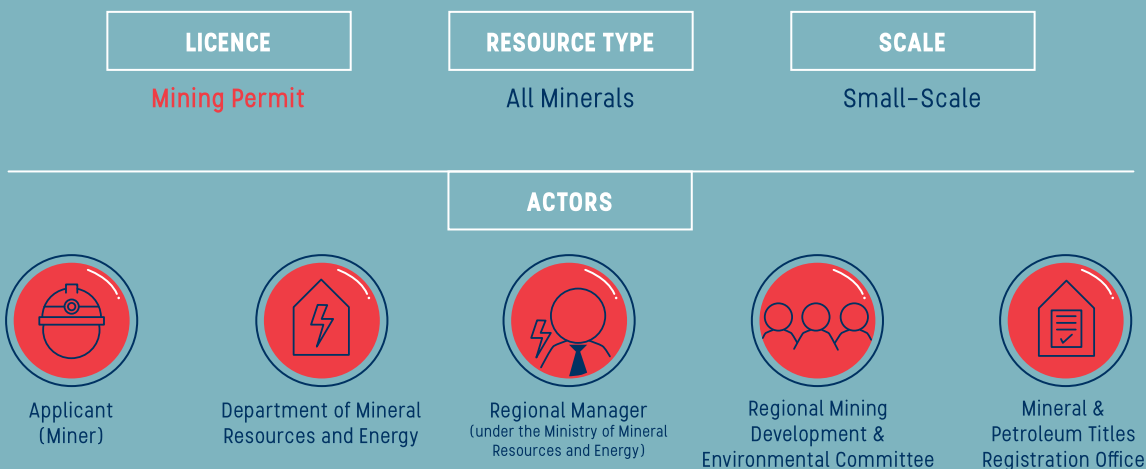


MINING LICENCE

PROCESS MAP SOUTH AFRICA



The application process for mining permits allows for the holder of the permit to conduct small-scale mining operations of all minerals. Under South African law, all mineral and petroleum resources are the common heritage of all the people of South Africa and the State is the custodian thereof for the benefit of all South Africans.

The Mineral and Petroleum Resources Development Act (MPRDA) sets out the framework for mineral governance.

Access and use of land above mineral or

petroleum resources requires a balancing of legal rights and interests exercised between key stakeholders in order to ascertain whether mining can take place on occupied, traditional or privately-owned land.

The Department of Mineral Resources and Energy, headed by the Ministry of Mineral Resources and Energy, is responsible for awarding mining permits.

The key pieces of legislature regarding the awarding of mining permits are

the MPRDA, the Broad-Based Socio-Economic Empowerment Charter (Mining Charter), and the National Environmental Management Act (NEMA).

Mining permits can only be authorised if minerals can be mined optimally within a period of two years. The permit is valid for the period specified in the permit, which may not exceed a period of two years, and may be renewed for three periods, each of which may not exceed one year.

MINING

STEPS

ACTORS

1 LODGE APPLICATION

The applicant submits an application for a mining permit via an online portal known as SAMRAD (South African Mineral Resources Administration System). In accordance with the Mineral and Petroleum Resources Development Act (MPRDA), the applicant must submit an application for environmental authorisation simultaneously online.



1.1 Together with the application, the applicant must pay the non-refundable application fee.

1.2 **ACCEPT** The application meets the requirements if it includes all the necessary documents, and there is no other permit holder. The Regional Manager (the officer designated under the Ministry of Mineral Resources and Energy) notifies the applicant in writing within 14 days to confirm the application has been accepted for consideration.



1.3 **REJECT** If the applicant has not provided all the required documents, the application will be rejected. The Regional Manager must notify the applicant in writing within 14 days of the receipt of the application.

1.4 The Regional Manager must within 14 days of acceptance of the application, notify the applicant in writing to consult with the landowner, occupier or Interested and affected parties; and submit an environmental management plan.



MINING LICENCE PROCESS MAP

SOUTH AFRICA

2 COMMUNITY CONSULTATION

The Regional Manager issues a Section 10 Notice of the MPRDA, which requires the Regional Manager to notify interested and affected parties of the proposed application and to receive any objections from them.



2.1 The Applicant is required to notify in writing and consult with the landowner, lawful occupier and any other affected parties, and submit the result of the said consultation to the Regional Manager within 30 days from the date of the Section 10 Notice.



2.2 Together with the above, the applicant is required to submit environmental reports to the Regional Manager.

2.3 **OBJECTION** In the event of an objection of the Section 10 Notice, the objection is sent to the Regional Mining and Development Committee (RMDEC) for consideration.



2.3.1 REJECT If the RMDEC rejects the application, the applicant can re-submit modified plans to the RMDEC. The applicant can only re-submit once if rejected.

2.3.2 ACCEPT The RMDEC accepts the application and it proceeds to the next step.

3 ASSESSMENT

The Regional Manager must ensure compliance with Section 27 of the MPRDA and send the application to the Minister of Mineral Resources and Energy for consideration. Section 27 sets out the requirements for the application, including issuing and duration of mining permit.



3.1 The Regional Manager forwards the application to the Minister of Mineral Resources and Energy for consideration.

4 LICENCE APPROVAL 60 DAYS

The Minister grants or rejects the application within 60 days of receipt of the application from the Regional Manager.



4.1 If successful, the applicant must submit the mining permit for recording at the Mineral and Petroleum Titles Registration Office within 60 days after the permit has been issued. The decision is incorporated into the Cadastre System.



5 EXTRACTION ACTIVITIES CAN COMMENCE

