

**MINISTRY**

**MINERAL RESOURCES AND ENERGY**

**REPUBLIC OF SOUTH AFRICA**

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 **Memorandum from the Parliamentary Office**

**National Assembly : 3379**

Please find attached a response to Parliamentary Questionfor **written reply** asked by **Mr. T M Langa (EFF) to the Minister of Mineral Resources and Energy:**

**Mr David Msiza**

**Chief Inspector of Mines**

**27/09/2022**

Recommended/ Not Recommended

**Mr. Jacob Mbele**

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

**………………/………………/2022**

Approved / Not Approved

**Mr. S.G Mantashe, MP**

**Minister of Mineral Resources and Energy**

**………………/………………/2022**

**3379. Prof C T Msimang (IFP) to ask the Minister of Mineral Resources and Energy:**

(1) What are reasons for the mine slimes dam burst in Jagersfontein;

(2) whether it has been found that the burst was an accident and/or a result of negligence; if not, what is the position in this regard; if so, what are the relevant details;

(3) whether negligence was found to have contributed to the burst; if not, what is the position in this regard; if so, (a) on whose part was negligence found and (b) what has been done to hold responsible persons accountable? **NW4187E**

**Reply:**

(1) The Department does not have the authority to regulate the processing of residue deposits at the Jagersfontein dam and thus cannot investigate the cause of the accident. This is as a result of the De Beers court judgment over Jagersfontein mine residue deposits (***De Beers Consolidated Mines Ltd v Ataqua Mining (Pty) Ltd & others, case no. 3215/06, Free State Provincial Division, 13 December 2007****).*

(2) Department of Mineral Resources and Energy will not be in a position to provide response on the matter which should be responded to by the Departments of Labour, Forestry, Fisheries, Environmental Affairs, and Water and Sanitation since they have a regulatory jurisdiction over certain of the operations of Jagersfontein Developments (PTY) Ltd.

(3) Please refer to (1)