



mineral resources

Department:  
Mineral Resources  
REPUBLIC OF SOUTH AFRICA

## MINE SURVEYOR'S CERTIFICATE OF COMPETENCY EXAMINATION

### MINING LEGISLATION

DATE: 09 APRIL 2014

TOTAL MARKS: 100

TO PASS: 60

TIME ALLOWED: 2 HOURS  
(12h30 to 14h30)

#### NOTE:

- This question paper consists of **FOUR** pages including cover page.
- All questions must be answered.
- All answers and sketches to be presented in a neat and decipherable manner. Papers will not be marked if not decipherable.
- Restrict the use of highlighters.
- Do not use a red pen.
- Read the instructions on the front page of your answer book carefully.
- No cellular phones shall be allowed in the examination venue.
- The use of computers, laptops and palmtops is prohibited.

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

**QUESTION 1**

State the functions of every employer with regard to the adequate supply of health and safety equipment as well as personal protective equipment.

[6 marks]

**QUESTION 2**

- (a) When is it required that an Inspector investigate any accident, occurrence, practice, condition or any contravention of the provisions of the Act that results in the serious injury or serious illness of any person(s) employed at a mine? (4)
- (b) State the provisions of the Act with regard to any person performing a negligent act or negligent omission. (2)

[6 marks]

**QUESTION 3**

Define "mine" when used as a noun, in terms of the above-mentioned Act.

[13 marks]

**PART B – REGULATIONS REGARDING SURVEYING, MAPPING AND  
MINE PLANS**

**CHAPTER 17 OF THE MINE HEALTH AND SAFETY ACT REGULATIONS  
(AS AMENDED)**

**QUESTION 4**

Where mining operations approach land, surface structures or objects that require protection against mining it is required that the employer comply with certain precautionary measures. State the requirements of the regulations in this regard and what further compliance must be adhered to by the employer.

[20 marks]

-3- QUESTION 5

**QUESTION 5**

State the details to be shown on all prescribed plans required to be prepared by the regulations in respect of mining on land.

[10 Marks]

**QUESTION 6**

What information, excluding the detail that is required to be shown on all prescribed plans must 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 7**

Define "topsoil" in terms of the above-mentioned Act.

[6 marks]

**QUESTION 8**

- (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 these requirements. (10)
- (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)

[15 marks]

**-4-/ QUESTION 9**

**QUESTION 9**

The holder of any right or permit must comply with applicable legislative requirements regarding the disposal of waste material. In this regard what do the regulations of the above-mentioned Act prescribe in terms of

- (a) The dumping or impounding of rubble, litter, garbage, rubbish or discards of any description? (2)
- (b) The establishment of sand dumps or slimes dams on the banks of any stream, river, dam, pan, wetland or lake? (4)
- (c) Coal debris? (3)

[9 marks]

**TOTAL 100 MARKS**