

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

## DEPARTMENT OF MINERAL RESOURCES

NO. R. 1554

28 NOVEMBER 2019

**PUBLICATION OF DRAFT AMENDMENTS TO THE MINERAL AND  
PETROLEUM RESOURCES DEVELOPMENT REGULATIONS, 2019 FOR  
PUBLIC COMMENT**

I, **SAMSON GWEDE MANTASHE, MP**, Minister of Mineral Resources and Energy, hereby publish the Draft Amendments to the Mineral and Petroleum Resources Development Regulations, 2019 (draft Amendment Regulations) for public comments.

Interested and affected parties are hereby invited to submit written representations on the draft Amendment Regulations. The aforesaid representations must be marked for the attention of **Ms Sibongile Malie** and hand delivered, emailed or sent by post, within 30 days of publication of this notice to the following addresses;

70 Mentjies street  
Sunnyside  
0001.

or

Private Bag x59  
Arcadia  
0007.

Email address: [Sibongile.Malie@dmr.gov.za](mailto:Sibongile.Malie@dmr.gov.za)

A copy of the draft Amendment Regulations, 2019 is attached hereto.

  
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**MR S G MANTASHE, MP****MINISTER OF MINERAL RESOURCES AND ENERGY**

DATE: 8/11/2019

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**GOVERNMENT NOTICE****DEPARTMENT OF MINERAL RESOURCES AND ENERGY****NO: 2019****MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002):****AMENDMENT OF REGULATIONS**

The Minister of Mineral Resources and Energy, under section 107 of the Mineral and Petroleum Resources Development Act, 2002, (Act No. 28 of 2002), read with the provisions of section 14 of the Interpretation Act, 1957 (Act No. 33 of 1957) made the regulations in the Schedule.

**The Setswana, Sepedi and IsiZulu translations of the draft Amendment Regulations are enclosed herein.**

[            ] Words in bold type in square brackets indicate omissions from existing enactments.

\_\_\_\_\_ Words underlined with a solid line indicate insertions in existing enactments.

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**SCHEDULE**

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**ARRANGEMENT****CHAPTER 1**

Short title

1. Definitions

**CHAPTER 2****MINERAL AND PETROLEUM , SOCIAL AND ENVIRONMENTAL REGULATIONS**

**PART I: MINERAL AND PETROLEUM REGULATION**

3. Consultation with interested and affected persons

**PART II: SOCIAL AND LABOUR PLAN**

41. Objectives of Social and Labour Plan

42. Submission of Social and Labour Plan

43. Applicability of Social and Labour Plan

44. Amendment of Social and Labour Plan

45. Reporting of Social and Labour Plan

46. Contents of Social and Labour Plan

46A. Publication of the approved Social and Labour Plan

46B. Review of the Social and Labour Plan

46C. Collaboration on Social and Labour Plans

**PART III: ENVIRONMENTAL REGULATIONS FOR MINERAL DEVELOPMENT,  
PETROLEUM EXPLORATION AND PRODUCTION**

47. Regulation repealed

48. Regulation Repealed

49. Regulation repealed

50. Regulation repealed

51. Regulation repealed

52. Regulation repealed

53. Regulation repealed

54. Regulation repealed

55. Regulation repealed

56. Principles of mine closure (Retained)

57. Application for mine closure (Retained)

- 58. Regulation repealed
- 59. Regulation repealed
- 60. Regulation repealed
- 61. Closure objectives (Retained)
- 62. Contents of closure plan (Retained)

#### **PART IV: POLLUTION CONTROL AND WASTE MANAGEMENT REGULATION**

- 63. Regulation repealed
- 64. Regulation repealed
- 65. Regulation repealed
- 66. Regulation repealed
- 67. Regulation repealed
- 68. Regulation repealed
- 69. Regulation repealed
- 70. Regulation repealed
- 71. Regulation repealed
- 72. Regulation repealed
- 73. Regulation repealed

#### **PART V: REGULATION ON NOTICE OF PROFITABILITY AND CURTAILMENT OF MINING OPERATIONS AFFECTING EMPLOYMENT**

73A. Notice of profitability and curtailment of mining operations

#### **PART VI: REGULATION ON APPLICATION FOR USE OF SURFACE OF LAND CONTRARY TO THE OBJECTS OF THE ACT**

73B. Application for use of surface of land contrary to the objects of the Act.

#### **PART VII: REGULATION ON COMPENSATION PAYABLE UNDER CERTAIN CIRCUMSTANCES IN TERMS OF SECTION 54 OF THE ACT**

73C. Compensation payable under certain circumstances.

## CHAPTER 3

### APPEALS

74. Appeals against administrative decisions

75A. Commencement of Amendments

75B. Forms and Templates

## CHAPTER 1

### SHORT TITLE

These Regulations shall be called the Amended Mineral and Petroleum Resources Development Regulations, 2019.

### DEFINITIONS

#### Amendment of regulation 1

Regulation 1 of the regulations is amended

(a) *by the deletion of the following definition-*

**[“environmental impact assessment” means an assessment as contemplated in section 39(1) of the Act;]**

(b) *by the substitution of the definition of “interested and affected persons” for the following definition-*

“Interested and affected persons” means a natural or juristic person or an association of persons with a direct interest in the proposed or existing operation or who may be affected by the proposed or existing operation. These include, but are not limited to; –

- (i) Host Communities
- (ii) Landowners (Traditional and Title Deed owners)
- (iii) Traditional Authority
- (iv) Land Claimants
- (v) Lawful land occupier
- (vi) Holders of informal rights
- (vii) The Department of Agriculture, Land Reform and Rural Development.

- (viii) Any other person (including on adjacent and non-adjacent properties) whose socio-economic conditions may be directly affected by the proposed prospecting or mining operation
- (ix) The Local Municipality
- (x) The relevant Government Departments, agencies and institutions responsible for the various aspects of the environment and for infrastructure which may be affected by the proposed project.

(c) *by addition of the following definitions-*

“Labour sending area” means areas from which a majority of mineworkers both historical and current, are or have been sourced;

“meaningful consultation” means that the applicant, has in good faith engaged the landowner, lawful occupier or interested and affected party in respect of the land subject to the application about the impact the prospecting or mining activities would have to his right of use of the land by availing all the information pertaining to the proposed activities enabling these parties to make an informed decision regarding the impact of the proposed activities.

“Regional Office” refers to the offices designated by the Minister in terms of section 7 of the Act and managed by Regional Managers designated by the Director General in terms of section 8.

“relevant structures” refers to a local municipality, district municipality and metropolitan municipality as defined by the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).

## CHAPTER 2

### MINERAL AND PETROLEUM , SOCIAL AND ENVIRONMENTAL REGULATION

#### PART I: MINERAL AND PETROLEUM REGULATION

##### *Consultation with interested and affected persons*

##### **Amendment of regulation 3 of the Regulations**

3. *Regulation 3 of the Regulations is hereby amended -*

(a) *by the insertion of words in sub-regulation (2) as follows;*

(2) The notice referred to in sub-regulation (1) must be placed on a notice board at the office of the Regional Manager or the designated agency, as the case may be, that is accessible to the public or the website of the Department or the designated agency.

(b) *the insertion in regulation 3(3) of paragraph (d) as follows*

(a) Publication in the applicable *Provincial Gazette*;

(b) notice in the Magistrate's Court in the magisterial district applicable to the land in question;

**[or]**

(c) Advertisement in a local or national newspaper circulating in the area where the land or offshore area to which the application relates, is situated; or

(d) place notice in community halls, municipal offices, or traditional offices in English and one other official language that is dominantly used in the relevant area.

(c) *by the insertion after regulation of sub-regulation (5) as follows:*

(5) The Regional Manager shall obtain and keep confirmation of placement of the notice from:

(a) the relevant Provincial Gazette, if the notice was published in terms of regulation 3(3) (a);

(b) Clerk of the Court or photographs taken by the responsible official, if the notice was advertised in terms of regulation 3(3) (b);

(c) the relevant local or national newspaper, if the notice was advertised in terms of regulation 3(3) (c); and

(d) photographs of the notice taken by the responsible official, if the notice was placed in terms of regulation 3(3) (d).

(d) *by addition of regulations 3A and 3B as follows;*

### **Obligation on the part of the applicant to consult**

3A. The consultation with landowners, lawful occupiers and interested and affected persons contemplated in section 16(4) (b), 22(4) (b), 27(5) (a) shall be conducted in terms of the public participation process prescribed in Chapter 6 of the Environmental Impact Assessment Regulations, 2014, Regulations 39, 40, 41, 42, 43 and 44 respectively.

### **Notification by the right/permit holder before commencement of operations**

3B. A holder of a reconnaissance permission, reconnaissance permit, mining permit, prospecting right, exploration right, mining right and production right must give the landowner or lawful occupier of the land and the Regional Manager at least 21 days written notice of his or her intention to commence with the operations.

(2) The notice must:

- (a) be in writing
- (b) state the date and time of entry to the land in question;
- (c) be accompanied by certified copies of the right or permit, as the case may be; and
- (d) Certified copies of the environmental authorisation and any relevant authorisations.
- (e) The holder referred to in sub-regulation (1) must submit proof of service of the notice to the office of Regional Manager in whose region the right relates.

## **PART II: SOCIAL AND LABOUR PLAN**

### **Amendment of regulation 41**

*Regulation 41 is amended*

*(a) by insertion of words in paragraph (c) as follows;*

- (c) ensure that holders of mining rights contribute towards the socio-economic development of the areas in which they are operating as well as labour sending areas.

### **Amendment of regulation 42**

*Regulation 42 is hereby amended*

*(a) by insertion of words in sub-regulation (2) (b) as follows;*

- (b) The Regional Manager may refer the said Social and Labour plan back to the applicant with proposals for amendments and the revised Social and Labour plan must then be re-lodged within a period specified by the Regional Manager which period may not exceed 30 days.

*(b) by addition of sub-regulations (3) and (4) as follows;*

- (3) The applicant must within 180 days from the date of receiving notification of acceptance of his or her application for a mining right from the Regional Manager, consult with communities and the relevant structures on the contents of the Social and Labour Plan to ensure that it addresses the relevant needs of such communities and is aligned to the updated Integrated Development Plans of such structures.



(4) The consultation process on the contents of the Social and Labour Plan shall be conducted in terms of the public participation process prescribed in Chapter 6 of the Environmental Impact Assessment Regulations, 2014, Regulations 39, 40, 41, 42, 43 and 44 respectively.

### **Amendment of regulation 43**

*Regulation 43 is hereby amended*

*(a) by substitution for the following regulation;*

43. **[A] An approved Social and Labour Plan [lodged with the Regional Manager]** is valid until a closure certificate has been issued in terms of section 43 of the Act.

### **Amendment of regulation 44**

*Regulation 44 is hereby amended*

*(a) By substitution for the following regulation;*

44. **[A] An approved Social and Labour plan may not be amended or varied without the consent of the Minister in terms of section 102 of the Act. [after the granting of the mining right to which such social and labour plan pertains.]**

### **Amendment of regulation 45**

*Regulation 45 is hereby amended*

*(a) By the insertion of wording as follows;*

45. The holder of a mining right must submit an annual report on the compliance with the approved social and labour plan to the relevant Regional Manager.

### **Amendment of regulation 46**

*Regulation 46 is hereby amended*

*(a) by deletion of words in sub-regulation (b) (v) as follows;*

(v) The employment equity statistics which must be completed in the form of form S contained in Annexure II. **[and the mine plan to achieve the 10% women participation in mining and 40% Historically Disadvantaged South Africans (HDSA) participation in management within 5 years from the granting of the right or the conversion of the old order right.]**

### **Addition of Regulations 46A, 46B and 46C**

*The Regulations are hereby amended*

(a) by addition of regulations 46A, 46B and 46C as follows;

46A Publication of an approved Social and Labour Plan

(a) A mining right holder must publish the approved Social and Labour Plan in English and one other dominant official language commonly used within the mine community.

(b) The responsibility to publish this information as outlined herein rests with the mining right holder.

(c) A consulted and approved SLP must be published within 30 days of approval using the following avenues:

(i) Company website/s, local newspaper/s;

(ii) Hard copies of the approved Social and Labour Plan to be placed in local libraries, municipal offices, traditional authority offices, company /mine offices; and

(iii) Announcements may be made, where feasible, in local radio stations and relevant news outlets about the availability and content of the approved Social and Labour Plan.

46B. Review of a Social and Labour Plan

(a) A Social and Labour Plan lodged with the Regional Manager and approved by the Minister on granting the right must be reviewed after every five years from the date of such approval. When reviewing a Social and Labour Plan, the Minister must take into account;

(i) the extent of the holder's compliance with the approved Social and Labour Plan.

(ii) assessment of annual reports submitted in terms of sub-regulation 6.5.

(iii) input, comment and reports from the affected communities and relevant structures.

(iv) the changing nature of the relevant needs of the affected communities as per the IDP's of the relevant structures.

(b) The review process may be initiated from the fourth year of the SLP and shall be done in consultation with affected mine communities, adjacent communities, labour sending areas, local or district municipality.

46C Collaboration on Social and Labour Plan

- (a)Collaboration on approved SLP projects must be transparent, inclusive and based on consultation with all stakeholders.
- (b)Amendment of an approved Social and Labour Plan pursuant to the collaboration shall be done in terms of Regulation 44 of the Act.

**PART III: ENVIRONMENTAL REGULATIONS FOR MINERAL DEVELOPMENT,  
PETROLEUM EXPLORATION AND PRODUCTION**

47. Regulation 47 is hereby repealed.
48. Regulation 48 is hereby repealed.
49. Regulation 49 is hereby repealed.
50. Regulation 50 is hereby repealed.
51. Regulation 51 is hereby repealed.
52. Regulation 52 is hereby repealed.
53. Regulation 53 is hereby repealed.
54. Regulation 54 is hereby repealed.
55. Regulation 55 is hereby repealed.
56. Principles of mine closure (retained).
57. Application for mine closure (retained).
58. Regulation 58 is hereby repealed.
59. Regulation 59 is hereby repealed.
60. Regulation 60 is hereby repealed.
61. Closure objectives (retained).
62. Contents of closure plan (retained).

**PART IV: POLLUTION CONTROL AND WASTE MANAGEMENT REGULATION**

63. Regulation 63 is hereby repealed.

64. Regulation 64 is hereby repealed.
65. Regulation 65 is hereby repealed.
66. Regulation 66 is hereby repealed.
67. Regulation 67 is hereby repealed.
68. Regulation 68 is hereby repealed.
69. Regulation 69 is hereby repealed.
70. Regulation 70 is hereby repealed.
71. Regulation 71 is hereby repealed.
72. Regulation 72 is hereby repealed.
73. Regulation 73 is hereby repealed.

#### **PART V: REGULATION ON NOTICE OF PROFITABILITY AND CURTAILMENT OF MINING OPERATIONS AFFECTING EMPLOYMENT**

The Regulations are hereby amended

(a) *By addition, after regulation 73 of regulation 73A as follows;*

##### 73A. Notice of profitability and curtailment of mining operations

73A (1) A holder of a mining right must submit the notice contemplated in section 52(1) of the Act to the Minister:

- (a) Within 7 days from the date after consultations with registered trade union/s, affected employees or their nominated beneficiaries, are concluded.
- (b) In submitting the notice, a holder of a mining right must use the notice template in **figure (XX)** of these Regulations.
- (c) The notice must contain details of prior consultations with registered trade union/s, affected employees or their nominated representatives as contemplated in section 52 (1) of the Act.
- (d) The details of prior consultations must include dates, times, attendance registers, minutes, considerations, proposals, resolutions, agreements, recommendations, reports and records relating to consultations held with registered trade unions, affected

employees or their nominated representatives before the notice is submitted to the Minister.

(e) The notice must be accompanied by the following supporting documents and information:

- (i) Competent persons report;
- (ii) Due diligence report;
- (iii) Alternatives considered (if not addressed in future forum minutes);
- (iv) Future forum meetings and minutes (If not already submitted);
- (v) Avoidance measures;
- (vi) Section 189 consultation records and or status of consultation;
- (vii) Audited financial statements;
- (viii) List and details of all positions affected by the retrenchment process;
- (ix) Social and Labour plan progress report;
- (x) Update on commitments with respect to a holder's environmental authorization;
- (xi) Social and Labour Plan Annual report submission;
- (xii) Annual Mining Charter report submission;
- (xiii) Retrenchment agreements;
- (xiv) Detailed list of contractors working in the mining right area;
- (xv) Company structure including ownership; and
- (xvi) Employee communication.

73A (2) The notice required to be submitted to the Minister in terms of this regulation shall be forwarded to the following addresses:

(a) Postal Address:

The Minister / The Director-General

Department of Mineral Resources and Energy

Private Bag X 59

Arcadia

0007

**FOR ATTENTION: THE CHIEF DIRECTOR: LEGAL SERVICES**

(b) Domicilium citandi et executandi:

Department of Mineral Resources and Energy

2<sup>nd</sup> Floor, Block 2 B

Trevenna Campus

c/o Meintjes & Francis Baard Streets

Sunnyside

**FOR ATTENTION: THE CHIEF DIRECTOR: LEGAL SERVICES.**

73A (3) The Minister must, within 7 days of receipt of the notice and all information contemplated in sub-regulation (1), refer the matter to the Mining and Minerals Development Board for consideration and recommendations.

73A (4) The Mining and Minerals Development Board must, as contemplated in section 52 (2) consult with the relevant holder of a mining right, investigations and make recommendations to the Minister within 60 days of the referral by the Minister.

**PART VI: REGULATION ON APPLICATION FOR USE OF SURFACE OF LAND CONTRARY TO THE OBJECTS OF THE ACT**

The Regulations are hereby amended

*(a) By the addition, after regulation 73 of regulation 73B as follows;*

73B An applicant who applies for the approval of the Minister to use the surface of land in a way which may be contrary to the objects of the Act, or is likely to impede any such object must submit an application for approval to the relevant Regional Manager, which application must provide the specific information in the format required in this regulation as follows.

**1. DETAILS OF THE APPLICATION.**

**The Regional Manager**

<b><u>REGION</u></b>	
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**APPLICANT'S CONTACT DETAILS**

<b><u>NAME OF APPLICANT</u></b>	
<b><u>POSTAL ADDRESS</u></b>	

<b><u>TELEPHONE NUMBER</u></b>	
<b><u>FAXCIMILE</u></b>	
<b><u>E-MAIL ADDRESS</u></b>	

**1.1 Nature of the application:****(Mark with an X the type of approval applied for)**

<b><u>Establishment of a township</u></b>	
<b><u>Re-zoning of a township</u></b>	
<b><u>Proclamation of a nature reserve</u></b>	
<b><u>Establishment of a road or rail reserve</u></b>	
<b><u>Registration of servitudes</u></b>	
<b><u>Other non-agricultural land uses</u></b>	

**2 Description of the proposed land use in respect of which the application is made**

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**2.1 The proposed land use**(Provide a detailed description of the proposed land use)

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**2.2 The locality of the proposed land use**

(Provide a plan drawn to a suitable scale of the area applied for, which plan must include the co-ordinates according to the WGS 84; Hartbeeshoek system, co-ordinate gridlines with values, a north point, the scale, a locality plan at a scale of 1: 50 000 and the name of the local municipality)

**2.3 The current land uses in the surrounding area**

(Provide a description of and a plan depicting the current land uses in the surrounding area)

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#### 2.4 **Motivation for the proposed land use**

(Provide a motivation for the proposed land use, which motivation must include information on its relevance to the spatial development framework of the local municipality, the area background information and the background information document, and confirm that these documents are attached as appendices)

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### 3 **Confirmation of information submitted**

(The following information must be **submitted electronically** with the application)

<b><u>INFORMATION SUBMITTED</u></b>	<b><u>Mark with an X where applicable</u></b>	
	<b><u>YES</u></b>	<b><u>NO</u></b>
<u>Signed copy of a resolution by the applicant, authorising the person whose name and identification number is stated in paragraph 5 below to submit the application electronically on the applicants behalf.</u>		
<u>Background information document</u>		
<u>Plan of the area under application</u>		
<u>Copy of the applicable title deed</u>		
<u>Copy of the approved spatial development framework from the relevant Municipality</u>		
<u>Report on consultation with interested and affected parties in the mining industry</u>		
<u>Report on consultation with the Council for Geoscience regarding both the mineral potential of the land concerned, and the possible presence of dolomitic formations thereon.</u>		
<u>Electronic folder of copies of comments and concerns raised by parties with interests in prospecting or mining in the area and surrounding area.</u>		
<u>The environmental Impact assessment</u>		
<u>Geological map of the area applied for</u>		



**3.1 Identification of geological issues in the area**

(Please access the spatial viewer of the Departments on line application system and provide the following information)

<b><u>MINING AND PROSPECTING INTERESTS AND GEOLOGICAL ISSUES</u></b>	<b><u>Mark with an X where applicable</u></b>	
	<b><u>YES</u></b>	<b><u>NO</u></b>
<u>Have the holders of prospecting , mining, exploration or production rights within a 2 kilometre radius of the application area been identified?</u>		
<u>Have the holders of the aforesaid rights been consulted?</u>		
<u>Is the land concerned underlain by dolomitic formations?</u>		
<u>Have any prospecting or mining right holders objected to the proposed land development on the basis of its incompatibility with their interests?</u>		

**3.1.1 Geological description of the land**

(Provide a geological description of the area applied for, and the surrounding area, supported by a geological map. The geological map must be attached as an appendix).

**3.1.2 Discussion on prospecting or exploration interests in the area****3.1.2.1 Complete the information required below**

<b><u>PROSPECTING INTERESTS</u></b>	<b><u>Mark with an X where applicable</u></b>		
	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>N/A</u></b>
<u>Are prospecting or exploration rights held over the land concerned or within 2 kilometres thereof?</u>			
<u>Are there applications for prospecting rights within 2 kilometres of the land concerned?</u>			
<u>Have the interested and affected parties identified above been consulted?</u>			
<u>Have the interested and affected parties been requested to specifically comment on the possibility that future occupiers of the proposed development</u>			

<u>may object to their prospecting or future mining activities?</u>			
<u>Have the interested parties identified been requested to indicate how their current operations, including their environmental management obligations, will be affected by the proposed land development?</u>			
<u>Have the aforesaid interested and affected parties been requested to indicate how potential future mining operations will be impacted on by the proposed land development?</u>			
<u>Which minerals are being prospected for on the land concerned?</u>			
<u>Which minerals are being prospected for within 2 Kilometres of the area applied for?</u>			

**3.1.2.2 Complete the information required below**

<b><u>DESCRIBE BELOW HOW THE PROPOSED LAND USE WILL BE AFFECTED BY CURRENT PROSPECTING OPERATIONS</u></b>
<b><u>DESCRIBE BELOW HOW THE PROPOSED LAND USE WILL BE AFFECTED BY POTENTIAL FUTURE MINING ON THE LAND AND SURROUNDING AREA</u></b>
<b><u>PROVIDE A SUMMARY BELOW OF HOW HOLDERS OF PROSPECTING RIGHTS IN THE AREA HAVE DESCRIBED THE MANNER IN WHICH THEIR CURRENT OR FUTURE INTERESTS IN THE AREA WILL BE IMPACTED UPON BY THE PROPOSED DEVELOPMENT, INCLUDING ANY IMPEDIMENTS TO PROSPECTING OR MINING THAT ARE FORSEEN, IMPACTS ON THEIR ENVIRONMENTAL OBLIGATIONS, AND</u></b>

**THE POTENTIAL FOR OBJECTIONS TO THEIR ACTIVITIES BY FUTURE OCCUPIERS OF THE PROPOSED DEVELOPMENT.**

**3.1.3 Discussion on mining interests in the area**

**3.1.3.1 Complete the information required below**

<b>MINING INTERESTS</b>	<b>Mark with an X where applicable</b>		
	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<u>Are mining rights held over the land concerned or within 2 kilometres thereof?</u>			
<u>Are there prospecting rights or applications for mining rights within 2 kilometres of the land concerned?</u>			
<u>Have the interested and affected parties identified above been consulted?</u>			
<u>Have the interested parties identified above indicated how their current operations will be affected by the proposed land development?</u>			
<u>Have the aforesaid interested and affected parties indicated how potential future mining operations will be impacted on by the proposed land development?</u>			
<u>Which minerals are being mined on the land concerned?</u>			
<u>Which minerals are being mined within 2 Kilometres of the area applied for?</u>			
<u>State whether the mining on the land or within 2 kilometres of the proposed land development is opencast or underground in nature.</u>			
<u>State the depth below surface that mining is or will take place as informed by the interested and affected parties identified above.</u>			

**3.1.3.2 Complete the information required below**

**DESCRIBE BELOW HOW THE PROPOSED LAND USE WILL BE AFFECTED BY CURRENT MINING OPERATIONS**

**DESCRIBE BELOW HOW THE PROPOSED LAND USE WILL BE AFFECTED BY POTENTIAL FUTURE MINING ON THE LAND AND SURROUNDING AREA**

**PROVIDE A SUMMARY BELOW OF HOW HOLDERS OF PROSPECTING AND MINING RIGHT HOLDERS IN THE AREA HAVE DESCRIBED THE MANNER IN WHICH THEIR CURRENT OR FUTURE INTERESTS IN THE AREA WILL BE IMPACTED UPON BY THE PROPOSED DEVELOPMENT, INCLUDING ANY IMPEDIMENTS TO MINING THAT ARE FORSEEN, IMPACTS ON THEIR ENVIRONMENTAL OBLIGATIONS, AND THE POTENTIAL FOR OBJECTIONS TO THEIR ACTIVITIES BY FUTURE OCCUPIERS OF THE PROPOSED DEVELOPMENT.**

**4 Deliberation as to why the objects of the Act will not be impeded by the proposed development**

(Provide a deliberation explaining why, given the status of mining, prospecting and potential future mining in the area, given the potential impacts of the proposed land development on the mining potential of the land and vice versa, and the mitigatory measures to be formalised to avoid potential conflicts between mining and alternative land use interests, the objects of the Mineral and Petroleum resources Development Act will not be impeded by the proposed land use).

**5 Undertaking by the applicant**

**Herewith I, the person whose name and identity number is stated below, confirm that I am the Applicant or the person authorised to act as representative of the Applicant**

in terms of the resolution submitted with the application, that the information contained herein is true and correct, and undertake to ensure that should the Minister consent to the proposed land use, such consent will be lodged at the Mineral and Petroleum Titles Registration Office within 30 days of such consent for registration.

