**Mineral 2010**

**QUESTION NUMBER 277**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 19 AUGUST 2010**

**(INTERNAL QUESTION PAPER NUMBER 21)**

**277. Mr T D Harris (DA-WC) to ask the Minister of Mineral Resources:**

(1) Whether the Government has calculated the cost of mining policy uncertainty on the slow growth of the mining industry in South Africa in comparison with the mining industry of the developing nations; if not, why not; if so, what is the cost;

(2) Whether the proposals that the mines should be nationalised will have a material effect on the growth in the industry; if not, what is the position in this regard; if so, what are the relevant details? CW356E

**REPLY**

(1) No while other regulatory regimes are considered and referred to during legislation drafting, the need has not arisen to conduct such a comparison study.

(2) This has not been investigated or researched since nationalisation of mines falls outside of our legislative framework.

QUESTION NO. 744 INTERNAL QUESTION PAPER NO NW871E

**DATE OF PUBLICATION: 15 March 2010**

**Mr. G R Morgan (DA) to ask the Minister of Water and Environmental Affairs:**

(1) Whether, with reference to her media statement (copy furnished), she has met with the Minister of Mineral Resources to discuss her concerns about the awarding of an unconditional New Order Mining Right to a certain company (name furnished) near the Mapungubwe Heritage site; if not, when will they meet; if so, what are the relevant details;

(2) whether she intends establishing a formal process to engage the Minister of Mineral Resources on mining in sensitive areas; if not, why not; if so, what are the relevant details;

(3) whether her department received a letter from the Department of Mineral Resources informing them that a New Order Mining Right had been granted to a company to mine near Mapungubwe; if so, when; if not,

(4) whether this has been requested; if not, what is the position in this regard; if so, when;

(5) whether her department provided comment to the Department of Mineral Resources on this particular mining application; if not, why not; if so, what was the principal argument of her department?

**QUESTION NUMBER 1676**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 28 May 2010**

**(INTERNAL QUESTION PAPER NUMBER 15)**

**1676. Mr E J Marais (DA) to ask the Minister of Mineral Resources:**

(1) Whether there are any dormant mines with no mining activities; if not, why not; if so, (a) how many, (b) where are they situated and (c) what are the further relevant details;

(2) whether any of the dormant mines have applied for mining closure certificates; if not, why not; if so, (a) how many and (b) which mines;

(3) how many mining closure certificates have been issued (a) in the (i) 2005-06, (ii) 2006-07, (iii) 2007-08, (iv) 2008-09 and (v) 2009-10 financial years and (b) during the period 1 April 2010 up to latest specified date for which information is available? NW1938E

**Reply**

(1) The Department of Mineral Resources does not have a database in respect of Dormant mines, because of the previous legislation where mining companies were not required to obtain closure certificates.

(a) Unknown

(b) Unknown

(c) None

(2) See (1) above

(3) The number of closure certificates issued in respect of the following periods, are as follows, namely:

(a)(i) 2005/06 financial year: - 17

(ii) 2006/07 financial year: - 15

(iii) 2007/08 financial year: - 21

(iv) 2008/09 financial year: - 21

(v) 2009/09 financial year: and - 26

(b) 01 April 2010 – 31 May 2010 - 0

**QUESTION NUMBER 1804**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 4 June 2010**

**(INTERNAL QUESTION PAPER NUMBER 16**

**1804. Mr E J Marais (DA) to ask the Minister of Mineral Resources:**

(1) How many water licences compared to mining licences have been issues (a) in the (i) 2005-06, (ii) 2006-07, (iii) 2007-08, (iv) 2008-09 and (v) 2009-10 financial year and (b) during the period up to the latest specified date for which information is available;

(2) Whether she will take any action against mines who have not been issued with water licences; if not, what is the position in this regard; if so, what are the relevant details?

NW2080E

**Reply**

(1) The Mineral and Petroleum Resources Development Act which is administered by this Department, does not provide for water licences.

(2) Not applicable. See (1) above.

