



NEGOTIATING MANDATE

TO: HON TC MODISE, MP
CHAIRPERSON OF SELECT COMMITTEE ON LAND
REFORM, ENVIRONMENT, MINERAL RESOURCES
AND ENERGY

NAME OF BILL: UPSTREAM PETROLEUM RESOURCES
DEVELOPMENT BILL

NUMBER OF BILL: B13B – 2021

DATE OF DELIBERATION: 19 MARCH 2024

VOTE OF THE LEGISLATURE:

The Portfolio Committee on Conservation and Environmental Affairs met today, Tuesday, the 19th of March 2024, and agreed to mandate the KwaZulu-Natal delegation to **support** the **Upstream Petroleum Resources Development Bill [B13B-2021]** with the following proposed *amendments*:

1.

- (a) Under the Objects of the Act, add a reference to South Africa's international climate change commitments to reduce greenhouse gas emissions as follows:

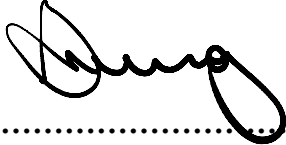
"2 (j) that the petroleum industry sector will comply with its sectoral emissions targets to reduce greenhouse gas emissions as required in terms of applicable law and South Africa's international commitments;"

Also consider adding under the functions of the Petroleum Agency in Clause 10(n) as follows:

" 10(n) consider and enforce sectoral emissions targets to reduce greenhouse gas emissions in accordance with applicable legislation;"

- (b) Interested and affected parties are called upon to submit their comments in writing within 30 days to the Petroleum Agency. In Clause 19(2), the Petroleum Agency has a discretion as to whether to conduct public hearings, and the decision to do so is based on the applicants' consultation report. In our view, the Petroleum Agency must conduct public hearings with affected local communities rather than decide to do so based on the Applicant's report (which has the potential to reflect bias). This will also be an opportunity for the Petroleum Agency to hear from those who may be illiterate and the most vulnerable to ensure that the affected Community's views are taken into account and objections noted.

- (c) In view of the need for social and economic development, we are unsure on the reading of the Bill whether the local content plan referred to in the Bill is exactly the same as the Social and Labour plan (SLP) that exists under the MPRDA or if there are any changes in the plan that may impact on local community benefits. The Department is required to provide clarification in this regard.



19 March 2024

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HON SW MSHENGU, MPL
CHAIRPERSON: PORTFOLIO COMMITTEE
ON CONSERVATION AND ENVIRONMENTAL AFFAIRS

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DATE