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**Memorandum: Parliamentary Liaison Office**

**NATIONAL ASSEMBLY QUESTION FOR WRITTEN REPLY**

**QUESTION NUMBER: 587 ADVANCE NOTICE No: NW778E**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 17 April 2020**

**INTERNAL QUESTION PAPER NUMBER: 03**

587. Mr M K Montwedi (EFF) to ask the Minister of Mineral Resources and Energy:

What measures did his department put in place to monitor working conditions in mines to ensure that workers are protected from COVID-19 before granting Sibanye Mine in Rustenburg and other mining companies permission to resume work? NW778E

**Proposed Response**

1. The Department has consulted with organised labour and organised business regarding the possible impact of COVID-19 in the mining sector.
2. The Department has made inputs into the recent amendments of the Regulations of the Disaster Management Act (DMA), issued in terms of Section 27(2) of the same Act and published by the Minister of COGTA on the 17th April 2020. Please take particular note of the insertion of Regulation 11K which deals with Mining Operations.

2.1 Regulation 11K.(1) of DMA states:

Mining operations, as referred to in paragraph 22 of Part B of Annexure B, must be conducted at a reduced capacity of not more than 50% during the period of lockdown, and thereafter at increasing capacity as determined by direction issued by the Cabinet member responsible for mineral resources and energy.

* 1. Regulation 11K.(2) of DMA states:

The following conditions apply to the starting and increasing of capacity:

1. A rigorous screening and testing program must be implemented as employees return to work;
2. The mining industry must provide quarantine facilities for employees who have tested positive for the COVID-19;
3. Data collected during the screening and testing programme must be submitted to the relevant authority;
4. Mining companies must make arrangements to transport their South African employees from their homes to their respective areas of operations;
5. Workers from neighbouring Southern African Development Community countries must be recalled to their place of employment at the end of lockdown in their respective countries in accordance with these Regulations and regulations applicable in those countries.

2.3 Regulation 11K.(3) of DMA states:

The monitoring and impact assessment of seismicity through the Council for Geoscience must be intensified with immediate effect.

1. The Department through the Chief Inspector of Mines has also directed the South African Mining Industry (SAMI) to prevent the spread of COVID-19 in the following communique issued to mining companies:

3.1 Guiding principles on prevention & management of COVID-19 in SAMI

3.2 Request for protocol on prevention & management of COVID-19 in SAMI

3.3 Safe start-up procedure of mines by employers and employees.

1. The Department has identified all Inspectors of Mines as essential service and were issued with Lockdown Permits to ensure that health and safety of mineworkers is not compromised even during this pandemic.
2. Inspectors of Mines remain on duty during the lockdown and conduct mainly unannounced visits at various mines particularly at high risk mines, to check the mines compliance to the Mine Health and Safety Act and other relevant prescripts such as “Lockdown” regulations.

**Chief Inspector Mines**

**Date:**

Recommended / Not Recommended

**Advocate T S Mokoena**

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

………………/………………/2020

Approved/Not Approved

**Mr SG Mantashe, MP**

**Minister of Mineral Resource and Energy**

**Date Submitted:-**……………/………………/2020