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**Memorandum from the Parliamentary Office**

**Minister**

**National Assembly question for written reply: Question 2298**

DDG: CS

**Date:**

**Recommended / Not Recommended**

**Adv. T. Mokoena**

**Director General: Department of Mineral Resources**

………………/………………/2017

**NATIONAL ASSEMBLY QUESTION FOR WRITTEN REPLY**

**QUESTION NUMBER: 2298 ADVANCE NOTICE NO: NW2537E**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 11 August 2017**

**INTERNAL QUESTION PAPER NUMBER: 26**

**2298. Ms L Mathys (EFF) to ask the Minister of Mineral Resources:**

(1) On what date will his department update its manual in terms of section 14 of the Promotion of Access to Information Act, Act 2 of 2000;

(2) whether his department’s next manual in terms of section 14 of the specified Act provides that certain documents (names and details furnished) are automatically available in terms of section 15 of the Act; if not, why not? NW2537E

**Reply**

1. The 2017 manual in terms of section 14 of the Promotion of Access to Information Act, Act 2 of 2000 has been approved by the Information Officer of this Department and is in the process of being published on the Department’s website.
2. In terms of the 2017 manual, the following listed documents are automatically available:
3. all registered rights granted in terms of the Mineral and Petroleum Resources Development Act 28 of 2002 (the “MPRDA”);
4. all applications for rights listed in (I limited to the extent that confidential information contained in such applications will not be made available without the prior consent of the applicant concerned;
5. Environmental management programmes approved in terms of the MPRDA and National Environmental Management Act No. 107 of 1998 (“NEMA”);
6. Environmental management plans approvedin terms of the MPRDA;
7. Social and labour plans approved in terms of the MPRDA escluding commercial, confidential or financial information;
8. Mining work programmes and prospecting work programmes approved in terms of the MPRDA excluding proof of financial ability;
9. Draft versions of the documents listed in (iii), (iv) and (v) submitted to the Department of Mineral Resources for approval is subject to the limitation in (ii) above;
10. Environmental authorisations issued in terms of NEMA;
11. Full applications for environmental authorisations in terms of NEMA subject to the limitation in ((ii) above;
12. Social and labour plans approved in terms of the MPRDA (refer to (v) above;
13. prospecting work programmes approved in terms of the MPRDA (refer to (vi) above; and
14. Documents relating to the financial provision for rehabilitation.

The availability of the remaining listed documents are subject to an application for access to records in terms of PAIA. These documents are not automatically available, because access to records of this nature may have been refused in instances where statutory grounds for refusal are relevant and applicable.

Approved/Not Approved

**Mr MJ Zwane, MP**

**Minister of Mineral Resources**

**Date Submitted:-**……………/………………/2017