**QUESTION 1745**

**QUESTION FOR WRITTEN REPLY**

**1745. Mr S C Motau (DA) to ask the Minister of Energy:**

**1745. Mr S C Motau (DA) to ask the Minister of Energy:**

What was the start and end date of tenure in office of every (a) permanent and (b) acting (i) Director-General and (ii) chief financial officer during the period 1 January 2000 to 31 December 2009? NW2011E

**REPLY:**

(a) The Department of Energy was established after the announcement by the President in May 2009 as a National Department. The latter was proclamated on 7 July 2009 in the Government Gazette. Ms NVB Magubane was appointed as Acting Director-General for the Department of Energy for the period 22 July 2009 to 30 November 2009. She was thereafter appointed as the Director-General with effect from 1 December 2009.

(b) The Department of Energy shared a Support Service function with the department of Mineral Resources since the announcement by the President in May 2009 until 31 March 2010. During this period the Department of Energy utilised/shared the CFO of the Department of Mineral Resources which was designated as the hosting Department. During this period there were several Acting CFOs appointed by the Department of Mineral Resources.

**NCOP  
FOR WRITTEN REPLY QUESTION  
NUMBER 261  
DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 13 AUGUST 2010  
(INTERNAL QUESTION PAPER NUMBER 19)  
  
261 Mr. R A Lees (DA-KZN) to ask the Minister of Mineral Resources:**  
(1) Whether she has been informed of any transactions in which Zimbabwean diamonds were sold and/or traded through a certain (name furnished) during the period 1 January 1999; if so, what (a) are the full particulars of the person and/ or corporate entity that sold the diamonds in each case, (b) are the dates upon which each transaction took place and (e) was the value of the diamonds which were traded and/or sold in each case;  
  
(2) whether she has been informed of any cases in which these transactions contravened with any (a) international agreements, (b) treaties and/or (e) conventions; if so, what are the relevant details in each case? CW 333E

**REPLY**  
1. No  
(a) N/A  
(b) N/A

(c) N/A

2. N/A

**NCOP  
FOR WRITTEN REPLY  
QUESTION NUMBER 264  
DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 13 AUGUST 2010  
(INTERNAL QUESTION PAPER NUMBER 19)  
264. Mrs E C van Lingen (DA.EC) to ask the Minister of Mineral Resources:**(1) (a) When was a certain mining company (name furnished) established, (b) what are the names of the persons who have been appointed to act as representatives of a certain community (name furnished) on the Board of Directors of the said mining company, (c) how long is a board member's tenure on the Board and (d) when was the last annual general meeting held at which members were elected;  
  
(2). (a) what is the (i) nature and (ii)purpose of the 5% royalties which certain mining contractors (names furnished) have been paying out since 1 September 2009 and (b) to whom are these royalties paid;  
  
(3). whether all of these mining contractors pay the same royalties; if not, why not; if so, what are the relevant details;  
  
(4). whether the said mining company pays royalties; if not, what is the position in this regard; if so, (a) how does the said community benefit from this and (b) what are the relevant details of financial implications regarding the payment of these royalties? CW336E  
  
**REPLY**  
(1) The Department of Mineral Resources does not have details when the Richtersveld Mining Company (Ply) Ltd [RMC] was established.  
  
(2) Prior to the implementation of the Mineral and Petroleum Resources Development Act, 2002 [28 of 2002] (MPRDA), a royalty of 5% was payable to the Department in respect of diamonds. In respect of Alexkor limited, the latter had to pay such royalties in respect of sea concessions. The mineral rights in respect of diamonds on the land rights of Alexkor was then registered in the latter's name and therefore no royalties were paid in respect of such land rights.  
  
(3) Alexkor Limited is responsible to pay 5% royalties to the Department. The contractors are paying the same royalties to Alexkor Limited.  
  
(4) A mining right of Alexkor Limited (land right) has to be ceded to the RMC. The RMC will have to pay royalties to SARS in terms of the Mineral and Petroleum Resources Royalties Act, 2008 (Act 28 of 2008).

**QUESTION NUMBER 271  
DATE OF PUBUCATION IN INTERNAL QUESTION PAPER: 13 AUGUST 2010  
(INTERNAL QUESTION PAPER NUMBER 19)**  
**271 Mr. K A Sinclair (COPE - NC) to ask the Minister of Mineral Resources:**  
(1) Whether any study has been done to ascertain the efficiency/productivity of a certain mine's (name furnished) diamond mining operations in Alexander Bay in comparison with a private sector mine of comparable size; if not, why not; if so, (a) how many carats of diamonds were being extracted annually at the said mine and (b) how did this compare with productivity in the private sector;  
  
(2). Whether anything needed to be done to increase the efficiency/productivity of the said mine; if so, what are the relevant details? CW343E  
  
**REPLY**  
(1) (a) No such study has been done by the Department of Mineral Resources, but according to the company's annual report it produced 26 059 carats in the 2009 financial year.  
  
