

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

Date: 13 October 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) A mining company is reclaiming sand dumps on surface by means of front end loaders, mixing it with water and pumping the sludge to a gold recovery plant. Is this construed as “mining”? Motivate your answer. (3)
- (b) Define “mineral” in terms of the above-mentioned Act. (9)

[12 marks]

QUESTION 2

- (a) An employer is required in terms of this Act to ensure the safety at a mine that is not being worked and for which a closure certificate has to date **not** been issued. What steps must be taken by the employer to ensure safety at such mine? (4)
- (b) State the duties of every employer with regard to maintaining a healthy and safe environment. (9)

[13 marks]

QUESTION 3

- (a) Under what circumstances must an employer prepare and implement a code of practice on any matter affecting the health and safety of employees and other persons who may be directly affected by activities at the mine? (1)
- (b) What must the above code of practice comply with? (2)

-2- / (c) Under

- (c) Under what circumstances must the Chief Inspector of Mines review a code of practice of a mine? (2)

[5 marks]

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

QUESTION 4

- a) What are the statutory qualifications required for the appointment of a competent person to be in charge of surveying, mapping and mine plans of the sand reclaiming operations referred to in Question 1 above? (7)
- b) Define “Safety Pillar” in terms of the above regulations. (5)

[12 marks]

QUESTION 5

In terms of the provisions of the above-mentioned regulations, the employer of a mine has certain safety precaution responsibilities which the competent person appointed in charge of surveying, mapping and mine plans must be made aware of with regard to the workings of a mine. In this regard, what do these safety precautions entail?

[10 marks]

QUESTION 6

What do the regulations prescribe regarding the integrity of boundary pillars? May they be mined? Motivate your answer.

[6 marks]

QUESTION 7

What do the regulations prescribe regarding a Geological Plan?

[2 marks]

QUESTION 8

What information, excluding the detail that is required to be shown on all prescribed plans, must additionally be shown on the Surface Plan prepared in terms of the regulations?

[10 marks]

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

QUESTION 9

- (a) In terms of the above-mentioned Act, define “residue stockpile.” (10)
- (b) State the powers the Minister has, in terms of the above Act, to prohibit or restrict prospecting or mining. (8)
- (c) What are the requirements of the regulations with regard to the closure objectives which form part of the draft environmental management programme or environmental management plan, as the case may be? (4)
- (d) Before the holder of any right, permit or permission can apply for a closure certificate, it is required in terms of the regulations that a closure plan, which forms part of the environmental management programme or environmental management plan, as the case may be, be completed. Give (8) eight requirements of this closure plan. (8)

[30 marks]

TOTAL 100 MARKS