Full Names and Surname

Identity Number

**PART VII: REGULATION ON COMPENSATION PAYABLE UNDER CERTAIN CIRCUMSTANCES IN TERMS OF SECTION 54 OF THE ACT**

The Regulations are hereby amended

2. *By the addition, after regulation 73 of regulation 73C as follows;*

73C. Compensation payable under certain circumstances.

73C (1) If a resettlement or compensation related dispute cannot be resolved by agreement between the parties, the applicant or a holder of a prospecting right, mining right or a mining permit shall notify the Regional Manager about the dispute.

73C (2) The notice must be in writing as per notice form in **figure XYZ** and accompanied by a non-refundable fee of R1500.

73C (3) The Regional Manager must acknowledge receipt of the notice within seven days and initiate a negotiation process as contemplated in section 54(3) of the MPRDA. In this regard the Regional Manager shall;

- (a) Constitute a negotiation team comprising representation from all affected parties (the applicant, the right holder, representatives of affected community/ies, traditional leadership etc).
- (b) Develop Terms of Reference for the negotiation team with clear parameters regarding the role of the team, scope of its work, meeting dates and times and timeframes to resolve the dispute.
- (c) Require all affected parties to submit all relevant information (documents, agreements etc) that pertains to the dispute.

- (d) Chair the meetings as per the terms of reference objectively with a view to facilitate a speedy resolution of the dispute.
- (e) Ensure that the meetings quorate and that every party is represented and mandated.
- (f) Refer complicated matters to the Deputy Director General, Director General or the Minister where warranted.

73C (4) The Regional Manager led process shall be concluded within a period of up to 90 days.

73C (5) If a resettlement or compensation related dispute cannot be resolved through Regional Manager led process, parties to the dispute may refer the matter to an arbitration or conciliation process in terms of applicable legislation (Arbitration Act and Conciliation Act).

73C (5) The referral must be made within 30 days of the decision by the Regional Manager.

73C (6) The conciliation or arbitration process shall be undertaken and concluded within a period of up to 90 days.

73C (7) If a resettlement or compensation dispute cannot be resolved by agreement between the parties, the Regional Manager led process or the conciliation or arbitration process, the aggrieved party may take the dispute to the competent court within 30 days of the arbitration or conciliation award.

## CHAPTER 3

### APPEALS

Regulation 74 is hereby amended

(a) *by substitution for the following regulation.*

#### **Appeals against administrative decisions**

74. (1) Any person who appeals in terms of section 96(1) (a) of the Act against an administrative decision, must **[within 30 days after he or she has become aware of the or should reasonably become aware of the administrative decision concerned, lodge a written notice of intention to appeal with the Director General or the Minister, as the case may be,]** submit a written notice of intention to appeal to the Minister, the Regional Office from which the decision emanates and any other person whose rights may, in the opinion of the appellant, be affected by the outcome of the appeal.

(2) The notice of intention to appeal referred to in sub-regulation (1) must be submitted within 30 days of the date of the decision.

(3) The Regional Manager must,

- (a) within 10 days of receiving a notice of intention to appeal, identify any other person whose rights may, in the opinion of the Regional Manager, be affected by the outcome of the appeal not already listed in the notice of intention to appeal received in terms of sub-regulation (1); and
  - (b) give written notice person contemplated in regulation 74 (1) of the identity and contact details of such further affected person; and
  - (c) submit a copy of such notice to the Minister; and
  - (d) the person who submitted a notice of intention to appeal must without delay, but before the expiry of the 30 day period provided for in sub-regulation (2) serve a notice of intention to appeal on such further identified person.
- (4) The person lodging the notice of intention to appeal in terms of sub-regulation (1) must,
- (a) within 15 days after filing a notice of appeal submit the appeal to the Regional Office from which the decision emanates and all identified persons who may have an interest in the outcome of the appeal; and
  - (b) notify the Minister in writing that the appeal has been submitted as contemplated in sub-regulation 4 (a).
- (5) The Minister may, upon application and on good cause shown, condone and extend the time periods prescribed in this regulation.
- (6) The appeal must –
- (a) be in writing
  - (b) clearly state the actions or decisions appealed against;
  - (c) be accompanied by a copy of the notice of intention to appeal, the notice received from the Regional Manager in terms of sub-regulation 3(b) containing acknowledgment of receipt by all affected persons;
  - (d) clearly set out the grounds on which the appeal is based; and
  - (e) be accompanied by supporting documentation referred to in the appeal document.
- (7) The appeal must be accompanied by the payment of a non-refundable appeal fee referred to in regulation 75(1) (f).

(8) Upon receipt of the notice of intention to appeal referred to in subsection (1), but no later than 10 days thereafter, the Regional Manager must make all records pertaining to the decision or decisions subject to the contemplated appeal available to the appellant for inspection and submit a copy to the Minister.

(9) A third party receiving an appeal referred to in sub-regulation (4) may submit to the Regional Manager and the appellant a responding statement within 30 days of receipt of the appeal setting out –

(a) the extent and nature of his/her rights;

(b) how the outcome of the appeal may affect his/ her rights; and

(c) any other information pertaining to the grounds of appeal set out in the appeal; and

(d) notify the Minister in writing that such responding statement was filed, together with proof of service thereof.

(10) The Appellant after having inspected the record of decision as contemplated in sub-regulation (8) and after receiving the responding submissions from affected parties referred to in sub-regulation (9), may

(a) submit to the Regional Manager, together with proof of service to the affected party/ parties, an answering statement within 30 days after having being served with the affected party/ parties responding statement.

(b) give written notice to the Minister that an answering affidavit has been submitted, together with proof of service thereof.

(11) The appellant must within 10 days of filing of his or her answering statements or the expiry of the period referred to in sub-regulation (9), submit to the Minister and the Regional Manager–

(a) the appeal document with all required annexures;

(b) all documentation pertaining to the decision(s) subject to the appeal as contemplated in sub-regulation (8);

(c) all responding statements received from third parties who may be affected by the outcome of the appeal, if any; and

(d) the answering statement by the Appellant if any.

(12) All notices required to be given to the Minister in terms of this regulation shall be forwarded to the following addresses:



(i) Postal Address:

The Minister / The Director-General

Department of Mineral Resources and Energy

Private Bag X 59

Arcadia

0007

**FOR ATTENTION: THE CHIEF DIRECTOR: LEGAL SERVICES**

(ii) Domicilium citandi et executandi:

Department of Mineral Resources and Energy

2<sup>nd</sup> Floor, Block 2 B

Trevenna Campus

c/o Meintjes & Francis Baard Streets

Sunnyside

**FOR ATTENTION: THE CHIEF DIRECTOR: LEGAL SERVICES**

(13) The Minister must, within 90 days of receipt of all information contemplated in sub-regulation (10) either –

(a) confirm the administrative decision concerned;

(b) set aside the administrative decision concerned;

(c) amend the administrative decision concerned;

(d) substitute the administrative decision concerned for any other administrative decision; or

(e) refer the decision back to the delegated authority for re-consideration.

(14) The Minister must, within 14 days after the appeal decision has been made, notify the appellant, affected parties and the Regional Manager of the decision with reasons thereof.

(15) If an appeal is received by the Minister that covers both matters to be adjudicated upon in terms of section 96(1) (a) and (b) respectively,

(a) a copy of the appeal must be submitted upon receipt to the Minister of Environmental Affairs for processing of the appeal in relation to environmental matters in accordance with the procedure contemplated in section 96(1) (b).

(b) the Minister and the Minister of Environmental Affairs shall co-ordinate the finalization of simultaneous appeals in terms of 96(1) (a) and (b) respectively affecting the same administrative decision.

(16) These regulations shall not apply to appeals lodged prior to promulgation thereof.

### **75A Commencement of amendments**

The amendments to the Mineral and Petroleum Resources Development Regulations shall come into operation on the date of publication in the Government gazette for implementation.

## **75B FORMS AND TEMPLATES**

### **1. FIGURE (XX)**

#### **NOTICE IN TERMS OF SECTION 51 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002.**

**Enquiries:**

**Tel:**

**Email:**

**Company address**

Xxxxxx

Xxxxxx

Dear Honourable Minister.

**RE: SECTION 52 (1) NOTICE.**

We, the undersigned,

Company **XXXX**,

(registration number **XXXX** )

(Mining right number: ...MR)

(herein represented by [REDACTED] in his/her capacity as the Chief Executive Officer of the company, he/she being duly authorised thereto by resolution of Directors of the Company).

Hereby, serve notice in terms of section 52 (1) of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002).

We confirm that we have consulted extensively with registered trade union/s (XYX) and (TYU), affected employees and their representatives regarding possible downscaling and retrenchments at our operations in terms of section 52 (2) as can be gleaned from the attached supporting documents (Annexures A to Z).

The company undertakes that all the information provided in support of this notice is true and correct.

The company acknowledges that the Minister may invoke the provisions of sections 52 (3) (c) 93, 47, 99 and related provisions to ensure compliance with its requirements.

We await your response/guidance on this matter within the prescribed timeframe.

\_\_\_\_\_  
**Signature of Company Representative.**

**Date:**

## **2. FIGURE XYZ**

### **SECTION 54 NOTICE FORM**

**DEPARTMENT: MINERAL RESOURCES AND ENERGY**

**REPUBLIC OF SOUTH AFRICA**

#### **NOTICE FORM**

**[in terms of section 54 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)]**

**FOR DEPARTMENTAL USE**

**Ref No.....**

**Prescribed Fee. R**

**Request received by.....**

**Full Name**

**Signature of the applicant**

**.....**

**PARTICULARS OF COMPLAINANT**

**NAME:** \_\_\_\_\_

**SURNAME:** \_\_\_\_\_

**ADDRESS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TELEPHONE:** \_\_\_\_\_ **CELLPHONE:** \_\_\_\_\_

**EMAIL:** \_\_\_\_\_

**REASON(S) FOR DISPUTE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

# SETSWANA TRANSLATION

## KITSISO YA PUSO

### LEFAPHA LA DIMINERALE LE MAATLA

NOMORO YA: 2019

MOLAO WA TLHABOLOLO YA DIMINERALE LE PHETHEROLIAMO, 2002 (MOLAO WA BO 28 WA 2002:

### PHETOLO YA MELAWANA

Tona ya Diminerale le Maatla, ka fa tlase ga karolo ya 107 ya Molao wa Tlhabolololo ya Diminerale le PhetheroliAMO, 2002 (Molao wa bo 28 wa 2002) o buisiwa le ditlamelo tsa karolo ya 14 ya Molao wa Thanolo, 1957 (Molao wa bo 33 wa 1957) o dira melawana mo Šejulung .

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### ŠEJULU

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### THULAGANYO

#### KGAOLO 1

Setlhogo se se khutshwane

2. Ditlhaloso

#### KGAOLO 2

MELAWANA YA DIMINERALE LE PHETHEROLIAMO, LOAGO LE TIKOLOGOMOLAO

KAROLO I: MOLAWANA WA DIMINERALE LE PHETHEROLIAMO

4. Ditherisano le batho ba ba nang le kgatlhego le ba ba amegileng

**KAROLO II: LEANO LA LOAGO LE BADIRI**

- 41. Maitlthomo a Leano la Loago le Badiri
- 42. Go neelwa ga Leano la Loago le Badiri
- 43. Tiragatso ya Leano la Loago le Badiri
- 44. Phetolo ya Leano la Loago le Badiri
- 45. Go begiwa ga Leano la Loago le Badiri
- 46. Diteng tsa Leano la Loago le Badiri
- 46A. Phasalatso ya Leano la Loago le Badiri le le rebotsweng
- 46B. Tshekatsheko ya Leano la Loago le Badiri
- 46C. Tirisano mo Leanong la Loago le Badiri

**KAROLO III: MELAWANA YA TIKOLOGO YA TLHABOLOLO YA DIMINERALE KEPO LE NTSHOKUNO YA PHETHEROLIAMO**

- 47. Molawana o fetotswe
- 48. Molawana o fetotswe
- 49. Molawana o fetotswe
- 50. Molawana o fetotswe
- 51. Molawana o fetotswe
- 52. Molawana o fetotswe
- 53. Molawana o fetotswe
- 54. Molawana o fetotswe
- 55. Molawana o fetotswe
- 56. Metheo ya go tswalela moepo (E e dirisiwang)
- 57. Kopo ya go tswalela ga moepo (E e dirisiwang)
- 58. Molawana o fetotswe
- 59. Molawana o fetotswe

- 60. Molawana o fetotswe
- 61. Maitlthomo a go tswalela (A a dirisiwang)
- 62. Diteng tsa leano la go tswalela (Tse di dirisiwang)

**KAROLO IV: MOLAO WA TAOLO YA KGOTLHELEGO LE TSAMAISO YA LESWE**

- 63. Molawana o fetotswe
- 64. Molawana o fetotswe
- 65. Molawana o fetotswe
- 66. Molawana o fetotswe
- 67. Molawana o fetotswe
- 68. Molawana o fetotswe
- 69. Molawana o fetotswe
- 70. Molawana o fetotswe
- 71. Molawana o fetotswe
- 72. Molawana o fetotswe
- 73. Molawana o fetotswe

**KAROLO V: MOLAO WA KITSISO YA KUNGWELO LE PHOKOTSO YA GO EPA O O AMANG  
TIRO**

73A. Kitsiso ya kungwelo le phokotso ya go epa

**KAROLO VI: MOLAO WA TIRAGATSO YA TIRISO YA BOALO JWA LEFATSHE O O SA  
TSAMAIANENG LE MAITLHOMO A MOLAOMOLAO**

73B. Tiraqatso ya tiriso ya boalo jwa lefatshe e e sa tsamaisaneng le maitlthomo a Molao.

**KAROLO VII: MOLAO WA TUELO E E DIRIWANG MO TLASE GA MABAKA A A RILENG GO  
YA KA KAROLO 54 YA MOLAMOLAO**

73C. Tuelo e e diriwang ka fa tlase ga mabaka a a rileng.

**KGAOLO 3**

**BOIKUELO**

74. Boikuelo kgatlhanong le ditshweetso tsa tsamaiso

75A. Tshimololo ya Diphetolo

75B. Diforomo le dithempoleite

## KGAOLO 1

### SETLHOGO SE SE KHUTSHWANE

Melawana eno e tla bidiwa Melawana e e Fetotsweng ya Tlhabololo ya Diminerale le Phetheroliamo, 2019 .

### DITLHALOSO

#### Phetolo ya molao 1

Molawana 1 wa melawana o fetotswe

(d) *Ka go phimolwa ga tlhaloso e e latelang -*

**["tshelatsheko ya kutlwalo ya tikologo" e kaya tshekatsheko jaaka e akanyeditswe mo karolong 39(1) ya Molao;]**

(e) *Ka go tlosiwa ga tlhaloso ya "batho ba kgatlhegelang le go amega" mo tlhalosong e e latelang*

-

"Batho ba ba kgatlhegelang le go amega" go kaya motho wa tlholego kgotsa batho ba ba nang le kgatlhego ka tlhamalalo mo tirong e e tshitshingwang kgotsa e e leng teng kgotsa bao ba ka amang ke tiro e e tshitshingwang kgotsa e e leng teng. Seno se akaretsa, fela ga se felele go; –

(xi) Baagi ba lefelo

(xii) Beng ba lefatshe (Beng ba Setso le Setsha)

(xiii) Bothati jwa Setso

(xiv) Balopi ba Lefatshe

(xv) Badudi ba ba ka fa molaong

(xvi) Beng ba ditshwanelo tse di sa tlhamalalang

(xvii) Lefapha la Temothuo, Pusetsodinaga le Tlhabololo ya Metsemagae.

(xviii) Motho mongwe (go akaretsang yo o fa gaufi le yo o seng fa gaufi) yo maemo a gagwe a loago le ikonomi a ka amawng ka tlhamalalo ke tiro e e tshitshingwang ya go epa

(xix) Mmasepala wa Selegae



(xx) Lefapha la Puso le le maleba, ditheo tse di maleba le dintlheng tse di farologaneng tsa tikologo le mafaratlhatlha a a ka amiwang ke porojeke e e tshitshinngwang.

(f) *Ka go tlaleletsa ditlhaloso tse di latelang -*

“Lefelo la go romela badiri” go kaya mafelo ao bontsi jwa badiri ba meepo ba bogologolo le ba jaanong, ba leng kgotsa ba fitlhetsweng;

“ditherisano tse di utlwagalang” go kaya gore mokopi o buisane le mong wa lefatshe ka mowa o o siameng, modudi yo o ka fa molaong kgotsa motho yo o nang le kgatlhego le go amega tebang le lefatshe go ikaegilwe ka kopo ka ga kutlwalo ya go epa kgotsa ditiro tsa moepo eo tiriso ya lefatshe ka go tliisa tshedimosetso yotlhe e e ka ga ditiro tse di tshitshinngwang go kgontsha maphata a go tsaya tshweetso sentle tebang le kutlwalo ya ditiro tse di tshitshinthsweeng.

“Kantoro ya Kgaolo” e kaya dikantoro tse di rebotsweng ke Tona go ya ka karolo 7 ya Molao le go tsamaisiwa ke Batsamaisi ba Kgaolo ba ba rebotsweng ke Mokaedi Kakaretso go ya ka Karolo 8.

“ditheo tse di maleba” go kaya mmasepala wa selegae, mmasepala wa kgaolo le mmasepala wa metsetoropo jaaka go tlhalositswe ke Puso Selegae: Molao wa Thulaganyo ya Bommasepala, 1998 (Molao w abo 117 wa 1998).

## KGAOLO 2

### MOLAWANA WA DIMINERALE LE PHETHEROLIAMO , MOLAO WA LOAGO LE TIKOLOGO

#### KAROLO I: MOLAWANA WA DIMINERALE LE PHETHEROLIAMO

##### *Ditherisano le batho ba ba kgatlhegang le ba ba amegang*

##### **Phetolo ya molawana 3 wa Melawana**

3. *Molawana 3 wa Melawana o fetotswe -*

(a) *ka go tsenya mafoko mo karolong ya molao molao(2) jaaka go latela;*

(2) Kitsiso e e kaiwang mo karolong ya molao (1) e tshwanetse go bewa mo letlapeng la dikitsiso kwa kantorong ya Motsamaisi wa Kgaolo kgotsa yo o supilweng, jaaka go ntse, e e fitlhelwang ke botlhe kgotsa mo webosaeteng ya Lefapha kgotsa setheo se se supilweng.

(b) go tsenya mo molaong 3(3) wa temana (d) jaaka go latela

(a) Phasalatso mo Kaseteng ya Puso e e maleba;

(b) kitsiso mo Kgotsatshekelong ya Mmagiseterata mo kgaolong ya mmagiseterata mo lefatsheng le le tlotlhomisiwang; **[kgotsa]**

(c) Papatso mo kuranteng ya selegae kgotsa ya bosetšhaba e e fa lefelong leo lefatshe le kopiwang, le leng; kgotsa

(d) baya kitsiso mo diholong tsa baagi, diofisi tsa mmasepala, kgotsa diofisi tsa setso ka Seesimane le puo nngwe ya semmuso eo e dirisiwang mo lefelong le le maleba.

(c) ka go tsenya morago ga molao wa karolo ya molao (5) jaaka go latela:

(5) Motsamaisi wa Kgaolo o tla fitlhela le go tshola netefatso ya go bewa fa kitsisong go tswa go Motsamaisi wa Kgaolo;

(a) kaseteng e e maleba ya Porofense, fa e le gore kitsiso e phasaladitswe go ya ka molawana 3(3) (a);

(b) Tlelereke ya Kgotsatshekelo kgotsa ditshwantsho tse di tshotsweng ke motlhankedi yo o tshwanetseng, fa e le gore kitsiso e bapaditswe go ya ka molawana(3) (b);

(c) kuranta ya selegae kgotsa ya bosetšhaba e e maleba, fa e le gore kitsiso e bapaditswe go ya ka molawana 3(3) (c); le

(d) ditshwantsho tsa kitsiso tse di tshotsweng ke motlhankedi yo o tshwanetseng, fa e le gore kitsiso e beilwe go ya ka molawana 3(3) (d).

(d) ka tlaleletso ya melawana yamolao 3A le 3B jaaka go latela;

### **Maikarabelo a mokopi go rerisanya.**

3A. Ditherisano le beng ba lefatshe, badudi b aba ka fa molaong le batho b aba kgatlhegelang le ba ba amegang go ya ka karolo 16(4) (b), 22(4) (b), 27(5) (a) di tla diriwa go ya ka thulaganyo ya botsayakarolo jwa baagi jaaka go kailwe go Kgaolo 6 ya Melawana ya Tshekatsheko ya Kutlwalo ya Tikologo Melawana, 2014, Melawana 39, 40, 41, 42, 43 le 44 ka gangwe.

### **Kitsiso ka mong wa tetla pele go simololwa ka tiro**

3B. Mong wa tetla ya kepo, tetla ya kepo, tetla ya moepo, tshwanelo tsa go epa, tshwanelo tsa tlhotlhomiso, tshwanelo ya go epa le tshwanelo ya ntshokuno ba tshwanetse go fa mong wa lefatshe kgotsa modudi yo o ka fa molaong wa lefatshe le Motsamaisi wa Kgaolo bokana ka kitsiso e e kwadilweng ya malatsi a 21 ka ga maikaelelo a go simolola ka ditiroMotsamaisi wa Kgaolo.

(2) Kitsiso e tshwanetse go:

- (f) kwadiwa
- (g) tlhagisa letlha le nako ya go tsena mo lefatsheng leo;
- (h) e tsamaye le dikhopi tse di kannweng tsa tshwanelo kgotsa tetla, jaaka go ntse; le
- (i) Dikhopi tse di kannweng tsa tsetlelelo ya tikologo le tsetlelelo nngwe e e maleba.
- (j) Mong yo o kailweng mo karolong ya molawana (1) o tshwanetse go tlisa bopaki jwa tirelo ya kitsiso kwa go Motsamaisi wa Kgaolo kwa kgaolong eo molao o dirang.

## **KAROLO II: LEANO LA LOAGO LE BADIRI**

### **Phetolo ya molawana 41**

*Molawana 41 o fetotswe*

*(a) ka go tsenya mafoko mo temaneng (c) jaaka go latela;*

(c) netefatsa gore beng ba ditshwanelo tsa go epa ba nna le seabe mo tlhabololong ya logo le ikonomi ya mafelo ao ba direlang gammogo le mafelo ao a romelang badiri.

### **Phetolo ya molawana 42**

*Molawana 42 ofetotswe*

*(a) ka go tsenya mafoko mo karolong ya molawana (2) (b) jaaka go latela;*

(b) Motsamaisi wa Kgaolo a ka romela Leano la Loago le Badiri leo go mokopi ka ditshtshinyo tsa diphetolo le Leano la Loago le Badiri le le fetotsweng leo le tshwanetseng go diriwa mo pakeng e e tlhagisitsweng ke Motsamaisi wa Kgaolo fao paka e sa tshwanelang go feta malatsi a le 30.

*(b) ka go tsenya karolo ya molawana (3) le (4) jaaka go latela;*

(3) Mokopi o tshwanetse gore mo malatsing a le 180 go tsweng mo letlheng la go amogela kitsiso ya kamogelo ya kopo ya gagwe ya tshwanelo ya go epa go tswa kwa Motsamaising wa Kgaolo, a rerisane le baagi le ditheo tse di maleba ka ga diteng tsa Leano la Loago le Badiri go netefatsa

gore le rarabolola ditlhokwa tse di maleba tsa baagi le go amana le Maano a a tlhabolotsweng a Tlhabololo e e golaganeng a ditheo tseo..

(4) Thulaganyo ya ditherisano ka ga diteng tsa Leano la Loago le Badiri e tla diriwa go ya ka thulaganyo ya botsayakarolo jwa baagi go ya ka Kgaolo 6 ya Melawana ya Kutlwalo ya Tikologo, 2014, Melawana 39, 40, 41, 42, 43 le 44 ka gangwe.

### **Phetolo ya molawana 43**

*Molawana 43 o a fetolwa*

*(a) ka go refosa melawana e e molawana;*

43. **[A]** Leano la Loago le Badiri le le rebotsweng **[le dirilwe le Motsamaisi wa Kgaolo** le gone go fitlhelela go tswala ga setifikheithi se ntshiwa go ya ka karolo 43 ya Molao.

### **Phetolo ya molawana 44**

*Molawana 44 o fetotswe*

*(b) Ka go tlosa molawana o o latelang;*

46. **[A]** Leano la Loago le Badiri le le rebotsweng le ka se fetolwe kwa ntle ga tumelelo ya Tona go ya ka karolo 102 ya Molao. **[morago ga ga go neelwa ga tshwanelo ya go epa eo Leano la Loago le Badiri le dirang.]**

### **Phetolo ya molawana 45**

*Molawana 45 ofetotswe*

*(b) Ka go tsenya mafoko a a latelang;*

47. Mong wa ditshwanelo tsa go epa o tshwanetse go neelana ka pegelo ya ngwaga ka ga tsamaisano le Leano la Loago le Badiri le le rebotsweng go Motsamaisi wa Kgaolo yo o maleba.

### **Phetolo ya molao 46**

*Molao 46 o fetotswe*

*(a) ka go phimola mafoko mo karolong ya molao (b) (v) jaaka go latela;*

(v) Dipalopalo tsa tekatekano ya tiro tse di tshwanetseng go tladiwa ka mokgwa wa foromo ya S e e mo Mametlelelong II. **[le leano la moepo la go fitlhelela 10% ya botsayakarolo jwa basadi mo moepong le 40% ya Maafrika Borwa a a kgapetsweng kwa thoko (HDSA)**

**botsayakarolo mo botsamaising mo dingwageng di le 5 go tsweng mo go neweng tshwanelo kgotsa phetolo ya tshwanelo ya taelo ya bogologolo.]**

**Tlaleletso ya Melawana 46A, 46B le 46C**

*Melawana e fetotswe*

(c) Ka go tlaleletsa melawana 46A, 46B le 46C jaaka go latela;

46A Phasalatso ya Leano la Loago le Badiri le le rebotsweng

(d) Mong wa tshwanelo ya go epa o tshwanetse go phasalatsa Leano la Loago le Badiri le le rebotsweng ka Seesimane le puo nngwe e e leng teng e e dirisiwang thata mo baaging ba meepo.

