	Outstanding information on the numbers of licenses has been requested by 14 September in writing.
7-Sep-16	State liability for environmental legacy of mining	The strategy to deal with derelict and ownerless mines, and the budget needs, need to be presented for inclusion in the BRRR. (This information was needed for the BRRR 2016, but was not received).
2-Mar-16	Road map for the Parliamentary processes for legislation	The DMR should provide the Committee with a road map and milestones for the Parliamentary processes attached to the amendments of the Mine Health and Safety Act and the introduction of the State Owned Mining Company Bill.
24-Feb-16	Fatalities on mines	The Department should send the breakdown of fatality statistics. The report should clearly outline a breakdown by the province and company.
21-Oct-15	Mintek projects around beneficiation	DMR to provide more information on the 60 projects that Mintek is facilitating around beneficiation.
9-Sep-15	Women in Mining (WIM) Strategy	DMR to present the WIM strategy document again with indicators and time frames and give an opportunity for members to contribute.

3. Still outstanding from last year: 2014/15

The following issues are outstanding from reports tabled by the PCMR in the National Assembly in 2014/15:

Monitoring transformation in the mining sector (Mining Charter and SLPs).

- The DMR should provide a road map on how it intends to manage its responsibilities under section 100 of the MPRDA over the coming five years, following the 10 year milestone of the mining charter having been reached in March 2015.
- There needs to be an investigation on government policy related to the practice of communities exchanging rights to royalties from mining for shares in mining companies. One concern is that this trend, which exposes communities and community trusts to the risks of shareholders, may be used by mining companies not to allow communities to share in the real benefits from mining, but simply to allow the company to claim the 26 per cent HDSA shareholding the company is required to have under the Mining Charter

Measures to enforce compliance with laws and agreements and uplift mining communities

- DMR should develop a strategy for providing access to information including social and labour plans to ensure transparency and accessibility.
- The review and reassessment of the Mining Charter needs to consider more carefully the potential for the local procurement of mine supplies and skills. Mines are huge consumers of a wide range of inputs. This secure demand base could be better used to develop local businesses and increase the positive economic impact of mines on local economies.

Need for an improved regulatory framework and transparency in issuing rights to minerals

- The Committee is still waiting to receive the information requested in the template below on 4 March 2015, which was promised for 1 April 2015:

Number of:	Prospecting Rights	Mining rights	Mining permits
Applications lodged			
Applications accepted (ie applications that were or became compliant with the law)			
Rights/permits granted			
South African			
Foreign			

Additional specific question: How many mining operations are owned by the person/company who made the original application?

- While not a suitable performance measure for the DMR, the DMR should report on the ranking of SA's attractiveness as an international destination for mineral exploration and mine development, using sources such as the Fraser Institute in Canada or the Raw Materials Group in Sweden.
- Afford the Committee, when it conducts oversight visit to the Department, access to the full details in respect of the SAMRAD system in order to get a better and experiential understanding of the workings of the licensing system. Repeated from 2013. The SAMRAD system is critical to the management of the licensing process.
- Clear and specific performance measures should be included in the Annual Performance Plan of the DMR so the Committee can be sure that the performance of the SA Mineral Resources Database (SAMRAD) is specifically monitored as a key aspect of custodianship of the mineral resources of South Africa. Ideally this should include levels of participation by South Africans and HDSA as applicants for rights.

Need for attention to be devoted to skills in the mining sector

- The Mining Qualifications Authority should submit to the Committee a comprehensive report on skills audit in the mining industry, the department and its entities. The lack of co-ordination on skills issues is evident

The need for the Committee to follow up on issues raised by members in Committee reports and meetings

- The DMR should adhere to the Committee’s prescribed turnaround times for submission of responses to Committee requests. Further they should respond to timeously to all commitments made by DMR officials when appearing before the Committee. The Committee is undermined in its ability to undertake effective oversight, when there are long delays in meeting requests for information

Strategic Plans and Annual Performance Plans tabled in 2015 need to be amended to comply with the PFMA

- The Minister of Mineral Resources should submit to Parliament revised Strategic Plans that meet the requirements of the PFMA for the entities of the Department. The Strategic Plans of the State Diamond Trader (SDT), the South African Diamond and Precious Metal Regulator (SADPMR), the Council for Geoscience (CGS) and the Mine Health and Safety Council (MHSC), as tabled by the Minister of Mineral Resources on 11 March 2015, did not comply in all respects with Chapter 5 of the Treasury Regulations for departments, trading entities, and public entities issued in terms of the Public Finance Management Act, 1999. This states, inter alia, that “5.2.3 The strategic plan must — (a) cover a period of at least three years and be consistent with the institution’s published medium term expenditure estimates;...”

The “Women in Mining Strategy”

- The DMR should include the “Women in Mining Strategy” in the APP until it has actually been completed. [This has been repeated in the 2016 BRRR].

*Table 2: RECORD of outstanding questions/ information requests of the Portfolio Committee on Mineral Resources to DMR **between 02-Jul-14 and 02-Sep-15** where responses are still pending in 2016*

Date of meeting	Topic	Question / Information requested
19-Aug-15	State liability for environmental legacy of mining - AMD and D&O	The DMR should consult with the other affected government departments and respond to the Committee with a global government figure for the amount that has been spent on dealing with AMD and Derelict and Ownerless mines and other environmental problems from mining in the last five years. What is the level of expenditure planned by all these departments on all these issues in the current financial year?
12-Aug-15	Mining Phakisa	The Committee should be given the privilege to have sight of what has been planned for operation Phakisa.

Date of meeting	Topic	Question / Information requested
5-Aug-15	Mining Charter 2015 audit and transformation in the mining sector	The Department of Mineral Resources should submit a report with the number of mining companies who have not met the targets and specify the names of mines and which targets are not met.
5-Aug-15	Mining Charter 2015 audit and transformation in the mining sector	The Department of Mineral Resources should send more information on the 67 mines that still have hostel accommodation with more than one person per room. Some may have converted rooms from 16 to 4 men in the room, but what date is now set for total transformation in single room units, as agreed by the mines in 2010.
3-Jun-15	Combatting job losses in mining	The Department should prepare a report on the substantive issues underlying the threat to employment in mining to be considered by the Committee within 2 weeks.
27-May-15	Regulation and the future of the Shale Gas Industry	The Department of Mineral Resources should compile a report outlining the background of shale gas, challenges and opportunities, possible threats to the environment. The report should further indicate to what extent consultation has been done since this process has been commenced.
15-Apr-15	Budgets and Annual Performance Plans 2015/16	The MHSC should submit the corrected information on the budget for 2014/2015 before Monday 20 April 2015.
4-Mar-15	SA Mineral Resources Administration Database (SAMRAD) and the challenges it is experiencing	The Department of Mineral Resources should submit a report [as indicated below Cols- Number of: Applications lodged; Applications accepted; Rights/permits granted. South African; Foreign. Rows- Prospecting Rights; Mining rights; Mining permits] – the DMR had told the Committee that from 2011 to 2015 some 16,000 applications were received for various rights to minerals. Additional specific question: How many mining operations are owned by the person/company who made the original application?
5-Nov-14	Challenges of mine liquidations (Blyvoor)	The Department of Mineral Resources should present to the Committee what process they had taken, particularly to reference to Blyvoor as it looks like the

Date of meeting	Topic	Question / Information requested
		Bhanas were involved in another failed effort to rescue a mine.
30-Jul-14	Outstanding information from the DMR	The Committee Secretary should write to the department requesting outstanding information requested in previous meetings and in the 2013 BRRR. <request made, reply still outstanding on 27-Aug-14>