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**GOVERNMENT NOTICE**

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**DEPARTMENT OF MINERAL RESOURCES**

No. 84

6 February 2012

**MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002  
(ACT No. 28 OF 2002)****FURTHER INVITATION FOR REPRESENTATIONS FROM RELEVANT  
STAKEHOLDERS ON PROPOSED RESTRICTION UNDER SECTION  
49(1) OF THE MINERAL AND PETROLEUM RESOURCES  
DEVELOPMENT ACT, 2002 (ACT No. 28 OF 2002), ON GRANTING OF  
NEW RECONNAISSANCE PERMISSIONS, PROSPECTING RIGHTS,  
MINING RIGHTS AND MINING PERMITS IN RESPECT OF CERTAIN  
LAND**

Having considered the representations made in response to Notice 287 of 2011 the Minister considers it to be in the national interest and furthering the need to promote sustainable development of the nation's mineral resources that holders of lapsed rights be prevented from again applying exclusively for the same right either directly or through another company.

The Minister therefore intends imposing a restriction under section 49(1) for a period of 5 years on the granting of new reconnaissance permissions, prospecting rights, mining rights and mining permits in respect of land to be more fully identified in subsequent separate Notices and on which any reconnaissance permission, prospecting right, mining right or mining permit lapses under section 56, except land in respect of which:

- (i) a prospecting right lapses while an application for a mining right by the holder of the prospecting right is being processed as contemplated in section 19(1)(b);

(ii) an application for a reconnaissance permission, prospecting right, mining right or mining permit has already been submitted at the time of publication of the Notice;

(iii) such rights are granted in terms of sections 16(6) or 22(5).

The Minister further intends to invite applications for prospecting rights and mining rights as contemplated in sections 16(6) and 22(5) of the Act in respect of such land on which the intended restriction will be applicable. Such applications will be processed and adjudicated in terms of the provisions of the Act. In particular, sections 16(1), 16(4), 16(5), 22(1), 22(4) will apply to applications pursuant to such invitations, and sections 17 and 23 will apply to rights to be granted or refused pursuant to such invitations; Normal tender procedures will apply to such invitations and the criteria which the Minister will take into account in weighing up the merits of the received applications will be specified in the invitations and will be limited to the criteria provided for in the Act.

Representations from relevant stakeholders must be submitted in writing within 21 days from the publication hereof, to

The Director-General  
Attention: Mr. Joel Raphela  
Department of Mineral Resources  
Private Bag X59  
Arcadia  
0007

Written representations may also be sent by email to  
[Joel.Raphela@dmr.gov.za](mailto:Joel.Raphela@dmr.gov.za)



**SUSAN SHABANGU, MP**

**MINISTER OF MINERAL RESOURCES**