(e) Maikarabelo a go phasalatsa tshedimosetso eno jaaka e tlhagisitswe fa ke a mong wa tshwanelo ya go epa.

(f) SLP e e ririsanweng le go rebolwa e tshwanetse go phasaladiwa mo malatsing a le 30 a thebolo go dirisiwa mekgwa e e latelang:

(iv) Webosaete ya/diwebosaete tsa khampan, kuranta/dikuranta tsa selegae;

(v) Dikhopi tsa Leano la Loago le Badiri di bewe kwa dilaeborari, diofisi tsa mmasepala, diofisi tsa bothati jwa setso, diofisi tsa khampani/moepo; le

(vi) Dikitsiso di ka dirwa, fa go kgonagalang, mo diteišeneng tsa radio tsa selegae le mefama ya dikgang e e maleba ka ga go nna teng ga diteng tse di rebotsweng tsa Leano la Loago le Badiri.

46B. Tshekatsheko ya Leano la Loago le Badiri

(a) Leano la Loago le Badiri le dirwe le Motsamaisi wa Kqaolo le go rebolwa ke Tona mo go neeleng ditshwanelo le tshwanetse go sekasekwa morago ga dingwaga dingwe le dingwe di le tlhano go tswa mo letlheng la thebolo eo. Fa o sekaseka Leano la Loago le Badiri, Tona o tshwanetse go elelwa;

(i) tsamaisano ya mong le Leano la Loago le Badiri le le rebotsweng.

(ii) tlhatlhobo ya dipegelo tsa ngwaga tse di neetsweng go ya karolo ya molao 6.5.

(iii) maele, ditshwaelo le dipegelo go tswa kwa baaging ba ba amegileng le ditheo tse di maleba.

(iv) phetogo ya ditlhokwa tse di maleba tsa baagi ba ba amegileng go ya ka di IDP tsa ditheo tse di maleba.

(d) Thulaganyo ya tshekatsheko e ka simololwa ka ngwaga wa bone wa SLP mme e tla diriwa ka ditherisano le baagi b aba amegileng ba moepo, baagi b aba gaufi, mafelo a a romelang badiri, mmasepala wa selegae kgotsa kgaolo.

46C Tirisano mo Leano la Loago le Badiri

(c) Tirisano mo diporojekeng tsa SLP tse di rebotsweng e tshwanetse go sedifala, e akaretse mme e ikaege ka ditherisano le beng.

(d) Phetolo ya Leano la Loago le Badiri le le rebotsweng go latela tirisano e tla diriwa go ya ka Molawana 44 wa Molao.

**KAROLO III: MOLAO WA TIKOLOGO WA TLHABOLOLO YA DIMINERALE, NTSHOKUNO YA PHETHEROLIAMO**

47. Molawana 47 o fetotswe fanoo fetotswe fano.

48. Molawana 48 o fetotswe fano.

49. Molawana 49 o fetotswe fano.

50. Molawana 50 o fetotswe fano.

51. Molawana 51 o fetotswe fano.

52. Molawana 52 o fetotswe fano.

53. Molawana 53 o fetotswe fano.

54. Molawana 54 o fetotswe fano.

55. Molawana 55 o fetotswe fano.

56. Ditheo tsa go tswala ga moepo (o tshotswe).

57. Kopo ya go tswalwa ga moepo (e a dirisiwa).

58. Molawana 58 o fetotswe fano.

59. Molawana 59 o fetotswe fano.

60. Molawana 60 o fetotswe fano.

61. Maitlhomona a go tswala (a dirisiwa).
62. Diteng tsa leano la go tswala (dia risiwa).

#### **KAROLO IV: MOLAO WA TAOLO YA TSAMAIISO YA LESWE**

63. Molawana 63 o fetotswe fano.
64. Molawana 64 o fetotswe fano.
65. Molawana 65 o fetotswe fano.
66. Molawana 66 o fetotswe fano.
67. Molawana 67 o fetotswe fano.
68. Molawana 68 o fetotswe fano.
69. Molawana 69 o fetotswe fano.
70. Molawana 70 o fetotswe fano.
71. Molawana 71 o fetotswe fano.
72. Molawana 72 o fetotswe fano.
73. Molawana 73 o fetotswe fano.

#### **KAROLO V: MOLAO MO KITSISONG YA MOROKOTSO LE PHEDISO YA TIRO YA MOEPO O O AMANG TIRO**

Melawana e fetotswe fano

*(b) Ka tlaleletso, morago ga molawana 73 wa molawana 73A jaaka go latela;*

##### 73A. Kitsiso ya morokotso le phediso ya moepo

73A (1) mong wa tshwanelo ya moepo o tshwanetse go neelana ka kitsiso e e akanyeditsweng mo karolong 52(1) go Molao wa Tona:

- (f) Go tshwanetse ga konosetswa mo malatsing a le 7 go tsweng mo letlheng la ditherisano le mokgatlho wa/mekgatlho ya badiri o o/e e kwadisitsweng, badiri ba ba amegileng kgotsa bajaboswa ba ba tlhopilweng.
- (g) Fa o isa kitsiso, mong wa tshwanelo ya moepo o tshwanetse go dirisa thempoleiti ya kitsiso mo **nomorong (XX)** ya melawana eno.

- (h) Kitsiso e tshwanetse go nna le dintlha tsa ditherisano tsa pele le mokgatlo wa/mekgatlo ya badiri o o/e e kwadisitsweng, badiri b aba amegileng kgotsa baemedi ba ba tlhopilweng jaaka go akanyeditswe mo karolong 52 (1) ya Melawana.
- (i) Dintlha tsa ditherisano tsa pele di tshwanetse go akaretsa matlha, dinako, rejisetara ya tsenelo, metsotso, dikamogelo, ditshitshinyo, ditshweetso, ditumalano, dikatlanegiso, dipegelo le direkoto tse di amanang le ditherisano tse di tshotsweng le mekgatlo ya badiri kgotsa baemedi ba bone b aba tlhopilweng pele kitsiso e neelwa Tona.
- (j) Kitsiso e tshwanetse go tsamaya le ditokomane tsa tshegetso le tshedimosetso e e latelang:
- (xvii) Pegelo ya motho yo o diphatsa;
- (xviii) Pegelo ya tiro e e tshwanetseng;
- (xix) Mabaka mangwe a a akannqwang (fa a sa rarabololwe mo metsong ya dikopano tsa isago tsa foramo);
- (xx) Dikopano le metsotso ya foramo ya isago (fa e se e neelwe);
- (xxi) Mekgwa ya ikgathololoso;
- (xxii) Direkoto le kgotsa kemo ya ditherisano tsa karolo 189 ya ditherisano;
- (xxiii) Dikanelo tse di runtsweng tsa matlole;
- (xxiv) Lenaane le dintlha tsa diphatlhatiro tsotlhe tse di amilweng ke thulaganyo ya go fokodiwa mo tirong;
- (xxv) Pegelo ya kgatelopele ya Leano la Loago le Badiri;
- (xxvi) Tshedimosetso ka ga maitlamo tebang le tsetlelelo ya mong wa tikologo;
- (xxvii) Neelo ya Pegelo ya ngwaga ya Leano la Loago le Badiri;
- (xxviii) Neelo ya pegelo ya ngwaga ya Tšhata ya meepo;
- (xxix) Ditumalano tsa phokotso mo tirong;
- (xxx) Lenaane ka botlalo la dikonteraka tse di dirang mo lifelong la tshwanelo ya moepo;
- (xxxi) Badiri ba khampani le beng; le
- (xxxii) Ditlhaeletsano le badiri.

73A (2) Kitsiso e e tlhokang go neelwa Tona go ya ka molao e tla romelwa kwa atereseng e e latelangTona:

(a) Aterese ya poso:

Tona / Mokaedi-Kakaretso

D

Lefapha Diminerale le Maatla



Private Bag X 59

Arcadia

0007

**E LEBISIWE GO: MOKAEDI MOGOLO: DITIRELO TSA MOLAO**

(b) Domicilium citandi et executandi:

Lefapha la Diminerale le maatla

2<sup>nd</sup> Floor, Block 2 B

Trevenna Campus

c/o Meintjes & Francis Baard Streets

Sunnyside

**E LEBISIWE GO: MOKAEDI MOGOLO: DITIRELO TSA MOLAO.**

73A (3) Tona o tshwanetse gore, mo malatsing a le 7 ago amogela kitsiso le tshedimosetso yotlhe e e akanyeditsweng mo karolong ya molawana (1), a romele morero o kwa Lekgotlheng la Tlhabololo ya Meepo le Diminerale go amogelwa le go atlenegisiwa.

73A (4) Lekgotlha la Tlhabololo ya Meepo le Diminerale le tshwanetse, jaaka go akanyeditswe mo karolong 52 (2) le rerisane le patlisiso ya beng ba tshwanelo ya moepo, le go dira dikatlanegiso go Tona mo malatsing a le 60 a go romelwa ke Tona.

**KAROLO VI: MOLAO MO KOPONG YA TIRISO YA BOGODIMO JWA LEFATSHE E E SA TSAMAIANENG LE MAITLHOMO A MOLAO**

Melao e fetotswe fano

*(b) Ka tlaleletso, morago ga molawana 73 wa molao 73B jaaka go latela;*

73B Mokopi yo o kopang thebolo ya Tona go dirisa bogodimo jwa lefatshe ka tsela e e ka se tsamaisaneng le maitlhomong a Molao kgotsa e ka kgoreletsa maitlhomong mangwe ao o tshwanetse go neelana ka kopo ya thebolo go Motsamaisi wa Kgaolo, kopo e tshwanetse go neelana ka tshedimosetso e e rileng ka fomete e e tlhokegang mo molawaneng jaaka go latela.

**3. DINTLHA TSA KOPO.**

**Motsamaisi wa Kgaolo**

<b><u>KGAOLO</u></b>	
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**DINTLHA TSA KGOLAGANO TSA MOKOPI**

<b><u>LEINA LA MOKOPI</u></b>	
<b><u>ATERESE YA POSO</u></b>	
<b><u>NOMORO YA</u></b> <b><u>MOGALA</u></b>	
<b><u>FEKESE</u></b>	
<b><u>E-MEILE</u></b>	

**5.1 Mokgwa wa kopo:****(Tshwaya ka X mofuta wa thebolo e e kopiwang)**

<b><u>Go tlhonngwa ga motsetoropo</u></b>	
<b><u>Motsetoropo o o agiwang</u></b> <b><u>gape</u></b>	
<b><u>Kgoeletso ya serapa sa</u></b> <b><u>diphologolo</u></b>	
<b><u>Go tlhonngwa ga lefelo la tsela le</u></b> <b><u>seporo</u></b>	
<b><u>Kwadiso ya badiredi</u></b>	
<b><u>Tiriso nngwe ya lefatshe e seng</u></b> <b><u>ya temothuo</u></b>	

**6 Tlhaloso ya tiriso ya lefatshe e e tshitshintsweng tebang le fao kopo e diriwang**

--

**6.1 Tiriso ya lefatshe e e tshitshintsweng****(Neelana ka tlhaloso e ka botlalo ya tiriso ya lefatshe e e tshitshintsweng)**

--

**6.2 Lefelo la tiriso ya lefatshe e e tshitshintsweng**

(neelana ka polane ya lefelo le le matshwanedi le le kopiwang, polane e nne le digokanyi go ka WGS 84; Hartbeeshoek system, dielo le dikiriti, ntlha ya bokone, sekale, polane ya selegae mo sekaleng sa 1: 50 000 le leina la mmasepala wa selegae)

**6.3 Ditiriso tsa jaanong tsa lefelo le le gaufi**

(Neelana ka tlhaloso ya le polane e e bontshang tiriso ya jaanong ya lefatshe mo lefelong le le gaufi)

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**6.4 Mabaka a tiriso ya lefatshe e e tshitshintsweng**

(Neelana ka tshitshinyo ya tiriso ya lefatshe e e tshitshintsweng ya tiriso ya lefatshe, mabaka ao tshwanetse go akaretsa tshedimosetso ka ga matshwanedi go letlhomeso la tlhabololo ya mafatshe a mmasepala wa selegae, lemorago la lefelo le tokomane ya tshedimosetso ya lemorago, le go netefatsa gore ditokomane tseno di mametleletswe jaaka dimametlelelo)

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**7 Netefatso ya tshedimosetso e e neetsweng**

(Tshedimosetso e e latelang e tshwanetse

Go neelwa ka eleketeroniki mmoqo le kopo)

<b><u>TSHEDIMOSETSO E E NEETSWENG</u></b>	<b><u>Tshwaya ka X fa go maleba</u></b>	
	<b><u>EE</u></b>	<b><u>NYAA</u></b>
<u>Khopi e e saenilweng ya tshweetso ya mokopi, e letla motho yo leina la gagwe le nomoro itshup e kwadilweng mo temaneng ya 5 fa tlase go neelana ka kopo ka eleketeroniki boemong jwa mokopi.</u>		
<u>Tokomane ya tshedimosetso ya lemorago</u>		

<u>Polane ya lefelo le le kopiwang</u>		
<u>Khopi ya nomoro ya setsha</u>		
<u>Khopi ya letlhomeso la tlhabololo ya lefatshe go tsweng kwa Mmasepaleng o o maleba</u>		
<u>Pegelo mo ditherisanong le batho b aba kgatlhegelang le go amega mo intasetering ya moepo</u>		
<u>Pegelo ya therisano le Lekgotlha la Geoscience tebang le kgonego ya diminerale tsa lefatshe leo, le kgonagalo ya go nna teng ga dolomaete.</u>		
<u>Sephuthelo sa eleketeroniki sa dikhopi tsa ditshwaelo le matshwenyego a a thagisitsweng mo go epeng mo lefelong le lefello le le mabapi.</u>		
<u>Tshekatsheko ya kutlwalo ya tikologo</u>		
<u>Mmepe wa jeoloji wa lefelo le le kopiwang</u>		

### 7.1 Go supiwa ga merero ya jeoloji mo lefelong

(Tweetswee fitlhelela tebo ya mafatshe ya Lefapha mo inthaneteng mme o neelane ka tshedimosetso e e latelang)

<u>DIKGATLHEGELO TSA MOEPO LE TLHOTLHOMISO LE MERERO YA JEOLoji</u>	<u>Tshwaya ka X fa go maleba</u>	
	<u>EE</u>	<u>NYAA</u>
<u>A mong wa ditshwanelo tsa kepo, moepo, tlhotlhomiso kgotsa ntshokuno o mo sekgaleng sa dikilometara di le 2 tsa lefelo la kopo o supilwe?</u>		
<u>A beng ba ditshwanelo tse di umakilweng ba rerisitswe?</u>		
<u>A lefatshe leo le na le dolomaete?</u>		
<u>A beng ba ditshwanelo tsa tlhotlhomiso ba ganetsane le tshitshinyo ya tlhabololo ya lefatshe ka mabaka a go se tsamaisane le dikgatlhegelo tsa bone?</u>		

#### 7.1.1 Tlhaloso ya jeoloji ya lefatshe

(Neelana ka tlhaloso ya jeoloji ya lefelo le le kopiwang, le lefelo le le fa gausi, le tshegediwa ke mmepe wa jeoloji. Mmepe wa jeoloji o tshwanetse go mametlelelwa jaaka semametlelelwa).

**7.1.2 Dipuisano ka kgatlhegelo ya tlhotlhomiso kgotsa kepo mo lefelong****7.1.2.1 Tlatsa tshedimosetso e e tlhokegang fa tlase**

<b><u>DIKGATLHEGELO TSA TLHOTLHOMISO</u></b>	<b><u>Tshwaya ka X fa go maleba</u></b>		
	<b><u>EE</u></b>	<b><u>NYAA</u></b>	<b><u>N/A</u></b>
<u>A ditshwanelo tsa kepo di tshotswe mo lefatsheng le le amegang kgotsa mo dikilometareng tse 2 foo?</u>			
<u>A dikopo tsa ditshwanelo tsa kepo di mo dikilometareng tse 2 tsa lefatshe leo?</u>			
<u>A batho ba ba nang le kgatlhego le ba ba amegang fa godimo ba rerisitswe?</u>			
<u>A batho ba ba nang le kgatlhego le ba ba amegang ba kopilwe go tshwaela ka ga kgonagalo ya beng ba isago ba tlhabololo e e tshitsintsweng b aka ganana le ditiro tsa bone tsa isago tsa go epa?</u>			
<u>A batho ba ba nang le kgatlhego ba ba supilweng ba kopilwe go tlhagisa ka fao tiro ya bone ya ga jaana, go akaretsa maitlamo a one a tsamaiso ya tikologo, ba tla amiwa ke tlhabololo ya lefatshe e e tshitshintsweng?</u>			
<u>A batho b aba kailweng fa godimo b aba nang le kgatlhego le go amega ba kopilwe go sup aka fao tiro e e ka kgonagalang ya isago e tla utlwagalang mo tlhabololong ya lefatshe e e tshitshintsweng?</u>			
<u>Ke diminarale dife tse di epiwang mo lefatsheng leo?</u>			
<u>Ke diminarale dife tse di epiwang mo dikilometareng di le 2 tsa lefelo le le kopiwang?</u>			

**7.1.2.2 Tlatsa tshedimosetso e e kopiwang fa tlase**

**TLHALOSA FA TLASE KA FAO TIRISO YA LEFATSHE E E TSHITSHINGWANG FA TLASE E TLA AMANG KE TIRO YA JAANONG YA GO EPA**

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**TLHALOSA FA TLASE KA FAO TIRISO YA LEFATSHE E E TSHITSHINNGWANG FA TLASE E TLA AMANG KE MOEPO WA ISAGO MO LEFATSHENG LE LEFELO LE LE GAUFI**

**NEELANA KA TSHOSOBANYO FA TLASE KA FAO BENG BA DITSHWANELO TSA GO EPA MO LEFELONG BA TLHALOSITSENG TSELA EO DIKGATLHEGELO TSA BONE TSA JAANONG LE TSA ISAGO MO LEFELONG DI TLA AMIWANG KE TLHABOLOLO E E TSHITSHINTSWENG, GO AKARETSA DIKGORELETSI DIPE TSA GO EPA TSE DI ITSEWENG, DI AMANG MAITLAMO A BONE A TIKOLOGO, LE KGONAGALO TSA GO GANETSA DITIRO TSA BONE TSA ISAGO KE BENG BA TLHABOLOLO E E TSHITSHINTSWENG.**

**7.1.3 Dipuisano tsa dikgatlhegelo tsa go epa mo lefelong**

**7.1.3.1 Tlatsa tshedimosetso e e kopiwang fa tlase**

<b><u>DIKGATLHEGELO TSA GO EPA</u></b>	<b><u>Tshwaya ka X fa go maleba</u></b>		
	<b><u>EE</u></b>	<b><u>NYAA</u></b>	<b><u>N/A</u></b>
<b><u>A ditshwanelo tsa go epa mo lefatsheng leo kgotsa di le mo dikilometareng di leng 2?</u></b>			
<b><u>A go na le ditshwanelo tsa go epa mo dikilometareng di le 2 mo lefatsheng leo?</u></b>			
<b><u>A batho ba ba nang le kgatlhego le ba ba amegang ba rerisitswe?</u></b>			
<b><u>A batho ba ba nang le kgatlhego b aba supilweng fa godimo ba tlhagisitse ka fao ditiro tsa bone tsa jaanong di tla amiwang ke tlhabololo ya lefatshe e e tshitshintsweng?</u></b>			
<b><u>A batho b aba nang le kgatlhego le b aba amegang ba supile ka fao ditiro tsa go epa tsa isago tse di kgonagalang di tla amiwang ke tlhabololo ya lefatshe e e tshitshintsweng?</u></b>			

<u>Ke diminerale dife tse di epiwang mo lefatsheng leo?</u>	
<u>Ke diminerale dife tse di epiwang mo dikilometareng di le 2 tsa lefelo le le kopiwang?</u>	
<u>Tlhagisa gore a goepa mo lefatsheng kgotsa mo dikilometareng di le 2 tsa lefatshe le le tlhabololwang le le tshitshintsweng go bulegile kgotsa go le ka fa tlase.</u>	
<u>Tlhagisa boteng tlase joo go epa kgotsa go tla diragalang ka go itsisitswe ke batho b aba nang le kgatlhegelo le go amega fa godimo.</u>	

### 7.1.3.2 Tlatsa tshedimosetso e e tlhokegang fa tlase

<b><u>TLHALOSA FA TLASE KA FAO TIRISO YA LEFATSHE E E TSHITSHINTSWENG E TLA AMIWANG KE TIRO YA GO EPA YA JAANONG</u></b>
<b><u>TLHALOSA FA TLASE KA FAO TIRISO YA LEFATSHE E E TSHITSHINTSWENG E TLA AMIWANG KE MOEPO O O KGONAGALANG WA ISAGO MO LEFATSHENG LE LEFELo LE LE GAUFI</u></b>
<b><u>NEELANA KA TSHOSOBANYO FA TLASE KA FAO BENG BA DITSHWANELO TSA GO EPA MO LEFELONG BA TLHALOSITSENG TSELA EO DIKGATLHEGELO TSA BONE TSA JAANONG LE TSA ISAGO MO LEFELONG DI TLA AMIWANG KE TLHABOLOLO E E TSHITSHINTSWENG, GO AKARETSA DIKGORELETSI DIPE TSA GO EPA TSE DI ITSEWENG, DI AMANG MAITLAMO A BONE A TIKOLOGO, LE KGONAGALO TSA GO GANETSA DITIRO TSA BONE TSA ISAGO KE BENG BA TLHABOLOLO E E TSHITSHINTSWENG.</u></b>

## 8 Dipuisano tsa gore goreng maitlhomo a Molao a ka se kgoreletswe ke tlhabololo e e tshitshintsweng

(Neelana ka puisano e e tlhalosang gore goreng, go lebilwe kemo ya moepo, kepo le go epa ga isago mo lefelong la moepo, go lebilwe kutlwalo ya isago ya tlhabololo ya lefatshe e e tshitshintsweng mo lefatsheng, le mekgwa thibelo e e tla tlhamalatswang go tla dikgotlang

tša isago magareng ga go epa dikgatlhegelo dingwe tša tiriso ya lefatshe, maitlomo a Molao wa Tlhabololo Diminerale le Phetheroliamoo ka se kgoreletse ke tiriso ya lefatshe e e tshitshintsweng).

## 9 Maitlamo ka mokopi

<u>Nna, motho yoo leina le nomoro itshupo e tlhagisitsweng fa tlase, ke netefatsa gore ke mokopi kgotsa motho yo o letleletsweng go dira jaaka moemedi wa Mokopi go ya ka tshweetso e e neetsweng le kopo, gore tshedimose tso e efa ke ya nnete le go nepagala, mme ke itlama go netefatsa gore gore fa Tona e dumalana le tiriso ya lefatshe e e tshitshintsweng, tumelano eo e tla diriwa ofising ya Kwadiso ya Ditsha tša Diminerale le Phetheroliamo mo malatsing a le 30 a tumelano ya kwadiso eo.</u>	
<u>Maina ka botlalo le Sefane</u>	
<u>Nomoro Itshupo</u>	

## KAROLO VII: MOLAWANA WA TUELO E E DUELWANG MO TLASE GA MABAKA A A RILENG GO YA KA KAROLO 54 YA MOLAO

Melawana e fetotswe

4. *Ka tlaleletso, morago ga molawana molao 73 wa molawana 73C jaaka go latela;*

73C. Tuelo e e duelwang mo tlase ga mabaka a rileng.

73C (1) Fa tuelo e e amanang le kqanetsano e ka se rarabololwe ka tumelano magareng batho, mokopi kgotsa mong waitshwanelo ya go epa, tshwanelo ya moepo kgotsa tetla ya tlhotlhomiso o tla itsise Motsamaisi wa Kqaolo ka ga kqanetsano.

73C (2) Kitsiso e tshwanetse go kwadiwa go ya ka foromo ya kitsiso tlhaka XYZ le go latelwa ke madi a a sa boeng a R1500.

73C (3) Motsamaisi wa Kqaolo o tshwanetse go itsise fa a amogetse kitsiso mo malatsing a le supa mme a simolole dipuisano jaaka go akanyeditswe mo karolong 54(3) ya MPRDA. Mo ntlheng eno Motsamaisi wa Kqaolo o tla;



- (g) Dira setlhopha sa dipuisano se se nang le baemedi go tsweng kwa bathong ba ba amegang (mokopi, mong wa tshwanelo, baemedi ba baagi ba ba amegang, boeteledipele ba setso jalo le jalo).
- (h) Dira Dintlha tsa Kaelo tsa setlhopha sa dipuisano ka mabaka a a sedifetseng tebang le seabe sa setlhopha, bogolo jwa tiro, matlha a kopano, matlha a kopano le dinako le nako ya go rarabolola dikganetsano.
- (i) Kopa batho botlhe ba ba amegang go neelana ka tshedimosetso yotlhe e e maleba (ditokomane, ditumelelano jalo le jalo) tebang ke kganetsano.
- (j) Nna modulasetilo wa dikopano go ya ka dintlha tsa kaelo ka mogopolo wa go rarabolola kganetsano ka bonako.
- (k) Netefatsa gore kopano e siame le gore motho mongwe le monwe o emetswe le go laolelwa.
- (l) Romela merero e e thata kwa go Motlatsa Mokaedi kakaretso kgotsa Tona fa go tlhokegang.

73C (4) Thulagonyo e e eteletsweng pele ke Motsamaisi wa Kgaolo e tla konosetswa o pakeng ya malatsi a le 90.

73C (5) Fa tuelo tebang le kganetsano e ka se rarabololwe go ya ka thulaganyo e e eteletsweng pele ke Motsamaisi wa Kgaolo, batho ba ba ganetsanang ba ka romela kqang go tsereganyo go ya ka molao (Molao wa Tsereganyo le Molao wa Thuanyo).

73C (5) Thomelo e tshwanetse go diragala mo malatsing a le 30 a tshweetso ya Motsamaisi wa Kgaolo.

73C (6) Thulaganyo ya thuanyo le tsereganyo e tla diriwa mo malatsing a le 90.