(b) The Department has not done such comparison.  
  
(2) This is not a call for the Department but rather for the company to decide as this is considered to be a pure business decision that the company management would take.

**QUESTION NUMBER 613**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 05 March 2010**

**(INTERNAL QUESTION PAPER NUMBER 03)**

**MR PD Dexter (COPE) to ask the Minister of Mineral Resources:**

**613. Mr P D Dexter (Cope) to ask the Minister of Mineral Resources:**

What (a) was the total production of rough diamonds in (i) carats and (ii) rand in (aa) 2008 and (bb) 2009, (b) was the volume of trade in rough diamonds by the State Diamond Trader in (i) 2008 and (ii) 2009 and (c) is the reason for the low levels of trade in diamonds by the State Diamond Trader for the period relative to the industry volumes?

Reply

(a) What (a) was the total production of rough diamonds in (i) carats and (ii) rand in (aa) 2008 and (bb) 2009,

(aa) The total number production of rough diamonds in 2008 was

(i) 12 901 019 carats

(ii) R9 271 800 818

(bb) The production of rough diamonds in 2009 was

(i) 6 115 624 carats and

(ii) R 7 455 754 677

(b) was the volume of trade in rough diamonds by the State Diamond Trader in (i) 2008 and (ii) 2009

(i) 142, 635 carats; R117, 209 265 for 2008/2009 year

(ii) 377, 736.11 carats; R258, 058,578 for first quarter- 3rd quarter of 2009-10

(c) What is the reason for the low levels of trade in diamonds by the State Diamond Trader for the period relative to the industry volumes?

· The global economic crisis resulted in reduced demand for polished diamonds from the Stae Diamond Trader's clients;

· The State Diamond Trader finances restricted its ability to trade at higher levels post the core of recession.

· The challenges faced by the majority of the clients of the State Diamond Trader who are small businesses, these range from their financial ability to credible market access.

**QUESTION NUMBER 1226**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 19 April 2010**

**(INTERNAL QUESTION PAPER NUMBER 10)**

**1226. Mrs J D Kilian (Cope) to ask the Minister of Mineral Resources:**

Whether she will hold a certain mining company (name furnished) responsible for the financial losses incurred by businesses in Sol Plaatje Municipality that are affected by the closure of Bultfontein Road on 4 March 2008 in terms of the Disaster Management Act, Act 57 of 2002; if not, why not; if so, what are the relevant details? NW1385E

**Reply**

A legal opinion regarding liability as referred to in the relevant question is first to be obtained.

**QUESTION NUMBER 1226**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 19 April 2010**

**(INTERNAL QUESTION PAPER NUMBER 10)**

**1226. Mrs J D Kilian (Cope) to ask the Minister of Mineral Resources:**

Whether she will hold a certain mining company (name furnished) responsible for the financial losses incurred by businesses in Sol Plaatje Municipality that are affected by the closure of Bultfontein Road on 4 March 2008 in terms of the Disaster Management Act, Act 57 of 2002; if not, why not; if so, what are the relevant details? NW1385E

**REPLY**

The Department of Mineral Resources was not involved in the closure of the Bultfontein Road referred to above.

**QUESTION NUMBER 1238**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 26 April 2010**

**(INTERNAL QUESTION PAPER NUMBER 11)**

**1238 Mr P J Groenewald (FF Plus) to ask the Minister of Mineral Resources:**

(1) Whether her department verified a certain mining company's (name furnished) capacity to run a mine with regard to its operations in Orkney and Grootvlei when it was awarded a licence; if not, why not; if so, (a) what criteria were applied and (b) to what extent were these criteria complied with;

(2) whether she will make a statement on the matter? NW1396E

**Response**

(1) According to Department of Mineral Resources records, no mining rights were issued in favour of the company referred to in this question in respect of mining operations at Orkney and Grootvlei**.**

**QUESTION NUMBER 162**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 11 February 2010**

**(INTERNAL QUESTION PAPER NUMBER 01)**

**162. Mr PD Dexter of (COPE) to ask the Minister of Mineral Resources:**

(a) How many (i) mining and (ii) prospecting licences have been issued during the period 1 April 2009 to 31 January 2010 and (b) what was the total number of applications for each of these licences?

