

**MINISTRY**

**MINERAL RESOURCES AND ENERGY**

**REPUBLIC OF SOUTH AFRICA**

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**Memorandum from the Parliamentary Office**

**National Assembly: 728**

Please find attached a response to Parliamentary Questionfor ***written reply*** asked **by Mr J R B Lorimer (DA) to ask the Minister of Mineral Resources and Energy:**

**Mr Tseliso Maqubela**

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

**………………/………………/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**

**728. Mr J R B Lorimer (DA) to ask the Minister of Mineral Resources and Energy:**

1. What total number of prospecting rights holders had their rights cancelled for not having met their obligations in terms of their approved Environmental Management Programmes;
2. Whether any other steps have been taken against non-compliance by rights holders in this regard; if not, why not; if so,
3. Whether he will furnish Mr J R B Lorimer with (a) a list indicating instances when steps and/or action was taken against non-compliance by rights holders and (b) any further relevant details; if not, why not; if so, what are the relevant details? NW849E

**Reply**

1. There is no prospecting right that has been cancelled for not having met their approved EMP.
2. Section 31L of NEMA notices were issued to Right Holders, for non-compliance with the terms and conditions of the Environmental Authorisations as well as the provisions of the National Environmental Management Act (Act 107 of 1998), including but not limited to failure to submit environmental audit reports, annual financial provision assessment/review and excessive dust emission amongst others. In instances where there was a significant Environmental degradation or pollution directives were issued in terms of section 28 of NEMA.

(3)(a) Yes, please see the list for 2020/201 financial year

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| **Seq No.** | **Reference Number** | **Actions taken** |
| 1 | KZN10652PR | S31L (NOI): Financial Provision for a renewal |
| 2 | KZN10635PR | S31L (NOI): Financial Provision for a renewal |
| 3 | KZN544PR | S29(b): Closure Directive |
| 4 | KZN543PR | S29(b): Closure Directive |
| 5 | KZN495PR | S29(b): Closure Directive |
| 6 | KZN491PR | S29(b): Closure Directive |
| 7 | KZN10708PR | S31L (NOI): Financial Provision for a renewal |
| 8 | KZN196PR | S29(b): Closure Directive |
| 9 | KZN601PR | S29(b): Closure Directive |
| 10 | KZN204PR | S29(b): Closure Directive |
| 11 | KZN37PR | S31L (NOI): Financial Provision for a renewal |
| 12 | KZN10338PR | S31L (NOI): Financial Provision for a renewal |

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| 13 | FS 10454 PR | Section 31L Pre-compliance notice was issued |
| 14 | FS 10453 PR | Section 31L Pre-compliance notice was issued |
| 15 | FS 10236 PR | Section 31L Pre-compliance notice was issued |
| 16 | FS 10235 PR | Section 31L Pre-compliance notice was issued |
| 17 | FS 10230 PR | Section 31L Pre-compliance notice was issued |
| 18 | FS 10205 PR | Section 31L Pre-compliance notice was issued |
| 19 | FS 10320 PR | Instruction in terms of section 93 was issued |
| 20 | FS 10433 PR | Instruction in terms of section 93 was issued |
| 21 | FS 10411 PR | Instruction in terms of section 93 was issued |
| 22 | FS 449 PR | Instruction in terms of section 93 was issued |
| 23 | NC 11703 PR | 31L Notice of NEMA Act 1998 |
| 24 | NC 11815 PR | 31L Notice of NEMA Act 1998 |
| 25 | NC 12787 PR | 31L Notice of NEMA Act 1998 |
| 26 | NC 11699 PR | 31L Notice of NEMA Act 1998 |
| 27 | LP 11828 PR | 31L Notice of NEMA Act 1998 |
| 28 | LP 13490 PR | 31L Notice of NEMA Act 1998 |
| 29 | LP 11844 PR | 31L Notice of NEMA Act 1998 |

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| 30 | WC 10262PR | Sect 31L NEMA |
| 31 | WC 10261PR | Sect 31L NEMA |
| 32 | NW 12258 PR | Sect 31L NEMA |
| 33 | NW 12230 PR | Sect 31L NEMA |
| 34 | NW 12703 PR | Sect 31L NEMA |
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