73C (7) Fa kganetsano ya tuelo e ka se rarabololwe ka tumelano magareng ga batho, thulaganyo e e eteletsweng pele ke Motsamaisi wa Kgaolo kgotsa thulaganyo ya thuanyo le tsereganyo, motho yo o ngongoregang a ka isa kganetsano kwa kgotlatshekelo mo malatsing a le 30 a neelano ya tsereganyo le thuanyo.

### **KGAOLO 3**

### **BOIKUELO**

Molawana 74 o fetotswe

(b) *Ka go tlosa molawana o o latelang.*

### **Boikuelo kgatlhanong le ditshweetso tsa tsamaiso**

74. (1) Motho mongwe le mongwe yo o dirang boikuelo go ya ka karolo 96(1)(a) ya Molao kgatlhanong le tshweetso ya tsamaiso, o tshwanetse [mo malatsing a le 30 morago ga gore a itse ka ga tshweetso ya tsamaiso, a dire kitsiso e e kwadilweng ya go ikuela le Mokaedi Kakaretso kgotsa Tona, jaaka go ntse,] neelana ka kitsiso e e kwadilweng ya maikaelelo a go ikuela go Tona, Kantoro ya Kgaol kwa tshweetso e tswang le motho mongwe yo ditshwanelo tsa gaqwe, go ya ka mogopolo wa moikuedi, di ka amang ke dipoleo tsa boikuelo.

(2) Kitsiso ya maikaelelo ka go boikuelo e romelwe go ya ka karolo ya molao (1) e tshwanetse go neelwa mo malatsing a le 30 a letlha la tshweetso.

(3) Motsamaisi wa Kgaolo o tshwanetse,

(a) mo malatsing a le 10 a go amogela kitsiso ya go ikuela, a supe motho mongwe yo ditshwanelo tsa gaqwe di ka, go ya ka mogopolo wa Motsamaisi wa Kgaolo, di ka amiwang ke poelo ya boikuelo jo bo sa tlhagisiwang mo kitsisong ya maikaelelo a go ikuela e e amogetsweng go ya ka karolo ya molawana (1); le

(b) neelana ka kitsiso e e kwadilweng e akanyeditswe mo molaong 74 (1) wa boitshupo le dintlha tsa kqolagano tsa motho yo o amegileng gape; le

(c) neelana ka khopi ya kitsiso eo go Tona; le

(d) motho yo neelaneng ka kitsiso ya maikaelelo a boikuelo o tshwanetse gore kwa ntle ga tiego, fela pele ga go fela ga paka ya malatsi a le 30 a a tlametsweng mo karolong ya molao (2) a tlise kitsiso ya maikaelelo a boikuelo go motho yo o supilweng gape.

(4) Motho yo o dirang kitsiso ya maikaelelo a boikuelo go ya ka karolo ya molawana (1) o tshwanetse,

(a) mo malatsing a le 15 morago ga go tlatsa kitsiso ya boikuelo a neelane ka boikuelo kwa Kantorong ya Kgaolo kwa tshweetso e tswang mme batho botlhe b aba supilweng ba ba ka nnang le kgatlhego mo poelong ya boikuelo; le

(b) itsise Tona ka go kwala gore boikuelo bo neetswe jaaka go akanyeditswe mo karolong ya molao 4 (a).

(5) Tona e ka, morago ga tiragatso le mowa montle o o bontshitsweng, a atolose le go oketsa paka ya nako e etlhagisitsweng mo molawaneng o.

(6) Boikuelo bo tshwanetse go –

(a) kwadiwa

(b) tlhagise sentle dikgato kgotsa ditshweetso tse di ikuelwang;

(c) di salwe morago ke khopi ya kitsiso ya maikaelelo a boikuelo, kitsiso e e amogetsweng go tswa go Motsamaisi wa Kgaolo go ya ka karolo ya molawana 3(b) e e nang le lekwalo la kamogelo la batho batho ba ba amegileng;

(d) tlhagise sentle mabaka ao boikuelo bo dirwang; le

(e) di tsamae le ditokomane tsa tshegetso tse di kailweng mo tokomaneng ya boikuelo.

(7) Boikuelo bo tsamae le tuelo e e sa busiweng ya boikuelo e ekailweng mo molawaneng 75(1) (f).

(8) Morago ga go amogela kitsiso ya maikaelo a go ikuela e e kailweng mo karolwaneng (1), e seng go feta malatsi a le 10 morago ga foo, Motsamaisi wa Kgaolo o tshwanetse go dira direkoto tsothe tebang le tshweetso kgotsa ditshweetso go laolwa ke boikuelo jo bo akanyeditsweng go moikuedi go sekasekwa le go neela Tona khopi.

(9) Motho wa boraro yo o amogelang boikuelo jo bo kailweng mo karolong ya molao (4) a ka neela Motsamaisi wa Kgaolo le moikuedi setatamente mo malatsing a le 30 a go amogela boikuelo a tlhagisa –

(a) bogolo jwa ditshwanelo tsa gagwe;

(b) ka fao dipoelo tsa oikuelo di ka mang ditshwanelo tsa gagwe; le

(c) tshedimosetso nngwe tebang le mabaka a boikuelo jaaka a tlhagisitswe; le

(d) itsise Tona ka go kwala gore setatamente sa tsibogo se faetswe, mmogo le bopaki jwa tirelo eo.

(10) Moikuedi morago ga go tlhatlhoba rekoto ya tshweetso jaaka go akanyeditswe mo karolong ya molao (8) le go amogela dineelo tsa tsibogo go tsweng kwa bathong ba ba amegang mo karolong ya molao (9), a ka

(a) neela Motsamaisi wa Kgaolo, mmogo le bopaki jwatirelo go motho/batho b aba amegileng, setatamente sa karabo mo malatsing a le 30 morago ga go neelwa setatamente sa tsibogo ke batho ba ba amegileng.

(b) neela kitsiso e e kwadilweng go Tona gore afidafiti ya Karabo e neetswe, mmogo le bopaki jwa tirelo eo.

(11) Moikuedi o tshwanetse gore mo malatsing a le 10 a go faela ditatamente tsa Karabo kgotsa go fela gap aka e e kailweng mo karolong ya molaomolao (9), neele Tona kgotsa Motsamaisi wa KgaoloTona–

(a) tokomane ya boikuelo le dimametlelelo tsotlhe tse di tlhokegang;

(b) ditokomane tsotlhe tebang le tshweetso/ditshweetso go ikaegilwe ka boikuelo jaaka bo akanyeditswe mo karolong ya molao (8);

(c) ditatamente tsotlhe tsa Karabo tse di amogetsweng kwa bathong ba ba ka amang ke poelo ya boikuelo, fa ba le teng; le

(d) setatamente sa Karabo ka Moikuedi fa se le teng.

(12) Dikitsiso tsotlhe di neelwe Tona go ya ka molao o mme di romelwe kwa atereseng e e latelang:

(i) Aterese ya Poso:

Tona / Mokaedi-Kakaretso

Lefapha la Diminerale le maatla

Private Bag X 59

Arcadia

0007

**E LEBISIWE GO: MOKAEDI MOGOLO: DITIRELO TSA MOLAO**

(ii) Domicilium citandi et executandi:

Lefapha la Diminerale le Maatla

2<sup>nd</sup> Floor, Block 2 B

Trevenna Campus

c/o Meintjes & Francis Baard Streets

Sunnyside

**E LEBISIWE GO: MOKAEDI MOGOLO: DITIRELO TSA MOLAO**

(13) Tona e tshwanetse gore mo malatsing a le 90 a go amogela tshedimosetso yotlhe e e akanyeditsweng mo karolong ya molao (10) a ka –

(a) netefatse tshweetso ya tsamaiso eo;

(b) beele kwa thoko tshweetso ya tsamaiso eo;

(c) fetole tshweetso ya tsamaiso eo;

(d) refose tshweetso ya tsamaiso eo le tshweetso ya tsamaiso nngwe; kgotsa

(e) busetse tshweetso morago go bothati jwa taolelo go lebiwa gape.

(14) Tona o tshwanetse gore, mo malatsing a le 14 morago ga tshweetso ya boikuelo e dirilwe, a itsise moikuedi, batho ba ba ameqilengMotsamaisi wa Kgaoloka tsweetso eo.

(15) fa boikuelo bo amogelwa ke Tona bo akaretsa merero e e atlholwang go ya ka karolo 96(1) (a) le (ka gangwe.

(a) khopi ya boikuelo e tshwanetse go neelwa morago ga go amogelwa ke Tona ya Merero ya Tikologo go tswediwa ga boikuelo tebang le merero ya tikologo go ya ka thulaganyo e e akanyeditsweng mo karolong 96(1) (b).

(b) Tona le Tona ya Merero ya Tikologo o tla gokaganya konosetso ya maikelo segongwe go ya ka 96(1) (a) le(b) ka gangwe go diragatsa tshweetso ya tsamaiso eo.

(16) Melawana eno e ka se diragale mo maikuelong a a dirilweng pele molao o tsennwa tirisong.

### **75A Tshimologo ya diphetolo**

Diphetogo tsa Melawana ya Tlhabololo ya Diminerale le Phetheroliamo o tla diragadiwa mo letlheng la go phasalatswa mo kaseteng ya Puso go tsennwa tirisong.

### **75B DIFOROMO LE DITHEMPOLEITI**

#### **3. NOMORO (XX)**

**KITSISO GO YA KA KAROLO 51 YA MOLAO WA TLHABOLOLO YA DIMINERALE LE PHETHEROLIAMO, 2002.**

**Dipotso:**

**Mogala:**

**Emeili:**

**Aterese ya khampaniXxxxxx**

Xxxxxx

Madume Tona.

**MABAPI: KAROLO 52 (1) KITSISO.**

Rona, ba re saenileng.

Khampani **XXXX**,

(nomoro ya kwadiso **XXXX** )

(Nomoro ya tshwanelo ya moepo: ...**MR**)

(ke emetswe ke [REDACTED] mo boemong jwa gagwe jaaka Motlankedi Mogolo wa setlamo, o letleletswe ka tshweetso ya Bakaedi ba Khampani).

Fano, o neelana ka kitsiso go ya ka karolo 52 (1) ya Molao wa Tlhabololo ya Diminerale le Phetheroliamo, 2002 (Molao. 28 wa 2002).

Re netefatsa gore re rerisane thata le mokgatlho/mekgatlho ya badiri (XYX) le (TYU), badiri ba ba amegileng le baemedi tebang le phokotso le go fedisa tiro mo moepong wa rona go ya ka karolo 52 (2) jaaka go tshotswe mo ditokomaneng tsa tshegetso tse di mametleletsweng (***Mametlelelo A go fitlha Z***).

Khampani e itlama gore tshedimosetso yotlhe e e neetsweng go tshegetsa kitsiso ke nnete le go nepagala.

Setlamo se amogela gore Tona a ka dirisa melawana ya dikarolo 52 (3) (c) 93, 47, 99 le melawana e mengwe go netefatsa tsamaisano le ditlhokego tsa yone.

Re tla emela tsibogo/kaelo ya gago mo morerong ono mo nakong e e beilweng.

**Tshaeno ya Moemedi wa Setlamo.**

**Letlha:**

**4. NOMORO XYZ**

**FOROMO YA KITSISO YA KAROLO 54**

**LEFAPHA**

**LEFAPHA: DIMINERALE LE MAATLA**  
**REPHABOLIKI YA AFORIKABORWA**

**FOROMO YA KITSISO**

[go ya ka karolo 54 ya Molao wa Tlhabololo ya Diminerale le Phetheroliamo, 2002 (Molao. 28 wa 2002)]

**GO DIRISWA KE LEFAPHA**

**Nomoro ya kaelo.....**

**Tuelo e e beilweng. R**

**Kopo e amogetswe ke .....**

**Leina ka Botlalo**

**Tshaeno ya mokopi**

**.....**

**DINTLHA TSA MONGONOGOREGI**

**LEINA:** \_\_\_\_\_

**SEFANE:** \_\_\_\_\_

**ATERESE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MOGALA:** \_\_\_\_\_ **SELEFOUNU:** \_\_\_\_\_

**EMEILI:** \_\_\_\_\_

**LEBAKA (MABAKA) A KGANETSO:**

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**TSHAENO:****LETLHA:**

## **SEPEDI TRANSLATION**

**TSEBIŠO YA MMUŠO**

**KGORO YA DIMINERALE LE ENETŠI**

**NR: 2019**

**MOLAO WA TLHABOLLO YA METHOPO YA PETEROLEAMO LE DIMINERALE, 2002 (MOLAO WA NR. 28 WA 2002):**

**PHETOŠO YA MELAWANA**

Tona ya Diminerale le Enetši, ka fase ga karolo ya 107 ya Molao wa Tlhabollo ya Methopo ya Peteroleamo le Diminerale, 2002, (Molao wa Nr. 28 wa 2002), e balwa gotee le dintlha tša karolo ya 14 ya Molao wa Tlhabollo, 1957 (Molao wa Nr. 33 wa 1957) o dirile melawana ka gare ga Šetulo.

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**ŠETULO**

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**PEAKANYO**

**KGAOLO YA 1**

Thaetlele ye kopana



3. Ditlhalošo

## KGAOLO YA 2

### MELAWANA YA DIMINERALE LE PETEROLEAMO, LEAGO LE TIKOLOGO

#### KAROLO YA I: MOLAWANA WA DIMINERALE LE PETEROLEAMO

5. Therišano le le batho ba ba amegago le ba ba nago le kgahlego

#### KAROLO YA II: PEAKANYO YA LEAGO LE BAŠOMI

41. Maikemišetšo a Peakanyo ya Leago le Bašomi

42. Tlišo ya Peakanyo ya Leago le Bašomi

43. Tirišego ya Peakanyo ya Leago le Bašomi

44. Phetošo ya Peakanyo ya Leago le Bašomi

45. Go bega Peakanyo ya Leago le Bašomi

46. Diteng tša Peakanyo ya Leago le Bašomi

46A. Phatlalatšo ya Peakanyo ya Leago le Bašomi ye e dumeletšwego

46B. Tshekatsheko ya Peakanyo ya Leago le Bašomi

46C. Tšhomišano go Dipeakanyo tša Leago le Bašomi

#### KAROLO YA III: MELAWANA YA TIKOLOGO YA TLHABOLLO YA DIMINERALE, PHOPHOLETŠO YA PETEROLEAMO LE TŠWELETŠO

47. Molawana o fedišitšwe

48. Molawana o fedišitšwe

49. Molawana o fedišitšwe

50. Molawana o fedišitšwe

51. Molawana o fedišitšwe

52. Molawana o fedišitšwe

53. Molawana o fedišitšwe

54. Molawana o fedišitšwe

55. Molawana o fedišitšwe
56. Melawana ya tswalelo ya moepo (ga se e fedišwe)
57. Tiragatšo ya tswalelo ya moepo (ga se e fedišwe)
58. Molawana o fedišitšwe
59. Molawana o fedišitšwe
60. Molawana o fedišitšwe
61. Maikemišetšo a tswalelo (ga se a fedišwe)
62. Diteng tša peakanyo ya tswalelo (ga se di fedišwe)

**KAROLO YA IV: MOLAWANA WA TAOLO YA TŠHILAFATŠO LE TAOLO YA TAOLO YA DIL AHLWA**

63. Molawana o fedišitšwe
64. Molawana o fedišitšwe
65. Molawana o fedišitšwe
66. Molawana o fedišitšwe
67. Molawana o fedišitšwe
68. Molawana o fedišitšwe
69. Molawana o fedišitšwe
70. Molawana o fedišitšwe
71. Molawana o fedišitšwe
72. Molawana o fedišitšwe
73. Molawana o fedišitšwe

**KAROLO YA V: MOLAWANA KA GA TSEBIŠO YA POELO LE KATLEGO LE PHOKOTŠO  
YA DITIRO TŠA MOEPO TŠA GO AMA MEŠOMO**

73A. Tsebišo ya katlego le phokotšo ya ditiro tša moepo

**KAROLO YA VI: MOLAWANA KA GA KGOPELO YA TŠHOMIŠO YA BOKAGODIMO BJA  
NAGA KGAHLANONG LE MAIKEMISETŠO A MOLAO**

73B. Kgopelo ya go šomiša bokagodimo bja naga kgahlanong le maikemišetšo a Molao.

**KAROLO YA VII: MOLAWANA KA GA TEFO YE E KA LEFELWAGO KA FASE GA MABAKA  
A ITŠENG GO YA KA KAROLO YA 54 YA MOLAO**

73C. Tefo ye e ka lefelwago ka fase ga mabaka a itšeng.

**KGATO YA 3**

**MAIPOBOLO**

74. Maipobolo kgahlanong le diphetho tša tshepedišo

75A. Thomišo ya Diphetho

75B. Difomo le Dithempoleiti

**KGAOLO YA 1**

**THAETLELE YE KOPANA**

Melawana ye e tla bitšwa Melawana ya Tlhabollo ya Methopo ya Diminerale le Peteroleamo ye e Fetotšwego, 2019.

**DITLHALOŠO**

**Phetošo ya molawana wa 1**

Molawana wa 1 wa melawana o fetotšwe

(g) *ka phumula ya tlhalošo ye e latelang-*

**["tshekatsheko ya khuetšo ya tikologo" ke tshekatsheko ye e laeditšwego karolong ya 39(1) ya Molao;]**

(h) *ka peobaka ya tlhalošo ya "batho ba go amega le ba go ba le kgahlego" ya tlhalošo ye e latelang-*

"Batho ba go amegago le ba go ba le kgahlego" ke motho wa semolao goba tlhago goba kamantšho ya kgahlego thwii ka tshepedišong ye e šišintšwego goba e lego gona goba yoo a ka angwago ke tshepedišo ye e šišintšwego goba e lego gona. Tše di akaretša, eupša ga di felele go;—

(xxi) Ditšhaba tša Benggae

(xxii) Bengnaga (beng ba dithaetlelediti goba ba setšo)

(xxiii) Boetapele bja Setšo

(xxiv) Battleleimi ba Naga

- (xxv) Modudi wa semolao wa naga
- (xxvi) Baswari ba ditokelo tše e sego tša semmušo
- (xxvii) Kgoro ya temo, Pušetšo ya Naga le Tlhabollo ya Dinagamaqae.
- (xxviii) Motho mang goba mang (go akaretšwa dithoto tša kgauswi le tše e sego tša kgauswi) yoo maemo a gagwe a leago le ekonomi a ka angwago thwii ke tiro ya moepo goba nyakišišo ye e šišintšwego
- (xxix) Mmasepala wa Tikologo
- (xxx) Dikgoro tša Mmušo tša maleba, dietšentshi le diinstitšhušene tše di nago le maikarabelo a dilo tša go fapana tša tikologo le mananeokgoparara ao a ka angwago ke protšeke ye e šišintšwego.

(i) *ka tlaleletšo ya ditlhalošo tše di latelang-*

“Lefelo leo go hwetšwago bašomi” ke mafelo ao bontši ba bašomi ba meepong bobedi go ya ka histori le bjale, ba goba ba bego ba hwetšwa gona;

“Therišano ye bohlokwa” e šupa gore mokgopedi, o rerišane le mongnaga ka botshepegi, modudi wa semolao goba mokgathatema yo a amegago le ba go ba le kgahlego mabapi le naga go ya ka kgopelo ka ga khuetšo ye ditiro tša moepo goba phopholetšo e ka bago nayo tokelong ya gagweya go šomiša naga ka go thuša ka tshedimošo ka moka ya go ama ditiro tše di šišintšwego go kgontšha bakgathatema ba go tšea diphetho ka botlalo mabapi le khuetšo ya ditiro tše di šišintšwego.

“Ofisi ya Selete” ke diofisi tše di hlaotšwego ke Tona go ya ka karolo ya 7 ya Molao le go laolwa ke Balaodi ba Selete ba go bewa ke Moalodipharephare go ya ka karolo ya 8.

“Diboego tša maleba” di šupa mmasepala wa selegae, mmasepala wa selete le mmasepala wa metropolithene bjalo ka ge e hlalositšwe ke Molao wa Diboego tša Mmasepala: Pušoselegae, 1998 (Molao wa Nr. 117 wa 1998).

## KGAOLO YA 2

### MOLAWANA WA DIMINERALE LE PETEROLEAMO, LEAGO LE TIKOLOGO

#### KAROLO YA I: MOLAWANA WA DIMINERALE LE PETEROLEAMO

*Therišano le batho ba go amega le ba go ba le kgahlego*

**Phetošo ya molawana wa 3 ya Melawana**

3. *Molawana wa 3 wa Melawana mo o fetotšwe -*

(a) *ka go lokela mantšu karolwaneng ya (2) ka tsela ye;*

(2) Tsebišo ye e bolelwago karolwaneng ya (1) e swanetše go bewa botong ya ditsebišo ofising ya Molaodi wa Selete goba etšentshi ye e hlaotšwego, go ya ka mabaka, yeo setšhaba se kago e fihlelela goba weposaete ya Kgoro goba etšentshi ye e bolelwago.

(b) *ka go lokela mantšu ka go molawana wa 3(3) wa temana ya (d) ka tsela ye*

(a) Phatlalatšo ka gare ga Kurata ya Mmušo ya Profense ye e amegago;

(b) Tsebišo ka Kgorotsheko ya Mmaseterata ka seleteng sa mmaseterata se se amegago sa naga ye e bolelwago; **[goba]**

(c) Kwalakwatšo ka gare ga kuranta ya tikologo goba ya bosetšhaba ye e phatlalatšwago tikologong yeo naga goba lefelo la naga e šele leo kgopelo e amantšhwago nalo, e beilwego; goba

(d) bea tsebišo ka gare ga dihlo tša setšhaba, diofisi tša mmasepala, goba diofisi tša boetapele bja setšo ka Seisimane le leleme lefe goba lefe le letee la semmušo leo le šomišwago ka boati ka lefelong la maleba.

(c) *ka go lokela morago ga molawana wa karolwana ya (5) ka tsela ye:*

(5) Molaodi wa Selete o tla hwetša le go swara tišetšo ya peo ya tsebišo go tšwa go:

(a) Kuranta ya Mmušo ya Profense ya maleba, ge tsebišo e be e phatlaladitšwe go ya ka molawana wa 3(3)(a);

(b) Klereke ya Kgorotsheko goba diswantšho tše di tšeerwego ke mohlankedi wo a filwego maikarabelo, ge eba tsebišo e be e kwalakwaditšwe go ya ka molawana wa 3(3) (b);

(c) Kuranta ya selegae goba bosetšhaba ya maleba, ge e ba tsebišo e be ee kwalakwaditšwe go ya ka molawana wa 3(3) (c); le

(d) Diswantšho tša tsebišo tše di tšeerwego ke mohlankedi yo a filwego maikarabelo, ge eba tsebišo e beilwe go ya ka molawana wa 3(3) (d).

(d) *ka tlaleletšo ya molawana ya 3A le 3B ka tsela ye;*

**Kgapeletšo ka lehlakoreng la mokgopedi bja go rerišana.**

3A. Go rerišana le bengnaga, badudi ba semolao le batho ba go amega le ba go ba le kgahlego ye e laeditšwego karolong ya 16(4) (b), 22(4) (b), 27(5) (a) e tla dirwa go ya ka tshepedišo ya kgathotema ya setšhaba ye e beilwego ka Kgaolong ya 6 ya Melawana ya Tshekatsheko ya Khuetsšo ya Tikologo, 2014, Melawana ya 39,40, 41, 42, 43 le 44 ka tatelano.

**Tsebišo ka moswari wa phemiti wa maleba pele ga go thongwa ga mešomo**

3B. Moswari wa tumelelo ya nyakišišo, phemiti ya nyakišišo, phemiti ya moepo, tokelo ya go nyaka, tokelo ya phopholetšo, tokelo ya moepo le tokelo ya tšweletšo o swanetše go fa mongnaga goba modudi wa semolao wa naga le Molaodi wa Selete tsebišo ya go ngwalwa ya bonyane matšatši 21 a maikemišetšo a gagwe a go thoma ka mošomo.

(2) Tsebišo e swanetše:

- (k) go ba ka go ngwalwa
- (l) go laetša letšatšikgwedi le nako ya go tsena ka nagenq ye e bolelwago;
- (m) go ba le dikhopi tše di tiišeditšwego tša tokelo goba phemiti, go ya ka mabaka; le
- (n) Dikhopi tše di tiišeditšwego tša tumelelo ya tikologo le ditumelelo dife goba dife tša maleba.
- (o) Moswari yo a bolelwago karolwaneng ya (1) o swanetše go romela bohlatse bja tirelo bja tsebišo go ofisi ya Molaodi wa Selete ka seleteng seo tokelo e welago.

**KAROLO YA II: PEAKANYO YA LEAGO LE BAŠOMI**

**Phetošo ya molawana wa 41**

*Molawana wa 41 o fetotšwe*

(a) *ka go lokela mantšu mo temaneng ya (c) ka tsela ye;*

(c) kgonthišiša gore baswari ba ditokelo tša moepo ba kgathatema tlhabolong ya leago le ekonomi ya mafelo ao ba šomago ka gare a wona le mafelo a go hwetša bašomi.

**Phetošo ya molawana wa 42**

*Molawana wa 42 mo o fetotšwe*

(a) *ka go lokela mantšu mo temaneng ya (2) (b) ka tsela ye;*

(b) Molaodi wa Selete a ka romela peakanyo ya Leago le Bašomi ye e bolelwago morago go mokgopedi ka ditšhišinyo tša diphetogo gomme peakanyo ya Leago le Bašomi ye e

lebeletšwegoleswa gona e swanetše go dirwagape mo pakeng ye e beilwego ke Molaodi wa Selete mo matšatšing a 30.

(b) *ka tlaleletšo ya karolwana ya (3) le (4) ka tsela ye;*

(3) Mokqopedi o swanetše mo matšatšing a 180 go tloga go letšatši la go amogela tsebišo ya kamogelo ya kgopelo ya gaqwe ya tokelo ya moepo go tšwa go Molaodi wa Selete, a rerišane le ditšhaba le dibopego tša maleba ka ga diteng tša Peakanyo ya Leago le Bašomi go kgonthišiša gore e šogana le dinyakwa tša maleba tša ditšhaba tše bjalo le gore e amantšhwa le Dipeakanyo tša Tlhabollo tša go Kopanywa tše di mpshafaditšwego tša dibopego tše bjalo.