**Reply** (a) During the period 1 April 2009 to 31 January 2010 (i) 106 applications for mining rights were accepted. Of these applications, 3 were granted, 1 was refused and 3 were withdrawn. None of the said 106 applications were issued. **It should be noted that all of the 106 applications are within the current prescribed timeframe of approximately one year.**

(b) During the period 1 April 2009 to 31 January 2010 (ii) 1363 applications for prospecting rights were   
accepted. Of these applications, 138 were granted and 9 of such granted rights were issued.

Of the said 1363 applications, 112 were refused, whilst 60 applications were withdrawn.

**QUESTION NUMBER 164**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 11 February 2010**

**(INTERNAL QUESTION PAPER NUMBER 01)**

**MR PD Dexter (COPE) to ask the Minister of Mineral Resources:**

(a) How can the nationalisation of mines benefit the economy and (b)(i) in what way and (ii) how would Government fund the nationalisation?

Response

(a) The department has not done a cost benefit analysis on nationalisation of mines, since it is not a policy of Government

(b) (i) N/A

(ii) N/A

**QUESTION NUMBER 1721**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 28 May 2010**

**(INTERNAL QUESTION PAPER NUMBER 15)**

**1721. Adv H C Schmidt (DA) to ask the Minister of Mineral Resources:**

Whether her (a) department or (b) any of its entities has signed any contractual agreements with certain companies (names furnished) or any of their affiliates (i) in the (aa) 2008-09 and (bb) 2009-10 financial years and (ii) during the period 1 April 2010 up to the latest specified date for which information is available; if so, (aaa) what is the nature of each contract, (bbb) what is the (aaaa) start and (bbbb) end date of each contract, (ccc) what is the monetary value of each contract, (ddd) what are the details of the process that was undertaken for the signing of each contract, (eee) who else tendered for each contract that was awarded and (fff) what amount did each tenderer quote in each case? NW1987E

**REPLY**

(a) The Department has not signed any contractual agreement with any of the companies listed in the question.

(b) None of the entities reporting to the Minister of Mineral Resources has entered into any contractual agreement with the companies listed in question.

(i) (aa) N/A

(bb) N/A

(ii) N/A

(aaa) N/A

(bbb) N/A

(aaaa) N/A

(ccc) N/A

(ddd) N/A

(eee) N/A

(fff) N/A

**QUESTION NO.:2603**

**DATE OF PUBLICATION: 10 September 2010**

**2603. Adv A de W Alberts (FF Plus) to ask the Minister of Public Enterprises:†**

(a) Whether the 49% share that was awarded to the Richtersveld community in terms of a land restitution claim has been transferred to this communty; if not, why has the share not yet been transferred and (b) what steps is the Government taking in this regard in order to ensure the transfer of the 49% share in Alexkor to this community; if so, (i) when was the transfer effected and (ii) in the name of which entity has the said share been registered? NW3253E

**REPLY**

(a) The Richtersveld community was not awarded a 49% share in Alexkor. Alexkor is a public company with the State as sole shareholder. Alexkor holds diamond mining rights on land and in the sea. In terms of the Deed of Settlement and Court Order relating to the Richtersveld community's land claim, Alexkor's land mining rights will be transferred to the Richtersveld community's mining company. Alexkor will retain the sea rights. The agreement provides for the formation of a Pooling and Sharing Joint Venture (PSJV) between Alexkor and the Richtersveld Mining Company (RMC) on the following basis:

· Alexkor will remain the holder of its marine mining rights and RMC will remain the holder of its land mining rights;

· Alexkor and RMC will respectively put their marine mining rights and their land mining rights under the full control of a Joint Board of the PSJV for purposes of mining both the marine and land resources;

· Alexkor will have a 51% interest in the PSJV and RMC a 49% interest.

(b)(i-ii) In order for the land mining rights to be transferred to the RMC, Alexkor's prospecting and mining rights had to be converted from old order to new order rights in terms of the Minerals and Petroleum Resources Development Act, No 28 of 2002. Alexkor submitted the applications for conversion to the Department of Mineral Resources in the first quarter of 2009. The conversion of Alexkor's land mining rights to new order mining rights was executed in May 2010. The transfer of these new order land mining rights to RMC is in process. The only outstanding requirement is for RMC to pass a Board resolution accepting to receive the said mining rights and thereafter it will be sent to the Minister of Mineral Resources for consent. Alexkor anticipates the transfer to be completed during the current financial year.

