**MINISTRY OF MINERAL RESOURCES**

**REPUBLIC OF SOUTH AFRICA**

PRIVATE BAG x 59, PRETORIA, 0001 , Tel (01 2) 444 3979, Fax (012) 444 3145

PRIVATE BAG x 9111 , CAPE TOWN, 8000 (021) 462 2310, Fax (021) 461 0859

Enquiries: Carmichael Ngalo@ [Carmichael.ngalo@dmr.gov.za](mailto:Carmichael.ngalo@dmr.gov.za)

Memorandum: Parliamentary Liaison Office

**NATIONAL ASSEMBLY QUESTION FOR WRITTEN REPLY**

**QUESTION NUMBER: 153 ADVANCE NOTICE No: NW1111E**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 5 July 2019**

**INTERNAL QUESTION PAPER NUMBER: 03**

**153. Mr MN Nxumalo (IFP) to ask the Minister of Mineral Resources and Energy:**

Whether he has a plan in place to ensure the safety of mine workers. Particularly when trade union members and workers decide to embark on a strike while they are underground; if not. why not: if so. what are the relevant details?  
NW1111E  
  
  
**Reply**  
  
The legislation compels all underground mines to ensure that all employees are brought to surface as soon as possible at the end of their shift, as per regulation 4.1.1 in force in terms of Schedule 4 of the Mine Health and Safety Act No 29 of 1996, as amended. The primary objective of this regulation is to prevent mine employees from being exposed to a dangerous environment for long periods of time unnecessarily. In this regard, the Department will encourage the mine employers to ensure compliance with the respective legal provisions.  
  
Also, any dispute between the labour and employer must be resolved by using the established negotiation processes. The Commission of Conciliation Mediation and Arbitration (CCMA) can also be called to assist when there is an impasse between the two parties. Again, I want to stress that labour must refrain from underground sit-in and rather apply for a protected strike as enshrined in the Labour Relations Act   
  
  
**Chief Inspector Mine  
Date**: 09/07/2019  
  
  
Recommended  
  
  
**Advocate T Mokoena  
Director General: Department of Mineral Resources  
10/07/2019**  
Approved/Not approved  
  
  
**Mr S.G Mantashe**

**Minister of Mineral Resource and Energy  
…………./2019**