**National Assembly: 2738**

Please find attached a response to Parliamentary Question for ***written reply*** asked **Prof C T Msimang**

**(IFP) to ask the Minister of Mineral Resources and Energy:**

**Mr D. Msiza**

**Chief Inspector of Mines**

**14/12/2021**

Recommended/ Not Recommended

**Adv. T.S Mokoena**

**Director General: Department of Mineral Resources and Energy**

**………………/………………/2021**

Approved / Not Approved

**Mr. S.G Mantashe**

**Minister of Mineral Resources and Energy**

**………………/………………/2021**

**2738. Prof C T Msimang (IFP) to ask the Minister of Mineral Resources and Energy:**

(1)

Whether, in light of the latest figures given by his department reflecting the total number

of (a) mining deaths amounting to 58 and (ii) injuries amounting to 1 824, and in view of

the concerns brought forward by all mining stakeholders, there are any plans in place to

improve the health and safety matters, including, but not limited to, COVID-19 matters;

if not, why not; if so, what are the relevant details; Yes, there are plans to improve health

and safety performance at mines, which include but not limited to:

**DMRE REPLY**

**Legislative Review**



Mine Health and Safety Act (Act 29 of 1996) will be strengthened through legislative

amendments.

 The Department has issued a guideline for a mandatory COP on the right to refuse

dangerous work. All mines are encouraged to popularise this COP so that mineworkers can

exercise this important right without any fear of victimisation.

 The Department has also issued a guideline for a mandatory COP for the management and

mitigation of COVID-19 at SA mines. The Department continues to encourage all

mineworkers and their loved ones to vaccinate. As on the 14 December 2021, about 70%

of the employees in the mining sector have been vaccinated.

**Issuing of Chief Inspector of Mines (CIOM) Directives**

 The Department issue CIOM directives where necessary to enhance the health and safety

of the mineworkers. The following directives have been issued by the DMRE:

• Elimination of rock-burst and rockfall accidents as a result of remnant pillar extraction.

• Elimination of shaft and winders accidents.

• Elimination of fire, explosion, heat and oxygen deficiency accidents.

• Emergency preparedness and secondary outlets.

• Start –up procedure and return to work post Covid -19 lockdown.

• Vigilance on health and safety matters during last quarter of the year.

**Monitoring and enforcement of compliance**

 The Department will be reviewing the organizational structure which will also ensure that

the capacity to monitor the mining sector is strengthened.

 The Inspectors continuously monitor health and safety matters at mines by conducting

proactive routine inspections and audits at various mines.

 During the routine inspections and audits Inspectors, as empowered by the Mine Health and

Safety Act (MHSA), do issue relevant statutory notices/instructions in case of non-

compliance to the legal provisions and dangerous conditions or practices which may

endanger the health and safety of mineworkers. The relevant statutory notices include

orders to stop an unsafe mine or part thereof in terms of MHSA Section 54 and Section 55

provides for the ordering of compliance to the provisions of the MHSA.

 During the 2021/21 financial year the Department issued 2 115 Section 54 instructions and

1 080 Section 55 instructions to various mine employers. In the current financial year

(2021/22) from April to September, the DMRE has issued 750 Section 54 instructions and

794 Section 55 instructions. Before the said statutory instructions can be lifted, the mine

management together with all organised labour representatives at that mine, are requested

to confirm full compliance with the Inspector’s instructions through a formal presentation to

the respective regional Principal Inspector of Mines.

**Stakeholder Engagements**

 The Department engages the CEOs of mining companies and Minerals Council of SA (former

Chamber of Mines), to present their turn-around health and safety strategies and

commitments.

 Mines are encouraged to adopt best/leading practices and technology advances to enhance

health and safety.

 Meetings are also held with organized labour to discuss on the areas of concern and remedial

actions.

 The DMRE has also established Regional Mine Health and Safety Tripartite forums in all the

nine provinces where relevant officials of the Department, mine management and

representatives of organised labour regularly meet to share mine health and safety

challenges, best mining practices and proposed way forward to safeguard the mineworker’s

health and safety.

 The Minister in collaboration with organised labour and business leaders convened a

MineSafe conference on the 25 November 2021. The aim of the MineSafe was for the sector

to recommit to health and safety as well as to urgently focus on actions to address the loss of

life of the mineworkers. Subsequently, the stakeholders agreed on actions which will be

implemented to ensure improvement.

**Skills Development**

 The Department is collaborating with the Mining Qualification Authority (MQA) on

implementing health and safety skills programme including on the training and supporting

learners in the sector to register for a qualification related to seismology and rock engineering

as part of the efforts to mitigate the prevalence of FOG incidents.

 Also, the Mine Health and Safety Council (MHSC) finalized the development of the business

plan for Phase 2 of the Centre of Excellence (CoE).

 The following were the key recommendations of the business plan that would enable the

implementation of Phase 2 of the CoE:

• Re-skilling of Mining and Mineral sector workforce.

• Development of Occupational Health and Safety (OHS) training programmes that cater for

modernized mines in line with 4IR developments.

• Inclusion of innovative technologies and techniques into training.

• Augmentation of the proposed career paths by linking them with other industries’ career

paths in OHS.

(2)

whether his department is investigating the high number of fatalities and injuries; if not,

why not; if so, what are the relevant details?

**DMRE REPLY**

**Conducting of Investigations and Inquiries**

 The Department conducts accident investigations and inquiries in case of serious mine

accidents to determine the cause of each mine accident, appropriate remedial measures to

prevent recurrence and in case of gross negligence by any person, then make necessary

recommendations for prosecution to the Director of Public Prosecutions.

 The Department will suspend or withdraw legal appointments and the Government Certificate

of Competency of the responsible managers, engineers and supervisors who fail in their

duties to safeguard the health and safety of mineworkers in their areas of responsibility.

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