**QUESTION NUMBER 590**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 05 March 2010**

**(INTERNAL QUESTION PAPER NUMBER 04)**

**590. Mr G R Morgan (DA) to ask the Minister of Mineral Resources:**

(1) Whether she intends enacting the Mineral and Petroleum Resources Development (MPRDA) Amendment Act, Act 49 of 2008; if not, why not; if so, when;

· Several concerns were raised by Mining sector stakeholders and Government Departments which are related to the implementation of the MPRDA Amendment Act 49 of 2008. The DMR then deemed it prudent to first consult and further endeavor to address the concens raised by stakeholders before the Amendment Act take effect.

(2) whether, considering that the process resulting in the transfer of authorisations of mines to the Minister of Water and Environmental Affairs depends upon the MPRDA being enacted, she has discussed this matter with the Minister of Water and Environmental Affairs; if not, why not; if so, what are the relevant details?

· The execution of the agreement is effective only after 18 months of the implementation of the last Bill to be signed. Therefore, the status quo (regulation of the environmental issues for mining and related activities in terms of the MPRDA) prevails until such time both NEMA and MPRD Amendment Act have been implemented and the administrative gaps brought about by this have been addressed.

· In order to ensure smooth and effective implementation of agreement officials of the DMR and DWEA jointly formed a steering committee to drive and facilitate the execution of the implementation plan of the agreement. There have been several meetings to this effect, and a dynamic implementation plan is being developed.

**QUESTION NUMBER 313**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 3 SEPTEMBER 2010**

**(INTERNAL QUESTION PAPER NUMBER 24)**

**313. Mr R A Lees (DA-KZN) to ask the Minister of Mineral Resources:**

(1) Whether any security measures have been put in place at disused mines to prevent illegal miners from gaining access to these mines; if not, why not; if so, (a) what measures, (b) when were these measures put in place and (c) how were illegal miners able to access a certain mine (name furnished) in Springs;

(2) whether her department will hold owners of the said mine liable for the deaths of illegal miners who were shot and killed in August 2010; if not, why not; if so, what action will be taken against the said mine owners? CW408E

**REPLY**

**(1)**(a), (b) In terms of the legal provision, it is the responsibility of the mine owners to ensure that measures are put in place to prevent access to mine. However, the SAPS are engaged where there has been illegal access as this is being regarded as a criminal act.

(c) This is a criminal matter and the SAPS are currently conducting an investigation.

**(2)**This is a criminal matter and the SAPS are currently conducting an investigation.

**QUESTION NUMBER 30**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 11 February 2010**

**(INTERNAL QUESTION PAPER NUMBER 01)**

**Adv H C Schmidt (DA) to ask the Minister of Mineral Resources:**

How many conversion applications for old order mining rights in terms of the Mineral and Petroleum Resources Act, Act 28 of 2002, had been (a) received as at 30 April 2009 and (b) of these had been (i) granted, (ii) refused or (iii) referred back to the applicants as at 31 October 2009?

**Reply:**(a) 1102 conversion applications in respect of old order mining rights were submitted to   
Regional offices as at 30 April 2009.

(b) Of the 1102 conversion applications, 885 could be adjudicated. Of the said 885 applications, 178 were converted, 36 were withdrawn and 3 could not be processed.

**QUESTION NUMBER 1585**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 21 May 2010**

**(INTERNAL QUESTION PAPER NUMBER 14)**

**1585. Mr J Selfe (DA) to ask the Minister of Mineral Resources:**

(1) Whether any exploration rights, in particular for gas, have been granted off the KwaZulu-Natal coastline; if not, why not; if so, (a) which companies have been granted rights and (b) what areas have each of these companies been given rights to;

**Reply**

**No exploration right has been granted over the said area. The application received from Silver Wave Energy Pte Ltd is still being considered.**

(2) whether these companies will be obliged to perform environmental impact studies; if not, why not; if so, what are the relevant details;

**Reply**

**All companies applying for an exploration right or production right in respect of gas are obliged to perform environmental impact studies in terms of section 39 of the Mineral and Petroleum Resources development Act, 2002 ( Act No. 28 of 2002)**

(3) whether a certain company (name furnished) has applied for exploration rights off the KwaZulu-Natal coastline; if so,

**Reply**

**Petroleum Agency SA (The Agency) did receive an application for an exploration right over the said area from Silver Wave Energy Pte Ltd, a company based in Singapore.**

(4) whether this company has any ties to the Burmese military junta; if so, (a) what are the relevant details and (b) what is the Government's position in this regard;

**Reply**

**The Agency is not ware of any links between this company and Burmese or any other military junta.**

(5) whether any consideration has been given to the impact such rights may have on (a) sea life, (b) migration patterns and (c) fishing activities; if not, why not; if so, what are the relevant details?

