

**REPUBLIC OF SOUTH AFRICA
DEPARTMENT OF MINERALS AND ENERGY
EXAMINATION FOR THE MINE SURVEYOR'S CERTIFICATE OF
COMPETENCY**

Date: 11 October 2007
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) Define “reasonably practicable” in terms of the above-mentioned Act. (5)
- b) State the duties of every employer with regard to maintaining as far as reasonably practicable a healthy and safe mine environment. (6)
- c) Describe the procedures and/or measures every employer is required to implement in order to ensure, as far as reasonably practicable, that every employee is properly trained. (8)

[19 marks]

QUESTION 2

- 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 2(a) above, and what information must be included in such notice? (4)

[5 marks]

-2- QUESTION 3

QUESTION 3

- a) In terms of the provisions of the above Act, who must appoint the Chief Inspector of Mines? (1)
- b) Who must the Chief Inspector of Mines consult before issuing guidelines on the form, content and distribution of codes of practice? (1)
- c) In order to further the objectives of the Act, who may the Chief Inspector of Mines authorise to perform any or all the functions of an Inspector (1)
- d) The Act prescribes that an Inspector has the power to recommend a fine. Under what circumstances may an Inspector recommend a fine and to whom must such recommendation be made? (3)

[6 marks]

PART B – MINE SURVEYING REGULATIONS

QUESTION 4

- a) Define the following in terms of the above regulations:
 - (i) “workings” (2)
 - (ii) “fluid material” (2)
- b) What is meant by the term “localised survey”? (3)
- c) In terms of the provisions of the above 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 precautionary responsibilities entail? (10)

[17 marks]

QUESTION 5

- a) Name the prescribed mine plan that must be immediately available for rescue operation purposes. (1)
- b) Over and above the detail that must be shown on all prescribed mine plans, what further information is required to be shown on the plan mentioned in Question 5 (a) above? (13)
- c) How often is it required that the above-mentioned plan must be brought up to date? (1)
- d) What further measures must be taken by the employer of a coal mine, once the above plan has been brought up to date? (2)

[17marks]

QUESTION 6

- a) Under what circumstances will the Director: Mine Surveying require a check survey to be carried out at a mine? (2)
- b) What do the regulations prescribe with regard to the cost incurred with such check survey? (2)
- c) Who is responsible, in terms of the provisions of the regulations, for the keeping of information confidential in respect of any prescribed mine plan kept by them? (1)
- d) What other legislation regulates the release of the information mentioned in Question 6 (c) above? (1)

[6 marks]

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

QUESTION 7

- a) For what period are the following, in terms of the provisions of the above-mentioned Act, valid?
 - i) Prospecting right. (1)

-4-/(ii) Mining right

- ii) Mining right. (1)
- iii) Mining permit (1)
- b) What right may the holder of a mining permit exercise once such permit has been issued by the Minister? (9)
- c) What form of payment must the holder of a mining permit give to the State for the use of such right? (1)

[13 Marks]

QUESTION 8

In terms of the above Act, state what the holder of a prospecting right or reconnaissance permission is required to do, in terms of the above Act, with information and data gathered from such prospecting right or reconnaissance permission?

[8 Marks]

QUESTION 9

What are the requirements of the regulations of the above-mentioned Act 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 Marks]

QUESTION 10

In terms of provisions of the regulations to the above Act, the holder of a prospecting right, mining right, retention permit or mining permit is required to submit, together with their application for a closure certificate, certain other documentation. Name these documents?

[5 marks]

TOTAL 100 MARKS