



**MINERAL RESOURCES AND ENERGY  
REPUBLIC OF SOUTH AFRICA**

SPEECH BY THE HONOURABLE  
DEPUTY MINISTER OF MINERAL RESOURCES AND ENERGY  
DR NOBUHLE NKABANE

MATJABENG LOCAL MUNICIPALITY, FREE STATE PROVINCE

20 JULY 2022

The programme Director of the Session, Cllr Buti;  
Hon Chief Whip of the NCOP, Mr Mohai;  
Deputy Minister of Police, Hon Mathale;  
MEC for Cogta, Hon Dukwana;  
The Executive Mayor of Lejweleputswa District Municipality, Cllr Ntakumbana;  
The Executive Mayor of Matjhabeng Local Municipality, Cllr Khalipha  
Councillors;  
Captains of the industry and Mining companies present;  
Officials from various Departments;  
Team DMRE (Including our SOEs: Mintek, Council for Geosciences, African Exploration Mining and Finance Corporation);  
Our stakeholders;  
Ladies and gentlemen;

We are very pleased to be here today to share some of the topical issues for discussion with our constituency. As the government; we believe that we must have such conversation with various stakeholders across the country where there are mining operations. Programme director and participants; this area of Welkom has been known for its mining activities.

It should be noted that your input and insights regarding rehabilitation of derelict and ownerless mines will help government to address the various development concerns you raise, in conjunction with the mining companies operating in this area.

South Africa has a long history of formalised mining which extends for a period of approximately one and half century. However, it was only in 1956 when the Mines and Works Act of 1956 introduced a requirement to install fencing around a mining area upon closure of a mine to protect animals.

The conspicuous absence of mine environmental legislation as well as proper coordination of all relevant pieces of legislations made it impossible to implement polluter pays principle for many years. This is why government has a liability of approximately 6100 Derelict and Ownerless (D&O) mine sites which is inherited by the State.

The Minerals and Petroleum Resources Development Act (MPRDA) of 2002 effectively introduced a sustainable approach to the development of mineral and petroleum resources in South Africa, in line with the Constitution.

The democratic government of South Africa discharged the fundamentals of section 24 of the constitution through execution of section 46 of the MPRDA, through which the Minister is empowered to remedy environmental damage in certain instances.

Upon declaration of asbestos as an extreme health hazard substance by international community, the South African Government legally embargoed the mining of asbestos in 1999. Furthermore, it became necessary that government deals with the health and safety risks associated with derelict and ownerless mine sites. These included shafts which are situated in close proximity to human settlements.

To date the department has rehabilitated 42 of these mines and sealed 507 dangerous shafts mostly located near human settlements. Although the focus is on rehabilitation of mines and sealing of shafts, there is a drive to create job opportunities especially for women and youth.

Programme Director and guests; We are highly concerned about illegal mining in South Africa. This does not only pose risks to the illegal miners but also to communities living around the illegal mining areas, and mainly children. The sealing off of derelict mines remains

a priority for the Department of Mineral Resources and Energy, that is why we are embarking on an outreach programme to interact with all the relevant stakeholders so as to discourage illegal mining in abandoned mines.

A lot of potential revenue is lost to illegal mining activities. A joint task team has been established involving the DMRE and the SAPS in a concerted effort to apprehend all criminals involved in illegal mining activities. There is a view that suggests we should formalize illegal mining activities, and our policy stance is that we cannot afford to legitimize illegality and criminality as the repercussions will be very dire on the meaning of the rule of law.

However, there is a formal programme on supporting junior miners and those wishing to participate in this sector may get information from the DMRE on how to go about applying for mining licenses. Our stern message is that all illegal mining activities will be met with the full might of the law!

What is worse with many of those recently arrested, for whom some appeal their illegality must be formalized, is that they are not just illegal immigrants but also illegal gun owners. These criminals like those who steal copper wiring are stealing against the nation and causing enormous economic sabotage.

Working with the law enforcement agencies through the SAPS, we will apprehend such criminals that undermine our national sovereignty by engaging in economic sabotage and further undermining the integrity of our State. I applaud the arrest of illegal miners in Heidelberg and elsewhere and encourage the collaboration between the DMRE and the Police to work even harder and smarter to root out illegal mining.

The health and safety of mining workers remain of utmost importance. In his address at the Mine Safety Conference in November 2021, the Minister of Mineral Resources and Energy asserted as follows pertaining mine safety and health:

***“The latest statistics and reports on occupational health matters at mines demonstrates that some employees are still exposed to occupational hazards which exceed the occupational exposure limit, and this should remain a concern to all of us.***

*We end up losing crucial resources because of medical*  
***incapacitation and mine deaths.”***

During this year’s Budget Vote we emphasised that the health and safety of the mineworkers continues to be of utmost importance. We also note that this year marks the 26<sup>th</sup> anniversary since the promulgation of the Mine Health and Safety Act, No. 29 of 1996, as

amended. In this regard, the Department collaborates with the organised labour and employers to ensure that the goal of zero harm is ultimately achieved.

As the Department of Mineral Resources and Energy we remain concerned about the fate of ex mine workers. This includes matters relating to their health as well as their general livelihood. Upskilling and reskilling miners as we diversify our energy mix will help ex mine workers to continue to lead a livelihood based on income generation.

Amongst critical issues is the implementation of the Social and Labour Plans by mining companies which is in fact a requirement as per the MPRDA of 2002 which vested all mining right on the custodianship of the State on behalf of the people as a whole. We encourage mining communities to participate in the compilation of SLP project proposals to address priority local development areas.

I hope and wish that this diverse portfolio through deliberations in this stakeholder engagement session with produce fruitful results.

I thank you!