**Reply**

**Currently the Agency is awaiting the Environmental Management Programme from Silver Wave Energy Pte Ltd which must among other things satisfy the requirements of section 39(3)(a) – (b) and 39(3)(d) i.e:**

· **baseline assessment that should amongst other things include the identification and assessment of biophysical oceanography which include sea life i.e. plankton, benthic communities, invertebrates, fish, turtles, seabirds, marine mammals and their migratory patterns and colonies. This is done in order to determine areas and seasons to be avoided when undertaking drilling and seismic survey operations.**

· **Furthermore, human utilization of the exploration area is assessed and this usually includes commercial and subsistence fisheries, prospecting and mining of other minerals, shipping, recreational use, etc., and impacts associated with such identified activities.**

**Impacts that could impact considerably on fishing, sealife and other human use activities are given consideration, hence they are identified, assessed/evaluated and appropriate mitigation measures recommended, in the assessment of the Environmental Management**

**QUESTION NUMBER 1567**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 21 May 2010**

**(INTERNAL QUESTION PAPER NUMBER 14)**

**1567. Mr E J Marais (DA) to ask the Minister of Mineral Resources:**

Whether, in light of the proposed withdrawal of staff seconded by certain parties (names furnished), any action will be taken to ensure the efficient functioning of the State Diamond Trader; if not, why not; if so, what are the relevant details? NW1826E

**Response**

Neither the Department of Mineral Resources nor the State Diamond Trader has received such a proposal.

**QUESTION NUMBER 228**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 19 February 2010**

**(INTERNAL QUESTION PAPER NUMBER 02)**

**228. Dr D T George (DA) to ask the Minister of Mineral Resources:**

Whether the her department has conducted any research on (a) how nationalisation of mines would impact on investor confidence and (b) the risk assessment of the economy; if not, how nationalisation of mines would be funded in each case?

(a) No, since nationalisation of mines is outside our legislative framework.

(b) No, no risk assessment has been done and funding of nationalisation of mines has also not been worked on due to the reasons provided in (a) above.

Question & Reply: Mineral Resources

2010-08-17

<https://pmg.org.za/question_reply/236/>

**UESTION NUMBER 1604**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 21 May 2010**

**(INTERNAL QUESTION PAPER NUMBER 14)**

**1604. Mr G R Morgan (DA) to ask the Minister of Mineral Resources:**

(1) (a) How many sand mining operations are authorised in or adjacent to the Umgeni river system and (b) in each case, (i) what is the name of the entity that has been awarded the approval to mine, (ii) when was this authorisation given and (iii) what was the date of the last visit by inspectors of her department to assess compliance with the Environmental Management Plan;

(2) whether any directives have been issued against any other operation since 1 January 2008; if not, why not; if so, what are the relevant details? NW1867E

