

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

**Date:** 16 April 2009  
**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**

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

[18 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]

**QUESTION 3**

- a) What is an Inspector's power if an employer fails to comply with any provisions of the above Act? (3)
- b) When an instruction in terms of Question 3(a) above has been issued, within what period must the situation(s) be rectified? (1)
- c) May the period mentioned above be extended? If so, by whom and how? (2)

[6 marks]

**QUESTION 4**

An informal settlement has been established in close proximity of a quarry where blasting takes place. What are the duties of the employer of the mine with regard to maintaining a healthy and safe environment?

[4 marks]

## PART B – MINE SURVEYING REGULATIONS

### QUESTION 5

- a) Name the prescribed mine plan that must be immediately available for rescue 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? (12)
- 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)

[16 marks]

### QUESTION 6

- a) 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)
- b) Prior to the commencement of any such activity, what further steps must that person take? (2)

[8 marks]

### QUESTION 7

- a) Describe the measures required to be taken by an employer where surface subsidences or cavities have been brought about as a result of mining operations? (4)
- b) What reasonable measures must be taken by an employer when removing any type of support provided for the protection of the surface of a mine or structures or objects thereon? (3)
- c) What measures must be taken by an employer where surface ground movement, as a result of mining operations, poses significant risk? (1)

[8 marks]

**QUESTION 8**

State the detail required to be shown in the inventory of all prescribed plans.

[5 marks]

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

**QUESTION 9**

Differentiate between a mining permit and a mining right in terms of the above Act with regard to the following:

- i) Valid duration and renewable periods. (4)
- ii) What do the provisions of the Act prescribe the applicants should do when notified in writing by the Regional Manager that their applications have been accepted? (6)

[10 marks]

**QUESTION 10**

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

[8 marks]

**QUESTION 11**

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 12**

Before the holder of a prospecting right, mining right, retention permit or mining permit 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 plan, be completed. Give eight (8) requirements of this closure plan.

[8 marks]

**TOTAL MARKS [100]**