(4) Tshepedišo ya therišano ka ga diteng tša Peakanyo ya Leago le Bašomi e tla dirwa go ya ka tshepedišo ya theeletšo ya setšhaba ye e laeditšwego Kgaolong ya 6 ya Melawana ya Tshekatsheko ya Khuetsšo ya Tikologo, 2014 Melawana ya 39, 40, 41, 42, 43 le 44 ka tatelano.

#### **Phetošo ya molawana wa 43**

*Molawana wa 43 ka gona o fetotšwe*

(a) *ka go tšea legato la molawana wo o latelang;*

43. **[A]** Peakanyo ya Leago le Bašomi ye e amogetšwego **[e filwe Molaodi wa Selete]** ke ya nnete go fihla ge setifikeiti sa tswalelo se ntšhitšwe go ya ka karolo ya 43 ya Molao.

#### **Phetošo ya molawana wa 44**

*Molawana wa 44 ka gona o fetotšwe*

(c) *Ka peobakeng ya molawana wo o latelang;*

48. **[A]** Peakanyo ya Leago le Bašomi ye e amogetšwego e ka no se fetolwe goba go fapantšhwa ntle le tumelelo ya Tona go ya ka karolo ya 102 ya Molao. **[morago ga go fa tokelo ya moepo yeo e amago peakanyo ya leago le bašomi ye bjalo.]**

#### **Phetošo ya molawana wa 45**

(c) *Molawana wa 45 ka gona o fetotšwe ka peobakeng ya molawana wo o latelang;*

49. Moswari wa tokelo ya moepo o swanetše go romela pego ya ngwaga ka ngwaga go obamela peakanyo ya leago le bašomi ye e amogetšwego go Molaodi wa Selete wa maleba.

#### **Phetošo ya molawana wa 46**

*Molawana wa 46 ka gona o fetotšwe*

(a) *ka phumulo ya mantšu ka go karolwana ya (b) (v) ka tsela ye;*

(v) dipalopalo tša tekatekano ya mošomo yeo di swanetšego go tlatšwa ka fomong ya fomo ya S ye e lego kagare ga Kgomaretšo ya II. **[le peakanyo ya moepo ya go fihlelela kgathotema ya basadi ya 10% go tša meepo le 40% ya kgathotema ya Maafrika Borwa ao a bego a Hlaetšwa Menyetla Peleng (HDSA) ka bolaoding ka gare ga mengwaga ye 5 go tloga go kabo ya tokelo goba phetolelo ya tokelo ya taelo ya kgale.]**

### **Tlaleletšo ya Melawana ya 46A, 46B le 46C**

*Molawana ka go gona e fetotšwe*

(e) ka tlaleletšo ya 46A, 46B le 46C ka tsela ye;

#### Phatlalatšo ya 46A ya Peakanyo ya Leago le Bašomi ye e dumeletšwego

(g) Moswari wa tokelo ya moepo o swanetše go phatlalatša Peakanyo ya Leago le Bašomi ye e dumeletšwego ka English gomme e tee ka leleme la semmušo le le atilego leo ka tlwaelo le šomišwago ka gare ga tikologo ya moepo.

(h) Maikarabelo a go phatlalatša tshedimošo ye bjalo ka ge a akareditšwe ka mo ke a moswari wa tokelo ya moepo.

(i) Peakanyo ya Leago le Bašomi ye e rerilwego le go dumelelwa e swanetše go phatlalatšwa gare ga matšatši a 30 a kamogelo go šomišwa mekgwa ye e latelang:

(vii) Weposaete/diposaete tša khamphani, kuranta/dikuranta tša tikologo;

(viii) Dikhopi tša go gatišwa tša Peakanyo ya Leago le bašomi ye e dumeletšwego di bewe makgobapukung a tikologo, diofisngi tša mmasepala, diofising tša boetapele bja setšo, diofising tša khamphani/moepo; le

(ix) Ditsebišo di ka dirwa, fao go kgonegago, ka ditišing tša radio tša tikologo le ka baphatlalatšing ba ditaba ba maleba ka ga khwetšaqalo le diteng tša Peakanyo ya Leago le Bašomi.

#### 46B. Tshekatsheko ya Peakanyo ya Leago le Bašomi

(a) Peakanyo ya Leago le Bašomi dirilwego le Molaodi wa Selete le go dumelelwa ke tona mabapi le go fa tokelo e swanetše go sekasekwa morago ga mengwaga ye mengwe le ye mengwe ye mehlano go tloga go letšatšikgwedi la tumelelo ye bjalo. Ge a sekaseka Peakanyo ya Leago le Bašomi, Tona o swanetše go ela hloko;



(i) bogolo bja kobamelo ya moswari wa go ba le Peakanyo ya Leago le Bašomi ye e dumeletšwego.

(ii) tshekatsheko ya dipego tša ngwaga ka ngwaga tše di tlišitšwego go ya ka karolwana ya 6.5.

(iii) seabe, tshwayatshwayo le dipego go tšwa ditšhabeng tše di amegago le dibopego tša maleba.

(iv) tlhago ye e fetogang ya dinyakwa tša maleba tša ditšhaba tše di amegago go ya ka di-IDP tša dibopego tša maleba.

(f) Tshepedišo ya tshekatsheko e ka thogwa go tloga ngwageng wa bone wa Peakanyo ya Leago le Bašomi gomme e tla dirwa ka therišano le ditšhaba tša meepo tše di amilwego, ditšhaba tša kgauswi, mafelo a go hwetšwago bašomi, mmasepala wa selete goba selegae.

46C Tšhomišano ka ga Peakanyo ya Leago le Bašomi

(e) Tšhomišano ka ga diprotšeke tša Peakanyo ya Leago le Bašomi ye e dumeletšwego e swanetše go ba ye e lego pepeneneng, akaretšago le go thewa godimo ga therišano le bakgathatema ka moka.

(f) Phetošo ya Peakanyo ya Leago le Bašomi ye e dumeletšwego morago ga tšhomišano e tla dirwa go ya ka Molawana wa 44 wa Molao.

**KAROLO YA III: MELAWANA YA TIKOLOGO YA TLHABOLLO YA DIMINERALE,  
PHOPHOLETŠO YA PETEROLEAMO LE TŠWELETŠO**

47. Molawana wa 47 ka gona o fetotšwe.

48. Molawana wa 48 ka gona o fetotšwe.

49. Molawana wa 49 ka gona o fetotšwe.

50. Molawana wa 50 ka gona o fetotšwe.

51. Molawana wa 51 ka gona o fetotšwe.

52. Molawana wa 52 ka gona o fetotšwe.

53. Molawana wa 53 ka gona o fetotšwe.

54. Molawana wa 54 ka gona o fetotšwe.

55. Molawana wa 55 ka gona o fetotšwe.
56. Melao ya tswalelo ya moepo (ga se e fetolwe).
57. Kgopelo ya tswalelo ya moepo (ga se e fetolwe).
58. Molawana wa 58 ka gona o fetotšwe.
59. Molawana wa 59 ka gona o fetotšwe.
60. Molawana wa 60 ka gona o fetotšwe.
61. Maikemišetšo a tswalelo (ga se e fetolwe).
62. Diteng tša peakanyo ya tswalelo (ga se di fetolwe).

#### **KAROLO YA IV: MOLAWANA WA TAOLO YA TŠHILAFALO LE TAOLO YA DIL AHLWA**

63. Molawana wa 63 ka gona o fetotšwe.
64. Molawana wa 64 ka gona o fetotšwe.
65. Molawana wa 65 ka gona o fetotšwe.
66. Molawana wa 66 ka gona o fetotšwe.
67. Molawana wa 67 ka gona o fetotšwe.
68. Molawana wa 68 ka gona o fetotšwe.
69. Molawana wa 69 ka gona o fetotšwe.
70. Molawana wa 70 ka gona o fetotšwe.
71. Molawana wa 71 ka gona o fetotšwe.
72. Molawana wa 72 ka gona o fetotšwe.
73. Molawana wa 73 ka gona o fetotšwe.

#### **KAROLO YA V: MOLAWANA KA GA TSEBIŠO YA KATLEGO LE PHOKOTSO YA DITIRO TŠA MOEPO TŠA GO AMA MEŠOMO**

Melawana ka gona e fetotšwe

(c) *Ka tlaleletšo, morago ga molawana wa 73 wa molawana wa 73A ka tsela ye;*

73A. Tsebišo ya katlego le phokotšo ya mešomo tša moepo

73A (1) Moswari wa tokelo ya moepo o swanetše go romela tsebišo ye e laeditšwego karolong ya 52(1) ya Molao go Tona:

- (k) Mo gare ga matšatši a 7 go tloga go letšatšikgwedi la ka morago ga ditherišano le mokgatlo/mekgatlo ya bašomi ye e ngwadišitšwego, bašomi ba go amega goba baholwa ba bona ba go kgethwa, di a fetšwa.
- (l) Ka go tliša tsebišo, moswari wa tokelo ya moepo o swanetše go šomiša thempoleiti ya tsebišo mo **nomorong (XX)** ya Melawana ye.
- (m) Tsebišo e swanetše go ba le dintlha tša ditherišano tša peleng tša go swarwa le mokgatlo/mekgatlo ya bašomi, bašomi ba go amega goba baemedi ba bona ba go kgethwa bjalo ka ge go laeditšwe karolong ya 52 (1) ya Molao.
- (n) Dintlha tša ditherišano tša peleng di swanetše go akaretša matšatšikgwedi, dinako, diretšistara tša go tsena, metsotso, ditlhoko, ditšhišinyo, ditharollo, dikwano, ditšhišinyo, dipego le di rekote tša go amana le ditherišano tše di swerwego le mekgatlo ya bašomi, bašomi ba go amega goba baemedi ba bona ba go kgethwa pele tsebišo e išwa go Tona.
- (o) Tsebišo e swanetše go sepela le tshedimošo le ditokomane tše di latelang:
- (xxxiii) Pego ya batho ba go ba le bokgoni;
- (xxxiv) Pego ya hlokomedišišo;
- (xxxv) Dikgetho tše di šetšwago (ge di se tša akaretšwa ka metsotsong ya foramo ya ka moso);
- (xxxvi) Dikopano tša foramo tša ka moso (ge di se tša hlwa di išwa);
- (xxxvii) Maqato a hlokomologo;
- (xxxviii) Direkote tša therišano tša karolo ya 189 le/goba maemo a therišano;
- (xxxix) Ditatemente tša matlotlo tše di lekotšwego;
- (xl) Lenaneo le dintlhakemo ka moka tša go angwa ke tshepedišo ya phokotšo ya bašomi;
- (xli) Pego ya kgatelopele ya Peakanyo ya Leago le Bašomi;
- (xlii) Tsebišo ye mpsha ka ga boineelo bja go amana le tumelelo ya tikologo ya moswari;
- (xliii) Tlišo ya pego ya Ngwaga ka Ngwaga ya Peakanyo ya Leago le Bašomi;
- (xliv) Tlišo ya pego ya Tšhatha ya Meepo ya Ngwaga ka Ngwaga;
- (xlv) Dikwano tša phokotšo ya bašomi;
- (xlvi) Lenaneo le le tletšeng la borakonteraka ba go šoma ka lefelong la tokelo ya moepo;
- (xlvii) Sebopego sa khamphani, go akaretšwa bong
- (xlviii) Kgokagano ya bašomi.

73A (2) Tšebišo ye e nyakegago go išwa go Tona go ya ka molawana wo e tla romelwa diatereseng tše di latelang:

(a) Aterese ya Poso:

Tona / Molaodipharephare

Kgoro ya Diminirale le Enetši

Mokotla wa Praebete X 59

Arcadia

0007

**GO: MOLAODIMOGOLO: DITIRELO TŠA MOLAO**

(b) Domicilium citandi et executandi:

Kgoro ya Diminirale le Enetši

LEbato la 2, Poloko ya 2 B

Khamphase ya Trevenna

c/o Mekgotha ya Meintjes & Francis Baard

Sunnyside

**GO: MOLAODIMOGOLO: DITIRELO TŠA MOLAO.**

73A (3) Tona, o swanetše, mo matšatšing a 7 a kamogelo ya tsebišo le tsebišo ka moka ye e laeditšwego ka karolwanang ya (1), go romela taba go Boto ya Tlhabollo ya Meepo le Diminirale gore e gopodišišwe le go dira ditšhišinyo.

73A (4) Boto ya Tlhabollo ya Meepo le Diminirale e swanetše, bjalo ka ge go laeditšwe karolong ya 52 (2), go rerišana le moswari wa maleba wa tokelo ya moepo, dinyakišišo le go dira ditšhišinyo go Tona mo matšatšing a 60 a ge e tlišitšwe go Tona.

**KAROLO YA VI: MOLAWANA KA GA KGOPELO YA TŠHOMIŠO YA BOKAGODIMO BJA NAGA KGAHLANONG LE MAIKEMIŠETŠO A MOLAO**

Melawana ka gona e fetotšwe

*(c) Ka tlaleletšo, morago ga molawana wa 73 wa molawana wa 73B ka tsela ye;*

73B Mokgopedi yoo a dirago kgopelo ya tumelelo ya Tona go šomiša bokagodimo bja naga ka tsela yeo e ka baqo kgahlanong le maikemišetšo a Molao, goba go na le kgonagalo ya go thibela

boikemišetšo bjo bjalo o swanetše go tliša kgopelo ya tumelelo go Molaodi wa Selete wa maleba, kgopelo yeo e swanetšego go fa tshedimošo ye itšeng ka sebopego se se nyakwago ka gare ga molawana wo ka tsela ye.

## 5. DINTLHA TŠA KGOPELO.

### Molaodi wa Selete

<u>SELETE</u>	
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### DINTLHA TŠA KGOKAGANO TŠA MOKGOPEDI

<u>LEINA LA MOKGOPEDI</u>	
<u>ATERESE YA POSO</u>	
<u>NOMORO YA MOGALA</u>	
<u>FEKSIMEILI</u>	
<u>ATERESE YA IMEILI</u>	

### 9.1 Mohuta wa kgopelo:

(Swaya ka X mohuta wa tumelelo ye e kgopetšwego)

<u>Go hlongwa ga lekheišene</u>	
<u>Tlhopholeswa ya lekheišene</u>	
<u>Tsebagatšo ya lefelo la pabalelo ya tlhago</u>	
<u>Go hlongwa ga resefe ya tsela goba seporo</u>	
<u>Ngwadišo ya ditokelo tše itšeng</u>	
<u>Ditšhomišo tše dingwe tša naga tše e sego tša temo</u>	

## 10 Tlhalošo ya tšhomišo ya naga ye e šišintšwego yeo e direlwago kgopelo

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**10.1 Tšhomišo ya naga ye šišintšwego**

(e fa tlhalošo ya botlalo ya tšhomišo ya naga ye e šišintšwego)

**10.2 Lefelo la tšhomišo ya naga ye e šišintšwego**

(E fa peakanyo ye e thadilwego go sepelelana le sekala sa lefelo leo le diretšwego kgopelo, peakanyo yeo e swanetše go akaretša ditaetšo go ya ka WGS 84; mokgwa wa Hartbeeshoek, ditšhupadipaka tša taetšo tša go ba le dikelo, ntlha ya leboa, sekala, peakanyo ya lefelo mo sekaleng sa 1: 50 000 le leina la mmasepala wa selegae)

**10.3 Ditšhomišo tša bjale tša naga mo tikologong**

(E fa tlhalošo ya le peakanyo ya go laetša ditšhomišo tša naga tša bjale mo tikologong)

**10.4 Lebaka la tšhomišo ya naga ye e šišintšwego**

(E fa lebaka la tšhomišo ya naga ye e šišintšwego, lebaka leo le swanetšego go akaretša tshedimošo ka ga bohlokwa bja yona go foreimiweke ya tlhabollo ya sekgoba sa mmasepala wa selegae, tshedimošo ya bomorago bja lefelo le tokomane ya tshedimošo ya bomorago, le go tiišetša gore ditokomane tše di kgomareditšwe bjalo ka mamatletšo)

**11 Tiišetšo ya tshedimošo ye e rometšwego**

(Tshedimošo ye e latelang e swanetše go tlišwa seilektroniki gotee le kgopelo)

<b><u>TSHEDIMOŠO YE E TLIŠITŠWEGO</u></b>	<b><u>Swaya ka X fao go swanetšego</u></b>	
	<b><u>E</u></b>	<b><u>AOWA</u></b>
<u>Khopi ye e saennwego ya tharollo ka mokgopedi, e dumelela motho yoo leina la gagwe le nomoro ya boitsebišo</u>		

<u>di laeditšwego temaneng ya 5 ka mo fase go tliša kgopelo seilektroniki legatong la bakgopedi.</u>		
<u>Tokomane ya tshedimošo ya bomorago</u>		
<u>Polane ya lefelo le le diretšwego kgopelo</u>		
<u>Khopi ya thaetlelediti ya naga ye e amegago</u>		
<u>Khopi ya foreimiweke ya tlhabollo ya sekgoba ye e dumeletšwego go tšwa go Mmasepala wa maleba</u>		
<u>Pego ka ga therišano le bakgathatema ba ba amegago le ba go ba le kgahlego ka intastering ya meepo</u>		
<u>Pego ka ga therišano le Khansele ya Disaense tša Tšeologi mabapi le bobedi bokgoni bja diminerale tša naga ye e amegago, le kgonagalo ya go ba gona ga dipopego tsa talameiti go tšona.</u>		
<u>Foldara ya seilektroniki ya dikhopi tša ditshwayotshwayo le dihlobaelo tše di boletšwego ke bakgathatema ba go ba le kgahlego ya go nyakišiša goba go thoma moepo ka lefelong le ka tikologong.</u>		
<u>Tshekatsheko ya khuetšo ya tikologo</u>		
<u>Mmepe wa tšeologi wa lefelo le le diretšwego kgopelo</u>		

### 11.1 Tlhaolo ya ditabana tša tšeologi ka lefelong

(Ka kgopelo e ya go Selaetšadikgoba (spatial viewer) sa Kgoro sa mokgwa wa kgopelo ya seilektroniki le go fa tshedimošo ye e latelang)

<b><u>DIKGAHLEGO TŠA GO THOMA MOEPO LE GO NYAKIŠIŠA LE DITABANA TŠA TŠEOLOGI</u></b>	<b><u>Swaya ka X fao go swanetšego</u></b>	
	<b><u>E</u></b>	<b><u>AOWA</u></b>
<u>Baswari ba ditokelo tša go nyakišiša, go thoma moepo, phopholetšo goba tšweletšo ka ntikotikong ya dikilometara tše 2 tša lefelo la kgopelo ba hlaotšwe?</u>		
<u>Baswari ba ditokelo tše di boletšwego pele ba rerišitšwe?</u>		
<u>Naga ye e bolelwago e na le dipopego tša talameiti ka fase?</u>		
<u>Baswari bafe goba bafe ba tokelo ya moepo goba nyakišišo ba ganeditše tlhabollo ya naga ye e šišintšwego ka lebaka la go se kwane ga yona le dikgahlego tša bona?</u>		

**11.1.1 Tlhalošo ya tšeologi ya naga**

(E fa tlhalošo ya tšeologi ya lefelo le le diretšwego kgopetšwego, le tikologo, e thekgwa ke mmepe wa tšeologi. Mmepe wa tšeologi o swanetše go kgomaretšwa bjalo ka mamatletšo).

**11.1.2 Poledišano ka ga dikgahlego tša go nyakišiša le go phopholetša ka lefelong****11.1.2.1 Tlatša tshedimošo ye e nyakwago ka mo fase**

<b><u>DIKGAHLEGO TŠA GO NYAKIŠIŠA</u></b>	<b><u>Swaya ka X fao go swanetšego</u></b>		
	<b><u>E</u></b>	<b><u>AOWA</u></b>	<b><u>N/A</u></b>
<u>Ditokelo tša go nyakišiša goba phopholetšo tše di swerwego godimo ga naga ye e bolelwago goba mo dikilometareng tša yona tše 2?</u>			
<u>Dikgopelo tše tša ditokelo tša go nyakišiša mo dikilometareng tše 2 tša naga ye e bolelwago?</u>			
<u>Bakgathatema ba go amega le ba go ba le kgahlego ba go hlaolwa ka mo godimo ba rerišitšwe?</u>			
<u>Bakgathatema ba go amega le ba go ba le kgahlego ba kgopetšwe go swayaswaya fela ka ga kgonagalo yeo badudi ba ka moso ba tlabollo yeo e šišintšwego ba kago ganetša go nyakišiša ga bona goba ditiro tša ka moso tša go thoma moepo?</u>			
<u>Bakgathatema ba go ba le kgahlego ba ba hlaotšwego ba kgopetšwe go laetša ka fao mešomo ya bona tša bjale, go akaretšwa ditlemo tša bona tša taolo ya tikologo, di tlogo angwa ke tlabollo ya naga ye e šišintšwego?</u>			
<u>Bakgathatema ba go amega le ba go ba le kgahlego bao ba boletšwego pele ba kgopetšwe go laetša ka fao mešomo ya moepo ya kgonagalo ya ka moso e tlogo huetšwa ke tlabollo ya naga ye e šišintšwego?</u>			
<u>Ke diminerale dife tše di nyakišišwago mo nageng ye e bolelwago?</u>			



Ke diminerale dife tše di nyakišišwago mo dikilometareng tše 2 tša lefelo le le diretšwego kgopelo?	
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### 11.1.2.2 Tlatša tshedimošo ye e nyakwago ka mo fase

<b><u>HLALOSA KA MO FASE KA FAO TŠHOMIŠO YA NAGA YE E ŠIŠINTŠWEGO E TLAGO ANGWA KE MEŠOMO YA BJALE YA GO NYAKIŠIŠA</u></b>
<b><u>HLALOSA KA MO FASE KA FAO TŠHOMIŠO YA NAGA YE E ŠIŠINTŠWEGO E TLAGO ANGWA KE KGONAGALO YA MOEPO WA KA MOSO GODIMO GA NAGA LE TIKOLOGO</u></b>
<b><u>EFA KAKARETŠO KA MO FASE KA GA KA FAO BASWARI BA DITOKELO TŠA GO NYAKIŠIŠA KA LEFELONG BA HLALOSITŠEGO MOKGWA WOO DIKGAHLEGO TŠA BONA TŠA BJALE LE TŠA KA MOSO KA LEFELONG DI TLAGO HUETŠWA KE TLHABOLLO YE E ŠIŠINTŠWEGO, GO AKARETŠWA DITŠHITIŠO DIFE GOBA DIFE GO NYAKIŠIŠO GOBA MOEPO WOO O UKANGWAGO, DIKHUETŠO GODIMO GA DITLEMO TŠA TŠONA TŠA TIKOLOGO, LE KGONAGALO YA DIKGANETŠO GO DITIRO TŠA BONA KA BADUDI BA KA MOSO BA TLHABOLLO YE E ŠIŠINTŠWEGO.</u></b>

### 11.1.3 Poledišano ka ga dikgahlego tša moepo ka lefelong

#### 11.1.3.1 Tlatša tshedimošo ye e nyakwago ka mo fase

<b><u>DIKGAHLEGO TŠA MOEPO</u></b>	<b><u>Swaya ka X fao go swanetšego</u></b>		
	<b><u>E</u></b>	<b><u>AOWA</u></b>	<b><u>N/A</u></b>
<b><u>Ditokelo tša moepo tše di swerwego godimo ga naga ye e bolelwago goba mo dikilometareng tša yona tše 2?</u></b>			

<u>Go na le ditokelo tša go nyakišiša goba dikgopelo tsa ditokelo tsa moepo mo dikilometareng tše 2 tša naga ye e bolelwago?</u>			
<u>Bakgathatema ba go amega le ba go ba kgahlego ba go hlaolwa ka mo godimo ba rerišitšwe?</u>			
<u>Bakgathatema ba ba hlaotšwego ka mo godimo ba laeditše ka fao mešomo ya bona ya bjale e tlogo angwa ke tlabollo ya naga ye e šišintšwego?</u>			
<u>Bakgathatema ba ba boletšwego ka godimo ba go amega le go ba le kgahlego ba laeditše ka fao mešomo ya moepo ya ka moso e tlogo huetšwa ke tlabollo ya naga ye e šišintšwego?</u>			
<u>Ke diminerale dife tse di epšago nageng ye e bolelwago?</u>			
<u>Ke diminerale dife tse di epšago mo dikilometareng tše 2 tša lefelo leo le diretšwego kgopelo?</u>			
<u>Laetša ge eba moepo mo nageng goba mo dikilometareng tše 2 tša tlabollo ya naga ye e šišintšwego ke wo o ahlamego goba wa ka fase ga mmu ka tlhago.</u>			
<u>Laetša botebo ka fase ga bokagodimo bjo moepo o goba o tlogo direga bjalo ka ge go tsebišitšwe ke bakgathatema ba go ba le kgahlego le ba go amega ba ba hlaotšwego ka godimo.</u>			

### 11.1.3.2 Tlatša tshedimošo ye e nyakwago ka mo fase

**HLALOSA KA MO FASE KA FAO TŠHOMIŠO YA NAGA YE E ŠIŠINTŠWEGO E TLAGO ANGWA KE MEŠOMO YA BJALE YA MOEPO**

**HLALOSA KA MO FASE KA FAO TŠHOMIŠO YA NAGA YE E ŠIŠINTŠWEGO E TLAGO ANGWA KE KGONAGALO YA MOEPO WA KA MOSO GODIMO GA NAGA LE TIKOLOGO**

**E FA KAKARETŠO KA MO FASE KA FAO BASWARI BA DITOKELO TŠA GO NYAKIŠIŠA KA LEFELONG DI HLALOSITŠWE KA MOKGWA WOO DIKGALHEGO TŠA BONA TŠA BJALE LE TŠA KA MOSO KA LEFELONG DI TLAGO HUETŠWA KE TLHABOLLO YE E ŠIŠINTŠWEGO, GO AKARETŠWA DITŠHITIŠO DIFE GOBA DIFE GO MOEPO TŠEO DI UKANGWAGO, DIKHUETŠO GODIMO GA DITLEMO TŠA TŠONA TŠA TIKOLOGO, LE KGONAGALO YA DIKGANETŠO GO DITIRO TŠA TŠONA KA BADUDI BA KA MOSO BA TLHABOLLO YE E ŠIŠINTŠWEGO.**

**12 Dikakanyo mabapi le gore gobaneng maikemišetšo a Molao a ka se šitišwe ke tlhabollo ye e šišintšwego**

(E fa kakanyo ya go hlalosa gore gobaneng, go ya ka maemo a moepo, go nakisisa le kgonagalo ya moepo ka lefelong, go ya ka dikhuetšo tše di kgonagalang tša tlhabollo ya naga ye e šišintšwego go kgonagalo ya moepo le ka thulano, le go dirwa ka tshwanelo ga magato thibelo a go efoqa dithulano tše di ka kgonagalang gare ga moepo le dikgahlego tša tšhomišo ye nngwe ya naga, maikemišetšo a Molao wa Tlhabollo ya Methopo ya Diminerale le Peteroliamo di ka se šitišwe ke tšhomišo ya naga ye e šišintšwego.