**Response**

**1. On Umgeni River:**

|  |  |  |  |
| --- | --- | --- | --- |
| **FILE REF** | **HOLDER OF AUTHORISATION** | **DATE ISSUED** | **STATUS** |
| 74MP | X-Moor Transport | 30/08/2006 | Mining Permit renewal application refused – last inspection conducted 29/03/2010 |
| 379MP | X-Moor Transport | 21/01/2009 | Operational – last inspection conducted 29/03/2010 |
| 216MP | C N Shabalala | 28/03/2008 | Has not commenced operations – last inspection conducted 21/05/2010 |
| 218MP | B H D Zuma | 25/03/2008 | Has not commenced operations – last inspection conducted 21/05/2010 |
| 246MP | M A Hall | 18/04/2008 | Has not commenced operations – last inspection conducted 21/05/2010 |
| 204MP | Ziyasha Logistics | 06/09/2007 | No record of inspection on file – inspection to be scheduled June 2010 |
| 260MP | A B Sibisi | 25/03/2008 | Not Operational – last inspection conducted 08/12/2009 |
| 168MP | Very Nice Trading 45 cc | 10/05/2007 | No record of any inspection on file – inspection to be scheduled June 2010 |
| 254MP | P T Dube | 06/03/2008 | Operational – last inspection conducted 25/03/2010 |
| 147MP | Little Rock Trading | 30/03/2007 | Application for renewal refused - last inspection conducted 25/03/2010 |
| 233MP | Uzuzunikela Trading 9 cc | 06/03/2008 | Not operational – last inspection conducted 21/01/2010 |
| 58MP | Versatex Trading 486 (Pty) Ltd | 22/11/2005 | Not operational – last Inspection conducted 21/01/2010 |
| 355MP | Qubeka Euzils Building Material Supplies | 08/04/2009 | No record of any inspections on file - Inspection to be scheduled  June 2010 |
| 141MP | Invincible Panther Co-operative Limited | 06/03/2007 | Last inspection conducted 08/12/2009 |

**Adjacent to Umgeni River:**

|  |  |  |  |
| --- | --- | --- | --- |
| 232MR | Clayton Agencies | Mining Right Conversion lodged | Last inspection conducted 29/01/2010 |

2. Compliance notices were issued to the following operations:

Little Rock Trading 147 CC

X- Moor transport CC

P T Dube

Invincible Panther Co-operative Limited.

**QUESTION NUMBER 126**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 26 march 2010**

**(INTERNAL QUESTION PAPER NUMBER 07)**

**126. Mr R A Lees (DA-KZN) to ask the Minister of Mineral Resources:**

Whether an investigation has been or is being done into the impact that climate change is having on the marine mining activities between Port Nolloth and the Orange River Mouth; if not, why not; if so, (a) what are the detailed results of such investigation and (b) what action is being taken or planned to ensure that the communities in the area are not negatively impacted upon?

**REPLY:**

The Department of Mineral Resources does not regulate climate change issues and therefore has not done such an investigation.

**QUESTION NUMBER 136**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 16 April 2010**

**(INTERNAL QUESTION PAPER NUMBER 08)**

**136: Mr D B Feldman (COPE-Gauteng) to ask the Minister of Mineral Resources:**

Whether her department will provide statistics of the different race groups which benefited in mining companies under the black economic empowerment (BEE); if not, why not; if so, what are the relevant details?

**Response:**

No. This is not a legal requirement.

**QUESTION NUMBER 1036**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 30MARCH 2010**

**(INTERNAL QUESTION PAPER NUMBER 09)**

**1036. Adv H C Schmidt (DA) to ask the Minister of Mineral Resources:**

In light of her reply to question 662 on 12 October 2009, what (a) is the (i) extent and )ii) nature of the relief for compliance to the requirements of the Mineral and Petroleum Resources Development Act (MPRDA), Act 28 of 2002, in favour of the African Exploration Mining and Finance Corporation (AEMFC) and (b) are the particular sections to which she referred as outlining the reasons for any exemption granted? NW1182E

**REPLY**

As stated by the Minister of Mineral Resources in her reply to question 661, there is no "relief" for compliance to the requirements of the Mineral and Petroleum Resources Development Act, 2002 (Act No.28 of 2002), but that in terms of section 106 of the said Act, the Minister may **exempt** any organ of state from the provisions of sections 16, 20, 22 and 27. These sections of the Act deal with the application for prospecting rights (section 16), the removal and disposal of minerals found during prospecting operations by the holder of a prospecting right (section 20), the application for a mining right (section 22) and the application for a mining permit (section27).

Although African Exploration Mining and Finance Corporation is exempted from the provisions of sections 16, 20, 22 and 27 mentioned above, the Company is **not** exempted from the provisions of section 39(4) of the Act as stated in section 106(2) of the Act.

In terms of section 39(4) of the Act, African Exploration Mining and Finance Corporation must comply with the requirements relating to the preparation of an Environmental Management Plan or Environmental Management Programme as the case may be, and lodge such Environmental Management Plan or Environmental Management Programme for consideration thereof in terms of the requirements of the Act.

