

**REPUBLIC OF SOUTH AFRICA
DEPARTMENT OF MINERAL RESOURCES
EXAMINATION FOR THE MINE SURVEYOR'S CERTIFICATE OF
COMPETENCY**

Date: 14 April 2011
Time: 12:30 – 14:30 (2 hours)

**Total Marks 100
To Pass 60**

MINING LEGISLATION

**PART A – THE MINE HEALTH AND SAFETY ACT, 1996 (ACT 29 OF 1996)
AS AMENDED**

QUESTION 1

- a) Who may an employer appoint to perform any function entrusted to such employer in terms of the above Act? (1)
- b) Who must the employer notify with regard to the appointment of the person mentioned in Question 1(a) above, and what information must be included in such notice? (4)

[5 marks]

QUESTION 2

- a) State the functions of every employer with regard to the adequate supply of health and safety equipment as well as personal protective equipment. (6)
- b) When and under what circumstances does an employee have the right to leave any dangerous working place? (3)
- c) When is it required that an Inspector investigate any accident, occurrence, practice, condition or any contravention of the provisions of the Act that result in the serious injury or serious illness of any person(s) employed at a mine? (4)
- d) State the provisions of the Act with regard to any person performing a negligent act or negligent omission. (2)

[15 marks]

QUESTION 3

When will any person, other than an employer, fail to comply with the provisions of the above-mentioned Act? [10 marks]

**PART B – MINE HEALTH AND SAFETY ACT REGULATIONS CHAPTERS
14 AND 17**

QUESTION 4

- a) What are the requirements of the regulations with regard to the protection of any working place against the ingress of water or any fluid material? (6)
- b) Define “bedded mineral deposit” in terms of the above regulations. (3)

[9 marks]

QUESTION 5

- a) Name the survey system to which all mine surveys must conform. (1)
- b) Who determined this survey system and where is it legislated? (2)
- c) What provision has been made for mines who wish to retain their survey systems established prior to 1 January 1999? (3)

[6 marks]

QUESTION 6

In terms of the provisions of the above regulations, what is the responsibility of any person, other than an employer, who wishes to build close to the workings of a mine?
[6 marks]

QUESTION 7

- a) Describe fully the requirements of the regulations with regard to the minimum standard of accuracy for the fixing of survey stations on both the horizontal and vertical planes. (9)
- b) State the allowable errors in accurate representation on plan as required by the provisions of the regulations. (3)

[12 marks]

QUESTION 8

- a) What do you understand by an Index Key Plan and an Inset Key Plan? (3)
- b) What do the regulations prescribe with regard to the Departmental Copies of the mine plans? (4)

[7 marks]

PART C – THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002) AND REGULATIONS

QUESTION 9

- a) The Minister must, in terms of the provisions of the above-mentioned Act, grant a mining right to an applicant if certain requirements of the said Act have been complied with. State seven (7) of these requirements. (7)
- b) When does a mining right that has been granted, come into effect? (1)
- c) For what period is a mining right valid? (2)
- d) For how long may a mining right be renewed? (2)

[12 marks]

QUESTION 10

- a) In terms of the above-mentioned Act what rights may the holder of a mining permit exercise once such permit has been issued by the Minister? (9)
- b) For what period is a mining permit valid? (1)

[10 marks]

QUESTION 11

In accordance with the requirements of the Regulations of the Act regarding mine closure, the holder of a prospecting right, mining right, retention right or mining permit must ensure that the six (6) principles for mine closure are complied with. Briefly describe these principles. [8 Marks]

TOTAL 100 MARKS