**13 Tumelo ka mokgopedi**

**Mo nna, motho yoo leina la gagwe le nomoro ya boitsebišo di laeditšwego ka mo fase, ke tiišetša gore ke nna Mokgopedi goba motho yo a dumeletšwego go ba moemedi wa Mokgopedi go ya ka tharollo ye e tlišitšwego gotee le kgopelo, gore tshedimošo ye e lego ka mo gare ke ya nnete ebile e nepagetše, gomme ke dumela gore ge Tona a ka kwana le tšhomišo ya naga ye e šišintšwego, kwano ye bjalo e tla dirwa Ofising ya Ngwadišo ya Dithaetlele tša Diminerale le Peteroleamo mo matšatšing 30 a kwano ye bjalo ya ngwadišo.**

<b>Maina ka Botlalo le Sefane</b>	
<b>Nomoro ya Boitsebišo</b>	

**KAROLO YA VII: MOLAWANA KA GA TEFO YE E LEFELWAGO KA FASE GA MABAKA A ITŠENG GO YA KA KAROLO YA 54 YA MOLAO**

Melawana ka gona e fetotšwe

6. *Ka tlaleletšo, morago ga molawana wa 73 wa molawana wa 73C ka tsela ye;*

73C. Tefo ye e lefelwago ka fase ga mabaka a itšeng.

73C (1) Ge go thuthišwa goba tefo tša go amana le thulano ga di kgonege go rarollwa ka kwano gare ga bakgathatema, mokgopedi goba moswari wa tokelo ya go nyakisisa, tokelo ya moepo goba phemiti ya moepo o tla tsebiša Molaodi wa Selete ka ga thulano.

73C (2) Tsebišo e swanetše go ba ka go ngwalwa go ya ka fomo ya tsebišo mo **nomorong ya XYZ** le go sepela le tefo ya R1500 ye e sa bušetšwego.

73C (3) Molaodi wa Selete o swanetše go dumela kamogelo ya tsebišo mo matšatšing a šupa le go thomiša tshepedišo ya poledišano bjalo ka ge go laeditšwe karolong ya 54(3) ya MPRDA. Bjalo Molaodi wa Selete o tla:

(m) Hloma sehlopha sa dipolelišano sa go bopša ke kemedi ya go tšwa go bakgathatema ka moka ba go amega (mokgopedi, moswari wa tokelo, baemedi ba setšhaba/ditšhaba tše di amegago, boetapele bja setšo, bjbj).

(n) Direla sehlopha sa poledišano Mabaka a Tšhupetšo a go ba le magomo a go kwešišega mabapi le karolo ya sehlopha, bogolo bja mošomo wa yona, matšatšikgwedi a kopano le dinako le dipaka go rarolla thulano.

(o) Kgopela bakgathatema ka moka ba ba amegago ba tliše tshedimošo ka moka ya maleba (ditokomane, dikwano, bjbj) ye e amago thulano.

(p) Etapele dikopano go ya ka mabaka a tšhupetšo ka maikemišetšo ka kgopolo a go kgontšha tharollo ya ka pela ya thulano.

(q) Kgonthišiša gore dikopano di fihlelela khoramo le gore mokgathatema wo mongwe le wo mongwe o emetšwe le go dumelelwa.

(r) Fetišetša ditaba tše thata go Motlatšamolaodipharephare, Molaodipharephare goba Tona fao go nyakegago.

73C (4) Tshepedišo ya go etwa pele ke Molaodi wa Selete e ka fetšwa mo pakeng ya matšatši a go fihla go a 90.

73C (5) Ge thulano ya go amana le go thothišwa goba tefo e ka se rarollwe ka tshepedišo ya go etwapele ke Molaodi wa Selete, bakgathatema ba go amega thulanong ba ka fetišetša taba go tshepedišo ya kahlolo goba poelano go ya ka molao wo o swanetšego (Molao wa Kahlolo le Molao wa Poelano).

73C (5) Phetišetšo e swanetše go dirwa mo matšatšing a 30 a sephetho ka Molaodi wa Selete.

73C (6) Tshepedišo ya poelano goba kahlolo e tla dirwa le go fetšwa mo pakeng ya matšatši a go fihla go a 90.

73C (7) Ge thulano ya go thothišwa goba tefo e ka se rarollwe ka kwano gare ga bakgathatema, tshepedišo ya go etwapele ke Molaodi wa Selete goba tshepedišo ya poelano goba kahlolo, mongongoregi a ka iša thulano go kgorotsheko ye e nago le bokgoni mo matšatšing a 30 a sephetho sa poelano goba kahlolo.

### KGAOLO YA 3

#### MAIPOBOLO

Molawana wa 74 ka gona o fetotšwe

(c) *ka peobakeng ya molawana wo o latelang.*

#### **Maipobolo kgahlanong le diphetho tša tshepedišo**

74. (1) Motho mang goba mang yoo a ipobolago go ya ka karolo ya 96(1) (a) ya Molao kgahlanong le sephetho sa tshepedišo, o swanetše **[mo matšatšing a 30 morago ga ge a lemogile goba o swanela go lemoga ka nnete sephetho sa tshepedišo se se bolelwago go dirwa tsebišo ya maikemišetšo ya go ngwalwa go ipobola go Moalodipharephare goba Tona, go ya ka mabaka,]** go tliša tsebišo ya maikemišetšo a go ipobola go Tona, Ofisi ya Selete fao sephetho se tšwago gona le motho mang goba mang yoo ditokelo tša gagwe di kago, ka kgopolo ya moipobodi, angwa ke poelo ya boipobolo.

(2) Tsebišo ya maikemišetšo a go ipobolal ye e bolelwago karolwaneng ya (1) e swanetše go tlišwa mo matšatšing a 30 a tšatšikgwedi la sephetho.

(3) Molaodi wa Selete o swanetše,

- (a) mo matsatšing a 10 a go amogela tsebišo ya maikemišetšo a go ipobola, a hlaole motho yo mongwe ofe goba ofe yoo ditokelo tša gaqwe di kago, go ya ka kgopolo ya Molaodi wa Selete, angwa ke poelo ya boipobolo bjo bo sego bja hlwa bo ngwalwa lenaneong ka gare ga tsebišo ya maikemišetšo a go ipobola ao a amogetšwego go ya ka karolwana ya (1); le
- (b) go fa tsebišo ya go ngwalwa go motho yo a laeditšwego ka molawaneng wa 74 (1) ya boitsebišo le dintlha tša kgokagano tša motho yo mongwe gape yo a amegago; le
- (c) go tliša khopi ya tsebišo ye bjalo go Tona; le
- (d) motho yo a tlišitšego tsebišo ya maikemišetšo a go ipobola a swanetše ntle le go diega, eupša pele ga go fihla mafelelong ga nako ya paka ya matsatši a 30 ao a laeditšwego karolwaneng ya (2) a ntšhetše motho mongwe yo a hlaotšwego tsebišo ya maikemišetšo a go ipobola.

(4) Motho yo a dirago tsebišo ya maikemišetšo a go ipobola go ya ka karolwana ya (1) o swanetše,

- (a) mo matsatšing a 15 morago ga go faela tsebišo ya boipobolo go Ofisi ya Selete go tšwa fao sephetho se tšwago gona le batho ka moka bao ba ka bago le kgahlego ka poelong ya boipobolo; le
- (b) tsebiša Tona ka go ngwala gore boipobolo e tlišitšwe bjalo ka ge go laeditšwe karolwaneng ya 4 (a).

(5) Tona a ka, morago ga kgopelo le ka mabaka a go kwagala ao a bontšhitšwego, fetiša le go katološa dipaka tša nako tše di beilwego ka molawaneng wo.

(6) Boipobolo bo swanetše –

- (a) go ba ka mokgwa wa go ngwalwa
- (b) go laetša gabotse dikgato goba diphetho tšeo boipobolo bo dirilwego kgahlanong le tšona;
- (c) go sepela le khopi ya tsebišo ya maikemišetšo a go ipobola, tsebišo ye e amogetšwego go tšwa go Molaodi wa Selete go ya ka karolwana ya 3(b) ye e swerego tumelo ya kamogelo ka batho ka moka ba go amega;
- (d) go laetša gabotse mabaka ao ka ona boipobolo bo theilwego godimo a ona; le
- (e) go sepela le ditokomane tša thekgo tše di bolelwago ka gare ga tokomane ya boipobolo.

(7) Boipobolo bo swanetše go sepela le tefelo ya ya tefo ye e sa bušetšwego ya boipobolo ye e bolelwago ka molawaneng wa 75(1) (f).

(8) Morago ga kamogelo ya tsebišo ya maikemišetšo a go ipobola ao a laeditšwego karolwaneng ya (1), eupša e sego ka morago ga matšatši a 10 morago ga fao, Molaodi wa Selete o swanetše go dira direkote ka moka tša go amana le sephetho goba diphetho go ya ka boipobolo bjo bo laeditšwego bjo bo lego gona go Moipobodi go hlahloba le go tliša khopi go Tona.

(9) Mokgathema wa boraro yo a amogelago boipobolo bjo bo laeditšwego karolwaneng ya (4) a ka tliša setatamente sa go fetola go Molaodi wa Selete le Moipobodi mo matšatšing a 30 a kamogelo ya boipobolo bja go hlalosa –

(a) bogolo le mohuta wa ditokelo tša gaqwe;

(b) ka fao poelo ya boipobolo e kago ama ditokelo tša gaqwe; le

(c) tshedimošo ye nngwe efe goba efe mabapi le mabaka a boipobolo ao a hlalositšwego ka gare ga boipobolo; le

(d) tsebiša Tona ka mokgwa wa go ngwala gore setatamente sa go fetola bjalo se faetšwe, gotee le bohlatse bja tirelo ya yona.

(10) Moipobodi morago ga go hlahloba rekote ya sephetho bjalo ka ge go laeditšwe ka karolwaneng ya (8) le ka morago ga go amogela ditšhišinyo tša go araba go tšwa go bakgathatema ba go amega ba ba laeditšwego karolwaneng ya (9), a ka

(a) tliša go Molaodi wa Selete, gotee le bohlatse bja tirelo tša mokgathatema/bakgathatema ba ba amega go, setatamente sa go araba mo matšatšing a 30 morago ga go fiwa setatamente sa go araba sa mokgathatema/bakgathatema ba go amega.

(b) go fa Tona tsebišo ka mokgwa wa go ngwalwa ya gore afidabiti ya go araba tlišitšwe, gotee le bohlatse bja tirelo ya yona.

(11) Moipobodi mo matšatšing a 10 o swanetše go faela ditatamente tša gaqwe tša karabo goba go fihla mafelelong a nako ga paka ye e laeditšwego karolwaneng ya (9), go di tliša go Tona le Molaodi wa Selete–

(a) tokomane ya boipobolo ya go ba le dikgomaretšo tše di nyakegang ka moka;

(b) ditokomane ka moka mabapi le sephetho/diphetho go ya ka boipobolo bjalo ka ge go laeditšwe karolwaneng ya (8);

(c) ditatamente ka moka tša go araba tša go amogelwa go tšwa go bakgathatema ba bangwe bakgathatema ba boraro bao ba kago anqwa ke pelo ya boipobolo, ge e le gona; le

(d) setatamente sa karabo ka Moipobodi ge e le gona.

(12) Ditsebišo ka moka tše di nyakegago di swanela go fiwa Tona go ya ka molawana wo e tla romelwa diatereseng tše di latelang:

(i) Aterese ya Poso:

Tona / Molaodipharephare

Kgoro ya Diminerale le Enetši

Mokotla wa Praebete X 59

Arcadia

0007

**GO: MOLAODIMOGOLO: DITIRELO TŠA MOLAO**

(ii) Domicilium citandi et executandi:

Kgoro ya Diminerale le Enetši

Lebato la 2, Poloko ya 2 B

Khamphase ya Trevenna

c/o Mekgotha ya Meintjes & Francis Baard

Sunnyside

**GO: MOLAODIMOGOLO: DITIRELO TŠA MOLAO**

(13) Tona o swanetše go, mo matšatšing a 90 a kamogelo ya tshedimošo ka moka ye e laeditšwego karolwaneng ya (10) a –

(a) tiišetše sephetho sa tshepedišo se se amegago;

(b) beele thoko tshepedišo se se amegago;

(c) fetole sephetho se se amegago :



(d) beye legatong sephetho se se amegago sa sephetho se sengwe sefe goba sefe sa tshepedišo; goba

(e) romele sephetho morago go bolaodi bjo bo kgethilwego go gopodišišwa gape.

(14) Tona o swanetše go, mo matšatšing a 14 morago ga sephetho sa boipobolo e dirilwe, tsebiša moipobodi, bakgathatema ba ba amegago le Molaodi wa Selete ka sephetho le mabaka a sona.

(15) ge boipobolo bo amogetšwe ke Tona bjo bo akaretšago ditaba ka bobedi tše di tlogo lamolwa go ya ka karolo ya 96(1) (a) le (b) ka tatelano,

(a) khopi ya boipobolo e swanetše go tlišwa morago ga kamogelo go Tona ya Merero ya Tikologo go šogana le boipobolo mabapi le ditaba tša tikologo go ya ka tshedipešo ye e laeditšwego karolong ya 96(1) (b).

(b) Tona ya Diminerale le Enetši le Tona ya Merero ya Tikologo ba tla beakanya go rungwa ga maipobolo a sammalettee go ya ka karolo ya 96(1) (a) le (b) ka tatelano tša go ama sephetho sa go swana sa tshepedišo.

(16) Melawana ye e ka se šome go maipobolo a go dirwa pele ga kamogelo ya yona.

### **75A Thomišo ya diphetogo**

Diphetogo go Melawana ya Tlhabollo ya Methopo ya Diminerale le Peteroleamo di tla thoma go šoma ka letšatšikgwedi la phatlalatšo ya kuranta ya mmušo gore di phethagatšwe.

## **DIFOMO TŠA 75B LE DITHEMPOLEITI**

### **5. NOMORO (XX)**

**TSEBIŠO GO YA KA KAROLO YA 51 YA MOLAO WA TLHABOLLO YA METHOPO YA DIMINERALE LE PETEROLIAMO, 2002.**

**Dipotšišo:**

**Mogala:**

**Imeili:**

**Aterese ya khamphani**

**Xxxxxx**

Xxxxxx

Mohlomphegi Tona.

**TSEBIŠO YA KAROLO YA 52 (1).**

Rena re saennwego ka mo fase,

Khamphani XXXX,

(nomoro ya ngwadišo XXXX )

(Nomoro ya tokelo ya moepo: ...MR)

(Mo ke emetšwe ke [REDACTED] maemong a gagwe bjalo ka Mohlankedimogolophethiši wa khamphani, o dumeletšwe ka tshwanelo ke sephetho sa Balaodi ba Khamphani).

Mo ke fa tsebišo go ya ka karolo ya 52(1) ya Molao wa Tlhabollo ya Methopo ya Diminerale le Peteroleamo, 2002 (Molao wa Nr. 28 wa 2002).

Re tiišetša gore re rerišane ka bophara le mokgatlo/mekgatlo ya bašomi ye e ngwadišitšego (XYX) le (TYU), bašomi bao ba amilwego le baemedi ba bona mabapi le kgonagalo ya phokotšo ya bogolo le phokotšo ya mešomo dikhamphaning tša rena go ya ka karolo ya 52 (2) bjalo ka ge go ka bonwa mo ditokomaneng tša thekgo tše di kgorameditšwego (***Dikgorametšo A go fihla go Z***).

Khamphani e dumela gore tshedimošo ka moka ye e filwego go thekga tsebišo ye ke nnete ebile e nepagetše.

Khamphani e amogela gore Tona a ka šomiša mabaka a karolo ya 52 (3) (c) 93, 47, 99 le mabaka a mangwe go kgonthišiša kobamelo ya dinyakwa tša yona.

Re letetše karabo/tlahlalo ya gago godimo ga taba ye mo nakong ye e beilwego.

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**Mosaeno wa Moemedi wa Khamphani.**

**Letšatšikgweni:**

**6. NOMORO XYZ**

**FOMO YA TSEBIŠO YA KAROLO YA 54**

**KGORO: DIMINERALE LE ENETŠI**  
**REPAPLIKI YA AFRIKA BORWA**

**FOMO YA TSEBIŠO**

[go ya ka karolo ya 54 ya Molao wa Tlhabollo ya Diminerale le Peteroleamo, 2002 (Molao wa Nr. 28 wa 2002)]

**KA TŠHOMIŠO YA KGORO**

**Nr. ya Tšhupetšo.....**

**Tefo ye e Beilwego. R**

**Kgopelo e amogetšwe ke.....**

**Leina ka Botlalo**

**Mosaeno wa mokgopedi**

**.....**

**DINTLHA TŠA MONGONGOREGI**

**LEINA:** \_\_\_\_\_

**SEFANE:** \_\_\_\_\_

**ATERESE:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MOGALA:** \_\_\_\_\_ **SELEFOUNU:** \_\_\_\_\_

**IMEILI:** \_\_\_\_\_

**LEBAKA (MABAKA) A THULANO:**

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**MOSAENO:****TŠATŠIKGWEDI:**

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## **ISIZULU TRANSLATION**

**ISAZISO SIKAHULUMENI**

**UMNYANGO WEZEMITHOMBO YAMAMINERALI NAMANDLA**

**NO: 2019**

**UMTHETHO WOKUTHUTHUKISWA KWEMITHOMBO YAMAMINERALI NOPHETHILOLI  
WONYAKA WE-2002, (UMTHETHO WAMA-28 WONYAKA WE-2002):**

### **UKUCHIBIYELWA KWEZIMISO**

UNgqongqoshe Wezemithombo Yamaminerali Namandla, ngaphansi kwesahluko se-107 soMthetho Wokuthuthukiswa Kwemithombo Yamaminerali Nophethiloli wonyaka we-2002, (uMthetho wama-28 wonyaka we-2002), ofundwa nemibandela yesahluko se-14 soMthetho Wezokuhunyushwa wonyaka we-1957 (uMthetho wama-33 wonyaka we-1957) wenza izimiso ezikuSheduli.

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### **ISHEDULI**

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### **UKUMA**

### **ISIQEPHU SOKU-1**

Isihloko esifushane

## 4. Izincazelo

**ISIQHEPHU SESI-2****IZIMISO ZAMAMINERALI NOPHETHILOLI , ZASENHLALWENI NEZEMVELO****INGXENYE I: ISIMISO SAMAMINERALI NOPHETHILOLI**

6. Ukuxoxisana nabantu abanentshisekelo nabathintekile

**INGXENYE II: UHLELO LWASENHLALWENI NOLWABASEBENZI**

41. Izinhloso zoHlelo Lwasenhlalweni Nolwabasebenzi

42. Ukufakwa koHlelo Lwasenhlalweni Nolwabasebenzi

43. Ukusebenziseka koHlelo Lwasenhlalweni Nolwabasebenzi

44. Ukuchibiyelwa koHlelo Lwasenhlalweni Nolwabasebenzi

45. Ukubika koHlelo Lwasenhlalweni Nolwabasebenzi

46. Okuqukethwe wuHlelo Lwasenhlalweni Nolwabasebenzi

46A. Ukushicilelwa koHlelo Lwasenhlalweni Nolwabasebenzi46B. Ukubukezwa koHlelo Lwasenhlalweni Nolwabasebenzi46C. Ukubambisana ngoHlelo Lwasenhlalweni Nolwabasebenzi**INGXENYE III: IZIMISO ZEMVELO ZOKUTHUTHUKISWA KWAMAMINERALI,  
ZOKUFUNWA NOKUKHIQIZWA KUKAPHETHILOLI**

47. ISimiso sichithiwe

48. ISimiso sichithiwe

49. ISimiso sichithiwe

50. ISimiso sichithiwe

51. ISimiso sichithiwe

52. ISimiso sichithiwe

53. ISimiso sichithiwe

54. ISimiso sichithiwe

55. ISimiso sichithiwe
56. Imigomo yokuvalwa kwemayini (Igciniwe)
57. Isicelo sokuvalwa kwemayini (Sigciniwe)
58. ISimiso sichithiwe
59. ISimiso sichithiwe
60. ISimiso sichithiwe
61. Izinhloso zokuvalwa (Zigciniwe)
62. Okuqukethwe uhlelo lokuvalwa (Kugciniwe)

**INGXENYE IV: ISIMISO SOKULAWULA UKUNUKUBEZWA KWEMVELO NOKUPHATHWA  
KWEMFUCUZA**

63. ISimiso sichithiwe
64. ISimiso sichithiwe
65. ISimiso sichithiwe
66. ISimiso sichithiwe
67. ISimiso sichithiwe
68. ISimiso sichithiwe
69. ISimiso sichithiwe
70. ISimiso sichithiwe
71. ISimiso sichithiwe
72. ISimiso sichithiwe
73. ISimiso sichithiwe

**INGXENYE V: IZIMISO NGOKUBONAKALA KWENZUZO KANYE NOKUNQANDWA  
KOKUSEBENZA KWEZIMAYINI EZINOMTHELELA EKUQASHWENI  
KWABASEBENZI**

- 73A. ISaziso ngokubonakala kwenzuzo kanye nokunqandwa kokusebenza kwezimayini

**INGXENYE VI: ISIMISO NGOKUFAKWA KWESICELO SOKUSETSHENZISWA KOMHLABA  
NGOKUPHIKISANA NEZINHLOSO ZOMTHETHO**

73B. Isicelo sokusetshenziswa komhlaba ngokuphikisana nezinhloso zoMthetho

**INGXENYE VII: ISIMISO SESIBONELELO ESIKHOKHWA NGAPHANSI KWEZIMO EZITHILE  
NGOKWESAHLUKO SAMA-54 SOMTHETHO**

73C. Isibonelelo Esikhokhwa Ngaphansi Kwezimo Ezithile.

**ISIQHEPHU SESI-3**

**UKUKHALAZA**

74. Ukukhalaza ngezinqumo zokuphatha

75A. Ukuqala Kwezichibiyelo

75B. Amafomu Namathempulethi

**ISIQHEPHU SOKU-1**

**ISIHLOKO ESIFUSHANE**

Lezi Zimiso zizobizwa ngokuthi iZimiso Ezichitshiyelwe Zokuthuthukiswa Kwemithombo Yamaminerali Nophethiloli zonyaka we-2019

**IZINCAZELO**

**Isichibiyelo sesimiso soku-1**

Isimiso soku-1 sezimiso sichitshiyelwe

(j) *ngokucishwa kwezincazelo ezilandelayo-*

**["uhlolo lomthethelela emvelweni" lusho uhlolo njengoba lulindelwe kusahluko sama-39(1) soMthetho;]**

(k) *ngokufakwa esikhundleni sencazelo "yabantu abanentshisekelo nabathintekile" kufakwe incazelo elandelayo-*

"Abantu abanentshisekelo nabathintekayo" basho umuntu wemvelo noma ngokomthetho noma inhlango yabantu abanentshisekelo ngokuqondile ekusebenzeni okuhlongozwayo noma osekuvele kukhona noma abangathinteka ekusebenzeni okuhlongozwayo noma okukhona. Lokhu kubandakanya, kodwa kungapheleli; -

(xxxi) Imiphakathi Yaley Ndawo

- (xxxii) Abaninimhlaba (Abanikazi Bendabuko Nabanamatayitela Omhlaba)
- (xxxiii) Isiphathimandla Sendabuko
- (xxxiv) Abafakizicelo Zomhlaba
- (xxxv) Umhlali ohlala emhlabeni ngokusemthethweni
- (xxxvi) Abaphethe amalungelo angavikelwe ngokomthetho
- (xxxvii) UMnyango Wezolimo, Izinguquko Zomhlaba Nokuthuthukiswa Kwezindawo Zasemaphandleni.
- (xxxviii) Nanoma yimuphi omunye umuntu (kubandakanya ezindaweni ezisondelene nezingasondelani) ozimo zazo zomnotho nenhlalo zingathintwa ngokuqondile wukufunwa kwamamirali okuhlongozwayo noma ukusebenza kwemayini
- (xxxix) UMasipala Wendawo
- (xl) IMinyango Kahulumeni efanele, ama-emajenti nezikhungo ezibheke izinto ezahlukahlukene zemvelo kanye nezingqalasizinda ezingahle zithintwe yiphrojekthi ehlongozwayo.

(l) *ngokwengeza izincazelo ezilandelayo-*

“Indawo ethumela abasebenzi” isho izindawo lapho iningi labasebenzi bemayini litholwe khona ngokomlando futhi namanje;

“Ukubonisana okunenjongo” kusho ukuthi umfakizicelo, ngenhloso enhle uxoxisene nomninimhlaba, nomhlali osemthethweni noma nonentshisekelo noma nengxenywe ethintekayo maqondana nomhlaba kuye ngesicelo mayelana nomthelela wokufunwa kwamamirali noma ukusebenza kwemayini okuzoba nelungelo lakhe lokusebenzisa umhlaba ngokunikeza lonke ulwazi oluphathelele nokusebenza okuhlongozwayo ukwenzela izingxenywe ukuba zithathe isingqumo esinolwazi mayelana nomthelela wokusebenza okuhlongozwayo.

“Ihhovisi Lesifunda” likhuluma ngamahhovisi aqokwe nguNgqongqoshe ngokwesahluko sesi-7 soMthetho futhi aphethwe ngaBaphathi Besifunda abaqokwe nguMqondisi-Jikelele ngokwesahluko sesi-8.