**QUESTION NUMBER 1754**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 28 May 2010**

**(INTERNAL QUESTION PAPER NUMBER 15)**

**1754. Adv. H.C Schmidt (DA) to ask the Minister of Mineral Resources:**

What were the start and end dates of tenure in office of every (a) permanent and (b) acting (i) Director-General and (ii) Chief Financial Officer during the period 1 January 2000 to 31 December 2009. NW2020E

**Response**

(a) Permanent

(i) The Director-General was appointed permanently as the Director-General since the

proclamation of the Department.

(ii) The post of Chief Financial Officer (CFO) has been vacant since June 2009.

(b) Acting

(i) The post of the Director-General is filled.

(ii) The person has been acting in the post of Chief Financial Officer since 01 June 2009 to date.

**QUESTION NO 2353**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 30 AUGUST 2010**

**(INTERNAL QUESTION PAPER NO. 25)**

**2353. Mrs A T Lovemore (DA) to ask the Minister of Water and Environmental Affairs:**

(1) Whether the new interdepartmental team of senior executives of her department and of the Department of Mineral Resources to consider the problem of the impact of mining on water resources in the Witwatersrand area has been established, as referred to in her speech to the AgriSA Water Conference on 11 August 2010; if so, when was it established; if not, (a) why not and (b) when is it anticipated to be formed;

(2) what are the (a) details of the persons who have been selected to form part of this team and (b) what are the proposed (i) terms of reference and (ii) time frames for the implementation thereof;

(3) whether the mandate of the team is of an (a) advisory or (b) executive nature;

(4) (a) to whom and (b) how often will the team be required to report? NW2922E

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**REPLY:**

(1) Yes, the team of experts was established on the 8 September 2010 after the first Inter-Ministerial Committee (IMC) on Acid Mine Drainage (AMD).

(2)(a) The Team consists of experts of the Department of Mineral Resources, Science and Technology, my Department, and representatives from the Council for Geosciences (CGS), Water Research Commission (WRC) and MINTEK.

(2)(b)(i) The terms of reference are as follows:

· to appraise the risks;

· to assess what has been done by various institutions;

· to assess available solutions and technology;

· to interrogate and assess viability and costs of critical short-term interventions;

· to integrate lasting and sustainable medium and long term solutions; and

· to explore possible partnerships with the private sector.

(2)(b)(ii) The Team has to report within six weeks (Middle October).

(3)(a) The mandate of the team is of an advisory nature.

(4)(a) The Team will report to the Inter-Ministerial Committee (IMC).

(4)(b) The frequency of reporting is still to be determined.

**QUESTION NUMBER 383**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 26 FEBRUARY 2010**

**(INTERNAL QUESTION PAPER NUMBER 04)**

**383. Mr E J Marais (DA) to ask the Minister of Mining:**

(a) What (i) vehicles, (ii) aircraft and (iii) properties are currently owned by her department and (b) with regard to each item, (i) when was it purchased, (ii) how much did it cost and (iii) for what reason was it purchased? NW455E

**REPLY**

The following response applies to both the Department of Mineral Resources and Department of Energy because they are still sharing the administration function until end of 31 March 2010.

(a) (i) BMW X5

BMW 750i

BMW 525i

BMW 525i

BMW 523i

BMW 528i

Mercedes Benz E240

Colt Bakkie

Condor

A6 2.4

(ii) No Aircraft was purchased

(iii) No Properties purchased

(b)

|  |  |  |  |
| --- | --- | --- | --- |
| **Vehicle Purchased** | **(i)When**  **Purchased** | **(ii) Cost** | **(iii) Reason** |
| BMW X5 | 2010 | R 789 924.00 | Official use by the new Minister in Pretoria |
| BMW 750i | 2010 | R 1,200,100.00 | Official use by the new Minister in Pretoria |
| BMW 525i | 2002 | R 347,000.00 | Official use by the former Minister in Cape Town |
| BMW 525i | 2005 | R 410,000.00 | Official use by the former Deputy Minister in Cape town |
| BMW 523i | 2000 | R 280,000.00 | Official use by the former Minister in Pretoria |
| BMW 528i | 2000 | R 302,000.00 | Official use by the former Deputy Minister in Pretoria |
| Colt Bakkie | 2002 | R 93,000.00 | Official use by the DME Officials |
| Condor | 2001 | R 84,000.00 | Official use by the DME Officials |
| A6 2.4 | 2003 | R 348,000.00 | Official use by the former Minister in Cape Town |
| Mercedes Benz E240 | 2002 | R 400,000.00 | Official use by the former Minister in Pretoria |