REPUBLIC OF SOUTH AFRICA

PORTFOLIO COMMITTEE AMENDMENTS TO

GEOSCIENCE AMENDMENT BILL, 2010

[B 12—2010]

(As agreed to by the Portfolio Committee on Mining (National Assembly))

[B 12A—2010]

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AMENDMENTS AGREED TO

GEOSCIENCE AMENDMENT BILL
[B 12—2010]

CLAUSE 1

1. On page 2, after line 17, to insert the following paragraph:

(c) by the insertion after the definition of ''discovery'' of the following definitions:

'' **"economic geology"** means the study of the distribution, formation, economics and application of earth materials for economic and industrial purposes;
"environmental geology" means geology applied to the solving of conflicts, minimizing possible adverse environmental degradation or maximizing possible advantageous conditions resulting from the use of the natural and modified environment;''.

2. On page 2, in line 26, before ''geohazards'', to insert the following definitions:

'' **"geochemistry"** means the study of the chemical composition of the earth and terrestrial bodies, and the chemical processes and reactions that govern the composition of rocks, water, and soils, and the cycles of matter and energy that transport the earth's chemical components in time and space, and their interaction with the hydrosphere and the atmosphere;
"geochronology" means the science of determining the absolute age of rocks, fossils, and sediments, by means of element decay within a certain degree of uncertainty inherent to the applied method;''.

3. On page 3, after line 8, to insert the following definitions:

'' **"geohydrology"** means the study area of geology that deals with the distribution, movement, extraction and quality of groundwater in the soil and rocks of the earth's crust;
"geohydrological aquifer systems" means the study area of geology that deals with the study of the structures and pathways that control the movement of groundwater in the soil and rocks of the earth's crust;
"geomagnetism" means the study of the earth's magnetic field and phenomena related thereto;
"geophysics" means the study of the earth by the quantitative observation of its physical properties;''.

4. On page 3, from line 9, to omit ''exploration,''.

5. On page 3, after line 13, to insert after the definition of ''geoscientific information'', the following definitions:

'' **"geotechnical information"** means information pertaining to the physical properties of rocks or soil with a view to designing earthworks and foundations for development of structures or for repair of distress to earthworks and structures caused by subsurface conditions;''.
"geotechnical investigations" means physical investigations pertaining to the physical properties of rocks or soil with a view to designing earthworks and foundations for development of structures or for repair

of distress to earthworks and structures caused by subsurface conditions;''.

6. On page 3, from line 26, to omit paragraph *(j)*.

7. On page 3, after line 34, to add the following paragraph:

''*(l)* by the insertion after the definition of ''prospecting'' of the following definitions:

''reconnaissance operation'' means any operation carried out for or in connection with the search for a mineral by geological, geophysical and photogeological surveys and includes any remote sensing techniques, but does not include any prospecting operation;

''seismology'' is the study of earthquakes and seismic waves that move through and around the earth.''.

CLAUSE 2

1. On page 3, in line 39, to omit ''and petroleum''.

2. On page 3, from line 44, to omit ''and petroleum''.

CLAUSE 3

1. On page 4, from line 3, to omit paragraph *(b)* and to substitute:

'' *(b)* at least **[eight]** nine but not more than **[ten]** 13 other members appointed by the Minister **[, of whom—]** as follows:

(i) **[one shall be]** an official of the Department of Mineral **[and Energy Affairs]** Resources nominated by the Director-General: Mineral **[and Energy Affairs]** Resources;

(ii) **[one shall be]** an official of the Department of **[Environment]** Water and Environmental Affairs nominated by the Director-General: **[Environment]** Water and Environmental Affairs;

(iii) **[one shall be]** an official of the Department of **[Regional and Land Affairs]** Rural Development and Land Reform nominated by the Director-General: **[Regional and Land Affairs]** Rural Development and Land Reform;

(iv) **[one shall be an official of the Department of Water Affairs and Forestry nominated by the Director-General: Water Affairs and Forestry]** an official of the Department of Human Settlements nominated by the Director-General: Human Settlements;

(v) **[one shall be]** a person who is involved in the mining industry **[and was nominated by the Chamber of Mines;]**

(vi) one shall be a person who is involved in geoscientific education or training and was nominated by the Geological Society of South Africa];

(vii) **[one shall be]** a person who is involved in commerce; **[and**

(viii) one shall be a person with knowledge or experience of mineral activities who is involved in industrial development and was nominated by the Industrial Development Corporation; and]

(ix) an official of the Department of Science and Technology nominated by the Director-General: Science and Technology;
(x) two persons with appropriate experience, expertise or skills to enhance the Board's capability in performing its functions effectively; and
(xi) an official of the National Treasury nominated by the Director General: National Treasury; and''

CLAUSE 4

1. On page 5, from line 4, to omit paragraph *(b*A*)*.

2. On page 5, in line 9, to omit ''exploration and production of petroleum,''.

3. On page 5, from line 12, to omit ''exploration and''.

4. On page 5, in line 17, to omit ''and petroleum''.

5. On page 5, in line 19, to omit ''and petroleum''.

6. On page 5, in line 32, after ''render'' to insert ''prescribed''

7. On page 5, in line 39, to omit ''exploration and'' and to substitute ''reconnaissance operation,''.

8. On page 5, in line 39, to omit ''research'' and to substitute ''and other related''.

9. On page 5, in line 40, to omit ''and petroleum''.

10. On page 6, from line 5, to omit ''and petroleum''.

CLAUSE 5

1. On page 6, from line 47, to omit paragraph *(a)* and to substitute:

'' ''*(a)* by the substitution for subsection (1) of the following subsection:

''(1) Notwithstanding the provisions of any other law, the Council shall have the right to **[inspect]** analyze and verify any information of the Department of Mineral **[and Energy Affairs]** Resources which the Minister, or an officer of the said Department designated by the Minister, may approve on such conditions as the Minister or the said officer may determine.''; and''

2. On page 6, in line 56, after ''Council'' to insert ''in the prescribed manner''.

CLAUSE 8

1. On page 7, in line 33, to omit ''under'' and to substitute ''in terms of''.

CLAUSE 13

1. On page 9, in line 42, after ''Board'' to insert ''within 30 days''.

2. On page 9, in line 42, to omit ''9(3)'' and to substitute ''4''.

CLAUSE 23

1. On page 14, after line 15, to add the following subclause:

> ''(8) The Council official referred to in subsection (7) must, before entering the land in question notify and consult with the land owner or lawful occupier of the land.''

LONG TITLE

1. On page 2, in the fourth line of the long title, to omit ''**exploration and**'' and to substitute ''**reconnaissance operations**,''.

2. On page 2, in the fourth line of the long title, to insert after ''**research**'' the words ''**and other related activities**''

3. On page 2, in the fourth line of the long title, to omit, ''**and petroleum sectors**'' and to substitute ''**sector**''.

MEMORANDUM ON THE OBJECTS OF THE GEOSCIENCE AMENDMENT BILL, 2010

1. On page 16, in the eleventh line of the Memorandum on the Objects of the Geoscience Amendment Bill, 2010 (''the Memorandum on the Objects''), to omit ''exploration and''.

2. On page 16, in the eleventh line of the Memorandum on the Objects to omit ''and petroleum sectors'' and to substitute ''sector''.

3. On page 16, in the seventeenth line of the Memorandum on the Objects to omit ''exploration and''.

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