“Izinhlaka ezifanele” zisho umasipala wendawo, umasipala wesifunda kanye nomasipala wedolobhakazi njengoba kuchazwe nguHulumeni Wasekhaya: uMthetho Wezakhiwo Zomasipala wonyaka we-1998 (uMthetho we-117 wonyaka we-1998).

## ISIQHEPHU SESI-2



**ISIMISO SAMAMINERALI NOPHETHILOLI , SASENHLALWENI NEZEMVELO****INGXENYE I: ISIMISO SAMAMINERALI NOPHETHILOLI*****Ukuxoxisana nabantu abanentshisekelo nabathintekile*****Isichibiyelo sesimiso sesi-3 seZimiso**

3. *Isimiso sesi-3 seZimiso lapha siyachitshiyelwa-*

*(a) ngokufakwa kwamagama kusimiswana sesi-(2) njengoba kulandela;*

(2) Isaziso okukhulunywa ngaso kusimiswana soku-(1) sifanele sifakwe ebhodini lezaziso ehhovisi loMphathi Wesifunda noma le-ejensi eqokiwe, njengoba kunokwenzeka, ukuze sifinyeleleke emphakathini noma kuwebhusayithi yoMnyango noma kwi-ejensi ekhethiwe.

*(b) ukufakwa kwesimiso sesi-3(3) sesigaba (d) ngale ndlela:*

(a) Ngokushicilelwa kwiGazethi esetshenziswayo Yesifundazwe;

(b) ngokufaka isaziso esiseNkantolo Kamantshi esifundeni semantshi esisebenza kulowo mhlaba okukhulunywa ngawo; **[noma]**

(c) Ngokukhangisa ephephandabeni lendawo noma likazwelonke elijikeleza endaweni lapho kutholakala khona umhlaba noma indawo ephesheya isicelo esimayela nayo; noma

(d) ngokufaka isaziso emahholo omphakathi, emahhovisi kamasipala, noma emahhovisi endabuko ngesiNgisi nangolunye ulimi olusemthethweni olusetshenziswa kakhulu endaweni efanele.

*(c) ngokufakwa ngemuva kwesimiso sesimiswana sesi-(5) ngale ndlela elandelayo:*

(5) UMphathi Wesifunda uzothola futhi agcine isiqinisekiso sokubekwa endaweni kwesaziso esivela;

(a) kwiGazethi Yesifundazwe efanele, uma lesa saziso sakhishwa ngokwesimiso sesi-3(3)(a);

(b) Kunobhala Wenkantolo noma ezithombeni ezithathwe isikhulu esiphethe, uma lesa saziso sakhangiswa ngokwesimiso sesi-3(3)(b);

(c) ephephandabeni lendawo noma likazwelonke, uma lesa saziso sakhangiswa ngokwesimiso sesi-3(3)(c); futhi

(d) ezithombeni zesaziso esithathwe yisikhulu esiphethe, uma ngabe lesa saziso sifakwe ngokwesimiso sesi-3(3)(d).

*(d) ekungezweni kwesimiso sesi-3A nesesi-3B ngendlela elandelayo:*

**Yesibopho sokubonisana engxenyeni yomfakisicelo.**

3A. Ukubonisana nabaninimhlaba, abahlali ngokusemthethweni nabanentshisekelo nabantu abathintekayo abalindelwe esahlukweni se-16(4)(b), sama-22(4)(b), sama-27(5 (a) kuzokwenziwa ngokulandela inqubo yokubamba iqhaza komphakathi ebekwe esiQeshini sesi-6 seZimiso Zohlolo Lomthelela Emvelweni zonyaka we-2014, isiMiso sama-39, sama-40, sama-41, sama-42, sama-43 nesama-44 ngokulandelana.

**Ngesaziso ngumnikazi welungelo/wemvume ngaphambi kokuqala kokusebenza**

3B. Umnikazi wemvume yokusebenza, imvume yokusebenza, imvume yemayini, ilungelo lokufuna amaminerali, ilungelo lokuhlola, ilungelo lokumayina nelungelo lokukhiqiza lifanele linikeze umninimhlaba noma umhlali osemthethweni kanye noMphathi Wesifunda isaziso esibhalwe phansi okungenani izinsuku ezingama-21 simazisa ngenhloso yakhe yokuqala ukusebenza.

(2) Isaziso sifanele:

- (p) sibhalwe phansi;
- (q) sisho usuku nesikhathi sokungena emhlabeni okukhulunywa ngawo;
- (r) siphelekezelwe ngamakhophi aqinisekisiwe elungelo noma emvume, njengoba kunokwenzeka; kanye
- (s) Namakhophi aqinisekisiwe okugunyazwa kwemvelo kanye nanoma yikuphi ukugunyazwa okufanele.
- (t) Umnikazi okukhulunywa ngaye kusimiswana soku-(1) ufanele alethe ubufakazi besaziso sokusebenza ehhovisi loMphathi Wesifunda esihlobene nalelo lungelo.

**INGXENYE II: UHLELO LWASENHLALWENI NOLWABASEBENZI**

**Isichibiyelo sesimiso sama-41**

*Isimiso sama-1 siyachitchiyelwa*

*(a) ngokufakwa kwamagama esigabeni (c) njengoba kulandela;*

(c) ukuqinisekisa ukuthi abanikazi bamalungelo okumayina banegalelo entuthukweni yenhlalo nomnotho wezindawo lapho besebenza khona futhi eziyizindawo ezithumela abasebenzi.

### **Isichibiyelo sesimiso sama-42**

*Isimiso sama-42 lapha siyachitshiyelwa*

(a) ngokufakwa kwamagama kusimiswana sesi-(2) (b) njengoba kulandela;

(b) UMphathi Wesifunda angabuyisela uhlelo laseNhlahlweni noma Lwabasebenzi emuva kumfakisicelo aphakamise ukuba kwenziwe izichibiyelo futhi uhlelo olubuyekeziwe laseNhlahlweni Nolwabasebenzi lufanele lufakwe futhi kungakapheli isikhathi esichazwe nguMphathi Wesifunda esingaba isikhathi esingedluli izinsuku ezingama-30.

(b) ngokungeza kusimiswana sesi-(3) nesesi-(4) ngendlela elandelayo:

(3) UMfakisicelo kungakapheli izinsuku ezingama-180 kusukela ngosuku lokuthola isaziso sokwamukelwa kwesicelo sakhe selungelo lokumayina esivela kuMphathi Wesifunda, angabonisa nemiphakathi kanye nezinhlaka ezifanele ngokuqukethwe uhlelo laseNhlahlweni Nolwabasebenzi ukuze kuqinisekise ukuthi lubhekela izidingo ezifanele zemiphakathi enjengalena futhi luhambisana neZinhlelo Ezimbandakanyayo Zentuthuko zakamuva zelezo zinhlaka.

(4) Ingubo yokubonisana ngokuqukethwe nguHlelo Lwasenhlahlweni nolwabasebenzi izoqhutshwa ngokwenqubo yokubamba iqhaza komphakathi emisiwe kusiQephu sesi-6 seZimiso Zohlolo Lomthelela Emvelweni zonyaka we-2014, isiMiso sama-39, sama-40, sama-41, sama-42, sama-43 nesama-44 ngokulandelana.

### **Isichibiyelo sesimiso sama-43**

*Isimiso sama-43 lapha siyachitshiyelwa*

(a) ngokukhishwa kufakwe esikhundleni saso isimiso esilandelayo;

43. **[A] UHlelo Lasenhlahlweni Nolwabasebenzi olamukelwe [olufakwe kuMphathi Wesifunda] lusebenza kuze kube isitifiketi sokuvala sikhishiwe ngokwesahluko sama-43 soMthetho.**

### **Isichibiyelo sesimiso sama-44**

*Isimiso sama-44 lapha siyachitshiyelwa*

(d) Ngokukhishwa kufakwe esikhundleni saso isimiso esilandelayo;

50. **[A] UHlelo Lasenhlahlweni Nolwabasebenzi olamukelwe lungeke lachitshiyelwa noma lenziwa lehluka ngaphandle kwemvume kaNgqongqoshe ngokwesahluko se-102**

**soMthetho. [ngemuva kokunikeza ilungelo lokumayina elimayelana nohlelo lwasenhlalweni nolwabasebenzi]**

**Isichibiyelo sesimiso sama-45**

*Isimiso sama-45 lapha siyachitshiyelwa*

(d) *ngokufakwa kwamagama kusimiswana njengoba kulandela;*

51. Umnikazi welungelo lokumayina ufanele alethe kuMphathi Wesifunda ofanele umbiko ngokuhlonishwa kohlelo lwasenhlalweni nolwabasebenzi olwamukelwe.

**Isichibiyelo sesimiso sama-46**

*Isimiso sama-46 lapha siyachitshiyelwa*

(a) *ngokucishwa kwamagama kusimiswana sesi-(b) (V) njengoba kulandela;*

(v) Izibalo ngokulingana kokuqashwa zifanele zigcwaliswe efomini S eliqukethwe kusiXhumelo II. [futhi uhlelo lwemayini lufanele lufeze ukubamba iqhaza kwabesimame kwama-10% ekumayineni kanya nokubamba iqhaza kwama-40% kwaBantu baseNingizimu Afrika Abashiyeke Ngaphandle Ngokomlando (i-HDSA) Jekuphatheni kungakapheli iminyaka emi-5 yokunikezwa kwelungelo noma yokuguqulwa kwelungelo elidala.]

**Ukungezwa kweSimiso sama-46A, sama-46B nesama-46C**

*Lezi Zimiso lapha ziyachitshiyelwa*

(g) *ngokungezwa kwesimiso sama-46A, sama-46B nesama-46C ngale ndlela elandelayo:*

46A Ukushicilelwa koHlelo Lwasenhlalweni Nolwabasebenzi

(j) Ilungelo lokumayina lifanele lishicilele uHlelo Lwasenhlalweni Nolwabasebenzi olwamukelwe ngesiNgisi nangolunye ulimi olusemthethweni olusetshenziswa kakhulu umphakathi wesemayini.

(k) Umsebenzi wokushicilela lolu lwazi njengoba uchaziwe lapha ulele ezandleni zomnikazi welungelo lokumayina.

(l) I-SLP okuboniswa ngayo futhi yamukelwa ifanele ishicilelwe kungakapheli izinsuku ezingama-30 zokwamukelwa kusetshenziswa izindlela ezilandelayo:

(x) Iwebhusayithi yenkampani, kumaphephandaba endawo;

(xi) Ngamakhophi ephepha oHlelo Lwasenhlalweni Nolwabasebenzi olwamukelwe azobekwa emitatshweni-mabhuku, emahhovisi kamasipala, emahhovisi eziphathimandla zendabuko, emahhovisi enkampani/emayini; futhi

(xii) Izimemezelo zingenziwa, lapho kukhoneka, eziteshini zemisakazo zendawo kanye nakwizizinda zezindaba ngobukhona nokuqukethwe uHlelo Lwasenhlalweni Nolwabasebenzi.

46B. Ukubukezwa koHlelo Lwasenhlalweni Nolwabasebenzi

(a) UHlelo Lwasenhlalweni Nolwabasebenzi olufakwe kuMphathi Wesifunda futhi lamukelwa nguNgqongqoshe ekunikezeni ilungelo lifanele libukezwe njalo ngemuva kweminyaka emihlanu kusukela ngosuku lokwamukela. Uma kubukezwa uHlelo Lwasenhlalweni Nolwabasebenzi, uNgqongqoshe ufanele abheke:

(i) izinga abanikazi abahlonipha ngalo uHlelo Lwasenhlalweni Nolwabasebenzi.

(ii) ukuhlolwa kwemibiko yonyaka efakwe ngokwesimiswana sesi-6.5.

imiqondo, imibono nemibiko evela emphakathini ethintekayo kanye nakuzinhlaka ezifanele.

(iv) Isimo sokuguquka kwezidingo ezifanele zemiphakathi ethintekayo njengaku-IDP yezinhlaka ezifanele.

(h) Inqubo yokubuyezwa ingaqalwa kusukela ngonyaka wesine we-SLP futhi izokwenziwa ngokubonisana nemiphakathi ethintekayo, imiphakathi esondelene nayo, izindawo ezithumela abasebenzi, umasipala wendawo noma wesifunda.

46C Ukubambisana ngoHlelo Lwasenhlalweni Nolwabasebenzi

(g) Ukubambisana ngamaprojekthi e-SLP emukelwe kufanele kube sobala, kubandakanye futhi kusekelwe ekubonisaneni kwabo bonke ababambe iqhaza.

(h) Ukuchitshiyelwa koHlelo Lwasenhlalweni Nolwabasebenzi ngokuvumelana nokubambisana kuzokwenziwa ngokwesiMiso sama-44 soMthetho.

**INGXENYE III: IZIMISO ZEMVELO ZOKUTHUTHUKISWA KWAMAMINERALI,  
ZOKUFUNWA NOKUKHIQIZWA KUKAPHETHILOLI**

47. IsiMiso sama-47 lapha siyachithwa.

48. IsiMiso sama-48 lapha siyachithwa.

49. IsiMiso sama-49 lapha siyachithwa.

50. IsiMiso sama-50 lapha siyachithwa.

51. IsiMiso sama-51 lapha siyachithwa.
52. IsiMiso sama-52 lapha siyachithwa.
53. IsiMiso sama-53 lapha siyachithwa.
54. IsiMiso sama-54 lapha siyachithwa.
55. IsiMiso sama-55 lapha siyachithwa.
56. Imigomo yokuvalwa kwemayini (Igciniwe).
57. Isicelo sokuvalwa kwemayini (Sigciniwe)
58. IsiMiso sama-58 lapha siyachithwa.
59. IsiMiso sama-59 lapha siyachithwa.
60. IsiMiso sama-60 lapha siyachithwa.
61. Izinhloso zokuvalwa (zigciniwe).
62. Okuqukethwe uhlelo lokuvalwa (Kugciniwe).

#### **INGXENYE IV: ISIMISO SOKULAWULA UKUNUKUBEZWA KWEMVELO NOKUPHATHWA KWEMFUCUZA**

63. IsiMiso sama-463 lapha siyachithwa.
64. IsiMiso sama-64 lapha siyachithwa.
65. IsiMiso sama-65 lapha siyachithwa.
66. IsiMiso sama-66 lapha siyachithwa.
67. IsiMiso sama-67 lapha siyachithwa.
68. IsiMiso sama-68 lapha siyachithwa.
69. IsiMiso sama-69 lapha siyachithwa.
70. IsiMiso sama-78 lapha siyachithwa.
71. IsiMiso sama-71 lapha siyachithwa.
72. IsiMiso sama-72 lapha siyachithwa.
73. IsiMiso sama-73 lapha siyachithwa.

**INGXENYE V: IZIMISO NGOKUBONAKALA KWENZUZO KANYE NOKUNQANDWA  
KOKUSEBENZA KWEZIMAYINI EZINOMTHELELA EKUQASHWENI  
KWABASEBENZI**

Lezi Zimiso lapha ziyachitshiyelwa

(d) *Ngokufakwa, ngemuva kwesimiso sama-73 kwesimiso sama-73A ngale ndlela elandelayo:*

73A. ISaziso ngokubonakala kwenzuzo kanye nokunqandwa kokusebenza kwezimayini

73A (1) Umnikazi welungelo lokumayina ufanele ahambise isaziso esilindelwe kwisahluko sama-52(1) somthetho kuNgqongqoshe.

- (p) Kungakapheli izinsuku eziyi-7 kusukela ngosuku olulandela ukubonisana ne(zi)nyunyana e(zi)bhalisile, nabasebenzi abathintekayo noma abahlomulayo abaphakanyisiwe yibo, kuphethiwe.
- (q) Ekuthumeleni isaziso, umnikazi welungelo lokumayina ufanele asebenzise ithempulethi yesaziso esisemfanekisweni we-(XX) wale Zimiso.
- (r) Isaziso sifanele sibe neminingwane yokubonisana kwaphambilini ne(zi)nyunyana e(zi)bhalisile, nabasebenzi abathintekayo noma ababamele abaphakanyisiwe yibo njengoba kulindelwe esahlukweni sama-52 (1) soMthetho.
- (s) Imininingwane yokubonisana kwaphambilini ifanele ifake izinsuku, izikhathi, amarejista abakhona, amaminithi, ukucatshangelwa, iziphakamiso, izinqumo, izivumelwano, izincomo, imibiko kanye namarekhodi aphantsi nokubonisana okwabanjwa nezinyunyana zabasebenzi ezibhalisiwe, abasebenzi abathintekayo noma ababamele abaphakanyisiwe yibo ngaphambi kokuba isaziso sithunyelwe kuNgqongqoshe.
- (t) Isaziso sifanele siphelkezelwe imibhalo nolwazi olulandelayo olusekelayo
  - (xlix) Imibiko yokufaneleka kwabantu;
  - (l) Umbiko wokuzinikela okufanele;
  - (li) Ezinye izindlela ezicatshangi (uma zingabhekangwa kumaminithi esithangami esikhathini esizayo);
  - (lii) Imihlangano namaminithi esithangami esizayo (uma bekungakaze kuhanjisiwe);
  - (liii) Izinyathelo zokugwema;
  - (liv) Amarekhodi esahluko se-189 kanye noma isimo sokubonisana;
  - (lv) Izitatimende zezimali ezenziwe ucwaningomabhuku;
  - (lvi) Uhlu neminingwane yazo zonke izikhundla ezithintekayo kwinqubo yokudilizwa kwabasebenzi;
  - (lvii) Umbiko ngenqubekela phambili yoHlelo Lwasenhlalweni Nolwabasebenzi

- (lviii) Ukwaziswa ngezibophezelo maqondana nokugunyazwa kwezemvelo komnikazi;
- (lix) Ukulethwa kombiko Wonyaka Wohlelo Lwasenhlalweni Nolwabasebenzi
- (lx) Umbiko wonyaka ngezethulo zikaSomqulu Wokumayina;
- (lxi) Izivumelwano zokudilizwa kwabasebenzi;
- (lxii) Uhlu olulandayo losonkontileka abasebenza endaweni enelungelo lokumayina;
- (lxiii) Isakhiwo senkampani kubandakanya ubunikazi; futhi
- (lxiv) Ukuxhumana nabasebenzi.

73A (2) Isaziso esidingekayo ukuze silethwe kuNgqongqoshe ngokwalesi simiso sizothunyelwa kula makheli alandelayo:

(a) Ikheli laseposini:

UNgqongqoshe/uMqondisi-Jikelele

UMnyango Wezemithombo Yamaminerali Namandla

Private Bag X 59

Arcadia

0007

**SIBHEKISWE KU- : MQONDISI OMKHULU: KUZINSIZO ZOMTHETHO**

(b) Ikheli eliphakanyiswe ngokomthetho lapho kungathunyelwa khona izaziso zomthetho:

UMnyango Wezemithombo Yamaminerali Namandla

2<sup>nd</sup> Floor, Block 2 B

Trevenna Campus

c/o Meintjes & Francis Baard Streets

Sunnyside

**SIBHEKISWE KU- : MQONDISI OMKHULU: KUZINSIZO ZOMTHETHO**

73A (3) UNgqongqoshe ufanele, kungakapheli izinsuku eziyi-7 athole lesi saziso kanye nalo lonke ulwazi olulindelwe esimiswaneni soku-(1), adlulisele lolu daba kwiBhodi Lokuthuthukiswa Kwezezimayini Namaminerali ukuze sicutshungulwe futhi kwenziwe nezincomo.



73A (4) IBhodi Lokuthuthukiswa Kwezezimayini Namaminerali lifanele, njengoba kulindelwe esahlukweni sama-52 (2) lixhumane nomnikazi ofanele welungelo lokumayina, liphenye futhi lenze izincomo kuNggongqoshe kungakapheli izinsuku ezingama-60 zokusidlulisela kuNggongqoshe.

**INGXENYE VI: ISIMISO NGOKUFAKWA KWESICELO SOKUSETSHENZISWA KOMHLABA NGOKUPHIKISANA NEZINHLOSO ZOMTHETHO**

Lezi Zimiso lapha ziyachitshiyelwa

*(d) Ngokufakwa, ngemuva kwesimiso sama-73 sesimiso sama-73B ngale ndlela elandelayo:*

73B Umfakisicelo ofaka isicelo sokwamukelwa nguNggongqoshe ukuba asebenzise ingaphezulu lomhlaba ngendlela engahle ingahambisani nezinhloso zoMthetho, noma engahle ithikameze noma iyiphi inhloso enjengalena ufanele alethe isicelo sokwamukelwa kuMphathi Wesifunda ofanele, lapho leso sicelo sifanele sinikeze imininingwane ethile ngohlobo oludingwa yilesi simiso ngendlela elandelayo.

**7. IMINININGWANE YESICELO**

**UMphathi Wesifunda**

<b><u>ISIFUNDA</u></b>	
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**IMINININGWANE YOKUXHUMANA YOMFAKISICELO**

<b><u>IGAMA LOMFAKISICELO</u></b>	
<b><u>IKHELI LEPOSI</u></b>	
<b><u>INOMBOLO YOCINGO:</u></b>	
<b><u>IFEKSI</u></b>	
<b><u>IKHELI LE-IMEYILI:</u></b>	

**13.1 Uhlobo lwesicelo:**

**(Faka uphawu u-X ohlotsheni lokwamukelwa olufakelwa isicelo)**

<u>Ukusungulwa kwelokishi</u>	
<u>Ukuhlelwa kabusha kwelokishi</u>	
<u>Ukumenyenzelwa kwesiqiwi semvelo</u>	
<u>Ukwakhiwa komgwaqo noma kukajantshi wesitimela</u>	
<u>Ukubhaliswa kwemingenela</u>	
<u>Okunye ukusetshenziswa komhlaba okungekhona okwezolimo</u>	

**14 Incazelo yokusetshenziswa komhlaba okuhlongozwayo maqondana nesicelo esenziwayo**

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**14.1 Ukusetshenziswa komhlaba okuhlongozwayo**

(Nikeza incazelo elandayo yokusetshenziswa komhlaba okuhlongozwayo

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**14.2 Indawo yokusetshenziswa komhlaba okuhlongozwayo**

(Nikeza uhlelo oludwetshiwe esikalini esifanele sendawo efakelwa isicelo, lelo hlelo lufanele lifake amakhodinethi ngokuhambisana ne-WGS 84; uhlelo lwe-Hartbeeshoek, amakhodinethi egridi ngamanani, indawo esenyakatho, isikali, uhlelo lwendawo esikalini sika-1: 50 000 negama lomasipala wendawo)

**14.3 Ukusetshenziswa kwamanje komhlaba osendaweni eseduzane**

(Nikeza incazelo yohlelo nohlelo olukhombisisa ukusetshenziswa kwamanje komhlaba endaweni eseduzane)

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**14.4 Ukugqugquzela ukusetshenziswa komhlaba okuhlongozwayo**

(Nikeza izizathu zokusetshenziswa komhlaba okuhlongozwayo, lokho kusekela kufanele kufake imininingwane ngokufaneleka kwakho ohlakeni lokuthuthukiswa kwendawo lukamasipala wendawo, nolwazi olumayelayena nendawo kanye nemibhalo yemininingwane yendawo, futhi ziqinisekise ukuthi le mibhalo ifakiwe njengezengezo)

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### 15 Ukuqinisekiswa kwemininingwane ethunyelwe

(Imininingwane elandelayo ifanele ihanjisiwe ngendlela kagesi nesicelo)

<u>ULWAZI OLUHANJISIWE</u>	<u>Faka uphawu u-X lapho lusebenza khona</u>	
	<u>YEBO</u>	<u>CHA</u>
<u>Ikhophi esayiniwe yesinqumo somfakisisicelo, egunyaza umuntu ogama lakhe nenombolo kamazisi wakhe kushiwo esigabeni sesi-5 ngezansi ukuba afake isicelo sakhe ngendlela kagesi esifaka egameni lomfakisisicelo.</u>		
<u>Umbhalo wolwazi oluchazayo</u>		
<u>Ipulani yendawo efakelwa isicelo</u>		
<u>Ikhophi yetayitela elisetshenziswayo</u>		
<u>Ikhophi yohlaka olwamukelwe lokuthuthukiswa kwendawo evela kuMasipala ofanele</u>		
<u>Umbiko ngokubonisana nabanentshisekelo kanye nabathintekayo embonini yezimayini</u>		
<u>Umbiko ngokubonisana noMkhandlu Wesayensi Yezwe maqondana nokungaba khona kwamaminerali emhlabeni okukhunywa ngawo, kanye nokungaba khona kwamatshe eedolomaythi lapho.</u>		
<u>Ifolda ye-elekhtronikhi yamakhophi emibono nokukhathazeka okuphawulwe amaqembu anentshisekelo ngokufunwa kwamaminerali noma nokumayina endaweni nasendaweni eziyizungezile.</u>		
<u>Uhlolo lomthelela wezemvelo</u>		

<u>Ibalazwe lamatshe endaweni efakelwa isicelo</u>		
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### 15.1 Ukuphawulwa kwemidanti yamatshe endaweni

(Sicela uye kobheka ukubukwa kwendawo koMinyango ohlelweni lokufaka izicelo ku-inthanethi bese unikeza imininingwane elandelayo)

<b>INTSHISEKELO YOKUMAYINA NOKUFUNA AMAMINERALI NEMIDANTI YOKUMA KOMHLABA</b>	<b>Faka uphawu u-X lapho lusebenza khona</b>	
	<b><u>YEBO</u></b>	<b><u>CHA</u></b>
<u>Ingabe abanikazi bamalungelo okufuna amaminali, okumayina, okuhlola noma okukhiqiza bangaphakathi kwamakhilomitha ayi-2 endawo ephawuliwe efakelwe isicelo?</u>		
<u>Ingabe abanikazi bamalungelo ashiwo phambilini kuboniswa nabo?</u>		
<u>Ingabe umhlaba othintekayo uhleli phezu kwamatshe edolomaythi?</u>		
<u>Ingabe nanoma ibaphi abanikazi bamalungelo okufuna amaminali noma okumayina bakuphikisile yini ukuthuthukiswa komhlaba okuhlongozwayo ngokungahambelani kwakho nezinhliso zabo?</u>		

#### 15.1.1 Ukuchazwa kokuma komhlaba

(Nikeza incazelo yokuma komhlaba endaweni efakelwa isicelo, kanye neyendawo ezungezile, esekelwe ibalazwe lokuma komhlaba. Ibalazwe lokuma komhlaba lifanele lifakwe njengesengezo)

