

**MINISTRY**

**MINERAL RESOURCES AND ENERGY**

**REPUBLIC OF SOUTH AFRICA**

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**Memorandum from the Parliamentary Office**

**National Assembly : 3739**

Please find attached a response to Parliamentary Questionfor **written reply** asked by **Ms P Madokwe (EFF) to the Minister of Mineral Resources and Energy:**

**Mr. Tseliso Maqubela**

**Deputy Director-General: Mineral and Petroleum Regulation**

**……………/……………/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**

**3739.** **Ms P Madokwe (EFF) to ask the Minister of Mineral Resources and Energy:**

Given that more than a month has passed since the Jagersfontein tragedy, during which the lives of residents were abruptly destroyed, and that his department chose not to challenge a court ruling that transferred responsibility for tailing dams to the Department of Water Affairs and Sanitation, despite the fact that such dams had mining-related activities and consequences, what (a) are the reasons that his department did not challenge the ruling and (b) steps has he taken to address the issue in light of the negative effects of its previous inaction? **NW4625E**

**Reply**

The Minister took Office in 2018, almost 11 years after the Free State High Court pronounced that his department cannot exercise jurisdiction under the MPRDA in relation to the tailings dumps in question.  Given the lapse of time the Department had attempted to remedy the situation through an amendment which was adopted in 2013, however the Bill lapsed with the end of term of the administration. The Department has resuscitated the amendment of the MPRDA to include tailing dams and an Amendment Bill will be submitted to the Legislature in due course.