#### 15.1.2 Izingxoxiswano mayelana nokufunwa kwamaminali nentshisekelo yokuhlola endaweni

##### 15.1.2.1 Gcwalisa ngolwazi oludingekayo ngezansi

<b>INTSHISEKELO YOKUFUNA AMAMINERALI</b>	<b>Faka uphawu u-X lapho lusebenza khona</b>		
	<b><u>YEBO</u></b>	<b><u>CHA</u></b>	<b><u>N/A</u></b>

<u>Ingabe akhona amalungelo okufuna amaminerali noma okuhlola aphethwe ngomhlaba othintekayo noma ngaphakathi kwamakhilomitha ama-2 awo?</u>			
<u>Ingabe zikhona izicelo zamalungelo zokufuna amaminerali ngaphakathi kwamakhilomitha amabili omhlaba othintekayo?</u>			
<u>Ingabe izingxenye ezinetshisekelo nezithintekayo eziphawulwe ngenhla kuboniswane nazo?</u>			
<u>Ingabe izingxenye ezinentshisekelo nezithintekayo ziceliwe ukuba ziphawule ngamathuba okuthi abahlali entuthukweni ehlongozwayo esikhathini esizayo bangahle baphikise ezikwenzayo ukufuna amaminerali noma ukumayina esikhathini esizayo?</u>			
<u>Ingabe izingxenye ezithintekayo ziceliwe ukuba zikhombise ukuthi ukusebenza okwenzeka njengamanje, kubandakanya izibopho zazo zokuphathwa kwezemvelo, kuzothinteka kanjani ngokuthuthukiswa komhlaba okuhlongozwayo?</u>			
<u>Ingabe amagembu anentshisekelo nabathintekile abashiwo ngenhla babuziwe ukuba basho ukuthi ukusebenza kwezimayini esikhathini esizayo kuzoba namthelela muni ekuthuthukisweni komhlaba okuhlongozwayo?</u>			
<u>Yimaphi amaminerali afunwayo emhlabeni othintekayo?</u>			
<u>Yimaphi amaminerali atholakalayo kumakhilomitha ama-2 endawo efakelwe isicelo?</u>			

#### 15.1.2.2 Gcwalisa ngolwazi oludingekayo ngezansi

<b><u>CHAZA NGEZANSI UKUTHI UKUSETSHENZISWA KOMHLABA OKUHLONGOZWAYO KUZOKUTHINTA KANJANI UKUSEBENZA KOKUFUNWA KWAMAMNIRALI OKWENZEKAYO NJENGAMANJE</u></b>

**CHAZA NGEZANSI UKUTHI UKUSETSHENZISWA KOMHLABA OKUHLONGOZWAYO KUZOKUTHINTA KANJANI UKUMAYINA OKUNGAKHONA ESIKHATHINI ESIZAYO EMHLABENI NASEZINDAWENI EZIZUNGEZILE**

**NIKEZA UKUFINGQWA NGEZANSI KOKUTHI ABANIKAZI BAMALUNGELO OKUFUNA AMAMINERALI ENDAWENI BACHAZE KANJANI INDLELA INTSHISEKELO YABO EZOTHINTWA NGAYO ESIKHATHINI ESIZAYO INTUTHUKO EHLONGOZWAYO, KUBANDAKANYA IZIHIBE EKUFUNWENI KWAMAMINERALI NOMA ZOKUMAYINA EZIBONAKALAYO, IMITHELELA EZIBOPHENI ZABO ZEZEMVELO, KANYE NOKUPHIKISA OKUNGAHLE KUBE KHONA EMISEBENZINI YABO OKUVELA KUBAHLALI ESIKHATHINI ESIZAYO KWENTUTHUKO EHLONGOZWAYO.**

### 15.1.3 Ingxoxiswano ngentshisekelo yokumayina endaweni

#### 15.1.3.1 Gcwalisa ngolwazi oludingekayo ngezansi

<u>INTSHISEKELO YOKUMAYINA</u>	<u>Faka uphawu u-X lapho lusebenza khona</u>		
	<u>YEBO</u>	<u>CHA</u>	<u>N/A</u>
<u>Ingabe amalungelo okumayina akhona ngomhlaba othintekayo noma ngaphakathi kwamakhilomitha ama-2 awo?</u>			
<u>Ingabe zikhona izicelo zamalungelo zokumayina ngaphakathi kwamakhilomitha amabili omhlaba othintekayo?</u>			
<u>Ingabe izingxenye ezinetshisekelo nezithintekayo eziphawulwe ngenhla kuboniswane nazo?</u>			
<u>Ingabe izingxenye ezithintekayo zibuze ukuba zisho ukuthi ukusebenza okweka njengamanje kuzothinteka kanjani ngokuthuthukiswa komhlaba okuhlongozwayo?</u>			

<u>Ingabe amaqembu anentshisekelo nabathintekile abashiwo ngenhla babuziwe ukuba basho ukuthi ukusebenza kwezimayini esikhathini esizayo kuzoba namthelela muni ekuthuthukisweni komhlaba okuhlongozwayo?</u>			
<u>Yimaphi amaminerali amayinwayo emhlabeni othintekayo?</u>			
<u>Yimaphi amaminerali amayinwayo kumakhilomitha ama-2 endawo efakelwe isicelo?</u>			
<u>Shono ukuthi ukumayina emhlabeni noma ngaphakathi kwamakhilomitha amabili omhlaba ohlongozwayo, okohlobookuvulekile noma kuyambiwa.</u>			
<u>Yisho ukujula kubhekwe phansi komhlaba ukumayini okuzokwenzeka kukho njengoba kuchazwe yizingxenye ezinentshisekelo nezithintekayo eziphawulwe ngenhla.</u>			

### 15.1.3.2 Gcwalisa ngolwazi oludingekayo ngezansi

<b><u>CHAZA NGEZANSI UKUTHI UKUSETSHENZISWA KOMHLABA OKUHLONGOZWAYO KUZOKUTHINTWA KANJANI UKUSEBENZA UKUMAYINA OKWENZEKAYO NJENGAMANJE</u></b>
<b><u>CHAZA NGEZANSI UKUTHI UKUSETSHENZISWA KOMHLABA OKUHLONGOZWAYO KUZOKUTHINTA KANJANI UKUMAYINA OKUNGAKHONA ESIKHATHINI ESIZAYO EMHLABENI NASEZINDAWENI EZIZUNGEZILE</u></b>
<b><u>NIKEZA UKUFINGQWA NGEZANSI KOKUTHI ABANIKAZI BAMALUNGELO OKUMAYINA ENDAWENI BACHAZE KANJANI INDLELA INTSHISEKELO YABO EZOTHINTWA NGAYO ESIKHATHINI ESIZAYO INTUTHUKO EHLONGOZWAYO,</u></b>

**KUBANDAKANYA IZIHIBE EKUMAYINENI EZIBONAKALAYO ESIKHATHINI ESIZAYO, IMITHELELA EZIBOPHENI ZABO ZEZEMVELO, KANYE NOKUPHIKISA OKUNGAHLE KUBE KHONA EMISEBENZINI YABO OKUVELA KUBAHLALI ESIKHATHIN ESIZAYO KWENTUTHUKO EHLONGOZWAYO.**

**16 Ukuxoxisana ngokuthi kungani izinhloso zoMthetho zingeke zivinjwe intuthuko ehlongozwayo**

(Nikeza izingxoxiswano ezichaza ukuthi kungani, uma kubhekwa isimo sezimayini, ukufunwa kamaminali kanye nokumayina okungahle kube khona ezikhathi esizayo endaweni, uma kubhekwa imithelela yokuthuthukiswa komhlaba okuhlongozwayo ekukhoneni ukumayina nokuphikisana nalokhu, nezinyathelo zokunciphisa okumele zenziwe ngokusemthethweni ukunganda izingxabano ezingaba khona phakathi kwezimayini nezinye izintshisekelo zokusebenzisa umhlaba, izinhloso zoMthetho Wezokuthuthukiswa Kwamaminali Nophethiloli zingeke zivinjelwa ukusetshenziswa komhlaba okuhlongozwayo).

**17 Isibophezelo somfakisicelo**

**Lapha, mina, umuntu ogama lakhe nenombolo kamazisi wakhe kushiwo ngezansi, ngiyaqinisekisa ukuthi nginguMfakisicelo noma umuntu ogunyaziwe ukuba enze njengomeli woMfakisicelo ngokwesinqumo esifakwe nalesi sicelo, sokuthi imininingwane egukethwe lapha iyiqiniso futhi ingefanele, futhi ngizibophezele ekuqinisekiseni ukuthi uNgqongqoshe uyakuvuma ukusetshenziswa komhlaba okuhlongozwayo, leyo mvume izofakwa eHhovisi Lamatayitela Lokubhalisa Amaminali Nophethiloli kungakapheli izinsuku ezingama-30 zokuvunywa kokubhaliswa.**

**Amagama aphelele nesibongo**

**Inombolo kamazisi (ye-ID)**



**INGXENYE VII: ISIMISO SESIBONELELO ESIKHOKHWA NGAPHANSI KWEZIMO EZITHILE**  
**NGOKWESAHLUKO SAMA-54 SOMTHETHO**

Lezi Zimiso lapha ziyachitshiyelwa

8. *Ngokufakwa, ngemuva kwesimiso sama-73 sesimiso sama-73C ngale ndlela elandelayo:*

73C. Isibonelelo Esikhokhwa Ngaphansi Kwezimo Ezithile.

73C (1) Uma ingxabano yokuyohlaliswa kwenye indawo noma yokunxephezela ingaxazululeki ngesivumelwano esiphakathi kwezingxenye, umfakisicelo noma imnikazi welungelo lokufuna amaminerali, ilungelo lokumayina noma imvume yokumayini ufanele azise uPhathi Wesifunda ngaleyo ngxabano.

73C (2) Lesi saziso sifanele sibhalwe phansi njengefomu lesaziso **eliku-XYZ** futhi siphelkezelwe imali engabuyiswa yama-R1500.

73C (3) UMphathi Wesifunda ufanele avume ukutholwa kwesaziso kungakapheli izinsuku eziyisikhombisa futhi aqalise inqubo yokuxoxisana njengoba kulindelwe kusahluko sama-54 (3) se-MPRDA. Kulokhu uMphathi Wesifunda:

(s) Uzokwakha ithimba lokuxoxisana elakhiwe izethulo ezivela kubo bonke abathintekayo (umfakisicelo, umninilungelo, abamele u(imi)mphakathi ethintekayo, ubuholi bendabuko, njll).

(t) Uzokwakha imibandela ezolandelwa yithimba lokuxoxisana ebeka imigcele ecacile maqondana neqhaza leqembu, ubukhulu bomsebenzi walo, izinsuku zokuhlangana kanye nezikhathi nezikhathi eziimisiwe zokuxazulula ingxabano.

(u) Uzofuna bonke abathintekayo ukuthi balethe yonke imininingwane efanele (imibhalo, izivumelwano, njll.) ephathelene nengxabano.

(v) Uzophatha imihlangano ngokwemibandela ezolandelwa ithimba lezingxoxiswano ngokungachemi ngenhloso yokuxazulula ingxabano ngokushesha.

(w) Uzoqinisekisa ukuthi abakhona emihlanganweni benza ikhoramu futhi onke amaqembu amelwe futhi agunyazwe.

(x) Uzodlulisela phambili imidanti enzima kwiPhini Lomqondisi-Jikelele, kuMqondisi-Jikelele noma kuNgqongqoshe lapho kufanele.

73C (4) Inqubo eqhutshwa nguMphathi Wesifunda izophothulwa kungakapheli izinsuku ezingama-90.

73C (5) Uma ingxabano yokuyohlaliswa kwenye indawo noma yokunxephezela ingaxazululeki ngenqubo eqhutshwa nguMphathi Wesifunda, amaqembu aphikisanayo

angadlulisela udaba kwinqubo yokulamula nokubuyisana ngokomthetho osebenzayo (uMthetho Wokulamula noMthetho Wokubuyisana).

I-73C (5) Ukudluliselwa kufanele kwenziwe kungakapheli izinsuku ezingama-30 zesinqumo esenziwe nguMphathi Wesifunda.

73C (6) Inqubo yokulamula nokubuyisana iyokwenziwa futhi iphethwe kungakapheli izinsuku ezingama-90.

73C (7) Uma ingxabano yokuyohlaliswa kwenye indawo noma yokunxephezela ingaxazululwa ngesivumelwano esiphakathi kwezingxenye, uMphathi Wesifunda. uzoqhuba inqubo yokulamula nokubuyisana, iqembu elingajabuli lingahambisa ingxabano enkantolo efanele kungakapheli izinsuku ezingama-30 zokuphuma kwesinqumo sokulamula noma zokubuyisana.

### ISIQHEPHU SESI-3

#### UKUKHALAZA

Isimiso sama-74 lapha siyachitshiyelwa

(d) *Ngokukhishwa kufakwe esikhundleni saso isimiso esilandelayo;*

#### **Ukukhalaza ngezinqumo zokuphatha**

74. (1) Nanoma yimuphi umuntu ofaka isikhalazo ngokwesahluko sama-96 (1) (a) soMthetho esiphikisana isinqumo sokuphatha, ufanele [kungakapheli izinsuku ezingama-30 ngemuva kokuba ekwazile lokho noma kufanele ukuba wazile ngesinqumo sokuphatha esithintekayo, angafaka isaziso esibhalwe phansi senhloso yokufaka isikhalazo kuMqondisi-Jikelele noma kuNgqongqoshe, njengoba kungenzeka,] afake isaziso esibhalwe phansi senhloso yokufaka isikhalazo kuNgqongqoshe, eHhovisi Lesifunda lapho isinqumo sivela khona futhi nakunoma yimuphi omunye umuntu omalungelo akhe, ngokubona komfakisikhalazo, angathintwa ngumphumela wesikhalazo.

(2) Isaziso senhloso yokukhalaza okukhulunywe ngaso kusimiswana soku-(1) sifanele sithunyelwe kungakapheli izinsuku ezingama-30 kusukela ngosuku lwesinqumo.

(3) UMphathi Wesifunda ufanele,

(a) kungakapheli izinsuku eziyi-10 zokuthola isaziso senhloso yokufaka isikhalazo aphawule nanoma yimuphi omunye umuntu omalungelo akhe, ngokubona koMphathi Wesifunda, angathintwa ngumphumela wesikhalazo ongafakwanga ohlwini lwenhloso yokufaka isikhalazo esitholiwe ngokwesimiswana soku-(1); futhi

- (b) anikeze umuntu obhale isaziso olindelwe kusimiso sama-74 (1) semininingwane yokuzazisa neminingwane yokuxhumana yalowo muntu omunye othintekayo; futhi
- (c) alethe ikhophi yesaziso esinjengalesi kuNgqongqoshe; futhi
- (d) nakumuntu olete isaziso senhloso yokufaka isikhalazo ngaphandle kokubambezeleka, kepha ngaphambi kokuphela kwesikhathi sezinsuku ezingama-30 ezihlinzekelwe isimiso sesi-(2) sokunikeza inhloso yokufaka isikhalazo kulowo muntu omunye ophawuliwe.
- (4) Umuntu ofaka isaziso senhloso yokufaka isikhalazo ngokwesimiswana soku-(1) ufanele,
- (a) kungakapheli izinsuku eziyi-15 ngemuva kokuba kufakwe isaziso sokufaka isikhalazo afake isikhalazo eHhovisi Lesifunda lapho isinqumo sivela khona futhi nakubo bonke abantu abaphawuliwe abangaba nentshisekelo ngomphumela wesikhalazo; futhi
- (b) azise uNgqongqoshe ngokubhaliwe ukuthi isikhalazo sifakiwe niengoba kulindelwe kusimiswana se-4 (a).
- (5) UNgqongqoshe, ekutholeni isicelo nangenhloso enhle ekhonjisiwe, angavuma futhi andise isikhathi esimisiwe kulesi simiso.
- (6) Isikhalazo sifanele -
- (a) sibe esibhalwe phansi
- (b) sisho ngokucacile isenzo noma izinqumo ezikhalazelwayo;
- (c) sipelekezelwe ikhophi yesaziso senhloso yokufaka isikhalazo, isaziso esitholwe kuMphathi Wesifunda ngokwesimiswana sesi-3 (b) esiqukethe ukuvunywa kokutholwa yibo bonke abantu abathintekile;
- (d) sibeke ngokucacile izizathu ezisekela isikhalazo; futhi
- (e) sipelekezelwe yimibhalo esekelayo okukhulunywe ngayo embhalweni wokukhalaza.
- (7) Isikhalazo sifanele sipelekezelwe ukukhokhwa kwemali yesikhalazo engabuyiswa okukhulunywe ngayo kusimiso sama-75 (1) (f).
- (8) Ngemuva kokuthola isaziso senhloso yokukhalaza okukhulunywa ngaso kusahlukwana soku-(1), kodwa kungakedluli izinsuku eziyi-10 ngemuva kwalokho, uMphathi Wesifunda ufanele enze onke amarekhodi aphathelene nesinqumo noma nezingqumo kuye ngesikhalazo esilindelwe esingatholwa umfakisicelo ukuze sihlolwe futhi sinikeze uNgqongqoshe ikhophi.

(9) Ingxenywe yesithathu ethola isikhalazo okukhulunywe ngayo kusimiswana sesi-(4) ingahambisa kuMphathi Wesifunda kanye nakulowo okhalazayo isitatimende esiphendulayo kungakapheli izinsuku ezingama-30 zokuthola isikhalazo ichaza.

(a) ubukhulu nobunjalo bamalungelo ayo;

(b) ukuthi umphumela wesikhalazo ungawathinta kanjani amalungelo ayo; futhi

(c) noma yiluphi olunye ulwazi oluphathelele nezizathu zokukhalaza ezichazwe esikhalazweni; futhi

(d) yazise uNggongqoshe ngokubhalwe phansi ukuthi leso sitatimende sokuphendula safakwa, kanye nobufakazi bokusizwa lapho.

(10) Umfakisikhalazo ngemuva kokuhlola irekhodi lesinqumo njengoba kulindelwe kusimiswana sesi-(8) futhi nangemva kokuthola izethulo eziphendulayo ezivela ezingxenyeni ezithintekayo okukhulunywa ngazo kusimiswana sesi-(9).

(a) angahambisa kuMphathi wesifunda, kanye nobufakazi bokusizwa kwe(zi)ngxenywe y(z)esithathu e(zi)thintekayo, isitatimende esiphendulayo kungakapheli izinsuku ezingama-30 ngemuva kokuhanjiswa kwesitatimende sokuphendula e(zi)ngxenyeni e(zi)thintekayo.

(b) anikeze uNggongqoshe isaziso esibhalwe phansi sokuthi incwadi efungelwe efakiwe, ikanye nobufakazi bokusizwa lapho.

(11) Okhalazayo ufanele kungakapheli izinsuku eziyi-10 zokufaka izitatimende zakhe sokuphendula noma ukuphelelwa isikhathi okukhulunywe ngakho kusimiswana sesi-(9), ahamse kuNggongqoshe kanye nakuMphathi Wesifunda -

(a) umbhalo wokukhalaza onazo zonke izixhumelo ezidingekayo;

(b) yonke imibhalo ephathelele nes(z)inqumo kuye ngesikhalazo njengoba kulindelwe kusimiswana sesi-(8);

(c) zonke izitatimende sokuphendula ezitholwe kuzingxenywe zesithathu ezingathintwa ngumphumela wesikhalazo, uma zikhona; futhi

(d) nesitatimende esiphendulayo soKhalazayo uma sikhona.

(12) Zonke izaziso ezidingeka ukuba zinikezwe uNggongqoshe ngokwalesi simiso sizodluliselwa kula makheli alandelayo:

(i) Ikheli Leposi:

UNggongqoshe/uMqondisi-Jikelele

UMnyango Wezemithombo Yamaminerali Namandla

Private Bag X 59

Arcadia

0007

**SIBHEKISWE KU- : MQONDISI OMKHULU: KUZINSIZO ZOMTHETHO**

(b) Ikheli eliphakanyiswe ngokomthetho lapho kungathunyelwa khona izaziso zomthetho:

UMnyango Wezemithombo Yamaminerali Namandla

2<sup>nd</sup> Floor, Block 2 B

Trevenna Campus

c/o Meintjes & Francis Baard Streets

Sunnyside

**SIBHEKISWE KU- : MQONDISI OMKHULU: KUZINSIZO ZOMTHETHO**

(13) UNggongqoshe ufanele, kungakapheli izinsuku ezingama-90 ethole yonke imininqwane elindelwe kusimiswana se-(10) -

(a) aqinisekise isinqumo sokuphatha esithintekayo;

(b) ubekele eceleni isinqumo sokuphatha esithintekayo;

(c) achibiyele isinqumo sokuphatha esithintekayo:

(d) afake esikhundleni sesinqumo sokuphatha esithintekayo nanoma yisiphi esinye isinqumo sokuphatha; noma

(e) abuyisele isinqumo emuva kusiphathimandla esigunyaziwe ukuba sisicubungule kabusha.

(14) UNggongqoshe ufanele, kungakapheli izinsuku eziyi-14 ngemuva kokuthathwa kwesinqumo ngesikhalazo, azise okhalazayo, izingxenye ezithintekayo kanye noMphathi Wesifunda ngesinqumo nezizathu zaso.

(15) Uma isikhalazo semukelwa nguNggongqoshe sithinta yomibili imidanti okufanele ithathelwe isinqumo ngokwesahluko sama-96 (1) (a) no-(b) ngokulandelana,

(a) ikhophi yesikhalazo ifanele ihanjiswe lapho sitholwa uNggongqoshe Wezemvelo ukuze kucutshungulwe isikhalazo maqondana nemidanti yezemvelo ngokuhambisana nenqubo elindelwe kusahluko sama-(1) (b).

(b) uNggongqoshe kanye noNggongqoshe Wezemvelo bazohlelela ukuphothulwa kwezikhalazo ngasikhathi sinye ngokwemibandela yama-96 (1) (a) no-(b) ngokulandelana ethinta isinqumo esifanayo sokuphatha.

(16) Le mithetho ngeke isebenze kwizikhalazo ezifakwe ngaphambi kokumenyenzelwa kwezimiso.

### **75A Ukuqala Kwezichibiyelo**

Izichibiyelo zeZimiso Zokuthuthukiswa Kwemithombo Yamaminerali Nophethiloli zizoqala ukusebenza ngosuku lokushicilelwa kwiGazethi Kahulumeni ukuze zisetshenziswe.

## **AMAFOMU 75B NAMATHEMPULETHI**

### **7. UMFANEKISO (XX)**

<b>ISAZISO</b>	<b>NGOKWESAHLUKO</b>	<b>SAMA-51</b>	<b>SOMTHETHO</b>	<b>WOKUTHUTHUKISWA</b>
<b>KWEMITHOMBO YAMAMINERALI NOPHETHILOLI WONYAKA WE-2002.</b>				

**Imibuzo**

**Ucingo:**

**I-imeyili:**

**Ikheli lenkampani**

Xxxxxx

Xxxxxx

Nggongqoshe Ohloniphekile.

**RE: ISAZISO SESAHLUKO SAMA-52 (1)**

Thina, esisayinde ngezansi,

Inkampani XXXX,

**(INombolo yokubhalisa XXXX )**

(Inombolo yelungelo lokumayina: .....MR)

(Ipha emelwe i-/ngu esikhundleni sakhe njengesikhulu Esiphethe senkampani, ugunyazwe ngokusemthethweni kulokho ngesinqumo saBaqondisi Benkampani).

Ngaleyo ndlela, unikeza isaziso ngokwesahluko sama-52 (1) soMthetho Wokuthuthukiswa Kwemithombo Yamaminerali Nophethiloli wonyaka We-2002, (uMthetho wama-28 wonyaka we-2002).

Siyaqinisekisa ukuthi sibonisane kakhulu ne(zi)nyunyana y(z)abasebenzi e(zi)bhalisiwe (i-XYX) kanye (ne-TYU), abasebenzi abathintekayo nababamele bazo mavelana nokuncishiswa noma nokudilizwa kwabasebenzi emsebenzini yethu ngokwesahluko sama-52 (2) njengoba kungatholakala emibhalweni esekelayo efakiwe (IsiXhumelo A ukuya ku-Z).

Inkampani ithembisa ukuthi yonke iminingwane enikeziwe ekusekelweni kwalesi saziso iyiqiniso futhi ingefanele.

Le nkampani ivuma ukuthi uNqongqoshe angahle enze imibandela yesahluko sama-52 (3) (c), esama- 93, esama-47, esama-99 neminye imibandela ehlobene nayo ukuze kuqinisekiswa ukuhlonishwa kwezidingo zayo.

Sizohlala silindele impendulo yakho/ukuboniswa kulolu daba ngesikhathi esibekiwe.

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**Isiginesha Yomele Inkampani.**

**Usuku:**

**8. UMFANEKISO XYZ**

**ISAPHELA SAMA-54 IFOMU LESAZISO**

**UMNYANGO: IMITHOMBO YAMAMINERALI NAMANDLA  
IRIPHABHLIKHI YASENINGIZIMU AFRIKA**

**IFOMU LESAZISO**

[ngokwesahluko sama-54 soMthetho Wokuthuthukiswa Kwemithombo Yamaminerali Nophethiloli wonyaka we-2002, (uMthetho wama-28 wonyaka we-2002):

**LE NGXENYE ISETSHENZISWA NGUMNYANGO**

**Ref No.....**

**Izimali Ezikhokhwayo Ezibekiwe R**

**Isicelo sitholwe ngu: .....**

**Amagama aphelele**

**Isiginesha Yomfakisicelo**

**.....**

**IMININGWANE YOMFAKISIKHALAZO**

**IGAMA:** \_\_\_\_\_

**ISIBONGO:** \_\_\_\_\_

**IKHELI:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**UCINGO LWASENDLINI:** \_\_\_\_\_ **UMAKHALEKHUKHWINI:** \_\_\_\_\_

**I-IMEYILI:** \_\_\_\_\_

**ISI(ZI)THU SO(ZO)KUFKA ISIKHALAZO:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**ISIGINESHA:** \_\_\_\_\_ **USUKU:** \_\_\_\_\_