



**mineral resources
& energy**

Department:
Minerals Resources and Energy
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF MINERAL RESOURCES AND ENERGY

DELEGATIONS IN TERMS OF SECTION 94 OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996

MINISTER TO DEPUTY MINISTER

2019 TO 2024

MINISTERIAL DELEGATIONS TO DEPUTY MINISTER

DEPARTMENT OF MINERAL RESOURCES AND ENERGY

In accordance with Section 94 of the Constitution 108 of 1996 as amended.

Section 94 states that:

If a person is appointed as the Deputy Minister of any portfolio entrusted to a Minister—

(a) that Deputy Minister must exercise and perform on behalf of the relevant Minister any of the powers and functions assigned to that Minister in terms of any legislation or otherwise which may, subject to the directions of the President, be assigned to that Deputy Minister by that Minister; and

(b) any reference in any legislation to that Minister must be construed as including a reference to the Deputy Minister acting in terms of an assignment under paragraph (a) by the Minister for whom that Deputy Minister acts.

I, Mr SG Mantashe, Minister of the Department of Mineral Resources and Energy, delegate and authorise the incumbent of post of Deputy Minister for the Department of Mineral Resources and Energy, to perform powers given to me as set out in the Constitution of the Republic of South Africa.

The incumbent in the post indicated herein shall exercise delegations in compliance with applicable Legislation, Departmental Policies and Procedures.

SIGNED AT PRETORIA ON THIS 12 DAY OF JANUARY 2022

MR SG Mantashe

Minister of Mineral Resources and Energy

1.3 Purpose

The Department of Mineral Resources realises the need to align itself to the National Development Plans' key statement of "Building a capable and developmental state", through strengthening delegation accountability and oversight within the Department and State-Owned Entities reporting to it. It also endeavours to put in place greater and more consistent delegations that ensure effective and efficient service delivery of the Department at all levels.

1.4 Legislative Framework

The Constitution 108 of 1996
Public Service Act, Act 103 of 1994
Labour Relation Act, Act 66 of 1995
Basic Conditions of Employment Act, Act 75 of 1997
Employment Equity Act, Act 55 of 1998
Skills Development Act, Act 97 of 1998
Public Finance Management Act, Act 1 of 1999
Promotion of Administrative Justice Act, Act 3 of 2000

Date: 12/01/2022

SIGNATURE: Executive Authority

Incumbent in the position of Minister – DMRE

Date: 13/01/2022

SIGNATURE: Deputy Minister

The Deputy Minister accepts these delegations in her capacity as the incumbent in the post Minister– DMRE



1.5. Principles

- **Upholding the Constitution and legislation**

Any delegation may not conflict with the Constitution, the relevant legislation or subordinate legislation, applicable collective agreements and departmental policy.

- **Submissions must indicate that delegation decision is compliant with PAJA**

- ✓ Every submission where a decision needs to be taken in terms of the delegation of power or duty must include a paragraph to confirm that the delegated decision is compliant with PAJA.

1.6 Scope of application

This document compiled by the Department of Mineral Resources and Energy, stipulates delegations in terms of The Constitution 108 of 1996, as amended, from the Minister of DMRE to the Deputy Minister of the Department.

Date:

SIGNATURE: Executive Authority

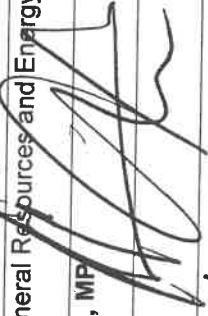
Incumbent in the position of Minister – DMRE

Date:

SIGNATURE: Deputy Minister

The Deputy Minister accepts these delegations in her capacity as the incumbent in the post Minister– DMRE

1.7 Delegation Approval and Acceptance

Creation date:	06/08/2021
Effective date:	12/01/2022
Prepared by:	Department of Mineral Resources and Energy:
Minister (Executive Authority):	Mr SG Mantashe, MP
Signature:	
Date:	12/01/2022
Deputy Minister:	 N.P. NKABANE
Signature:	
Date:	13/01/2022

POWER OR DUTY BEING DELEGATED			LEVEL			DELEGATION/POST DELEGATED TO		DELEGATED CONDITIONS
Delegation	Topic Description	Principal Functionary	DMRE Head Office	DMRE Regional Office	SOEs			Indicators for Execution/Reporting/Consultation/ Informing
One	Stakeholder Management	Minister	DDG:MR DDG: CS	All RMs				APP to be used as a measurement tool. Quarterly reports to be submitted by the relevant DDGs.
	Engagements with different communities in and around mining operations. This consultation extends to traditional authorities and interested and affected municipalities and provincial government	DG						

Date: 12/01/2022

SIGNATURE: Executive Authority

Incumbent in the position of Minister – DMRE

Date: 13/01/2022

SIGNATURE: Deputy Minister

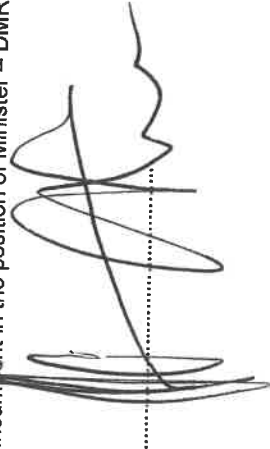
The Deputy Minister accepts these delegations in her capacity as the incumbent in the post Minister– DMRE

DELEGATED		POWER OR DUTY BEING		LEVEL		DELEGATION/POST DELEGATED TO		DELEGATED CONDITIONS
Delegation	Topic Description	Principal Functionary	PER TIER	DMRE Head Office	DMRE Regional Office	SOEs	Indicators for Execution/Reporting/Consultation/ Informing	
Two	Mine Health and Safety Facilitation and growth of the safety culture at the mines. This will include policy development and development of safety standards and technologies to enhance safety at the mines. We must create a culture of results-oriented inspections with a clear correlation between inspections and incidents.	DG	DDG: MHS	All PIs	MHSC	APP to be used as a measurement tool.	Quarterly reports to be submitted by the relevant DDGs.	

Date: 12/01/2022

SIGNATURE: Executive Authority

Incumbent in the position of Minister – DMRE



Date: 13/01/2022

SIGNATURE: Deputy Minister

The Deputy Minister accepts these delegations in her capacity as the incumbent in the post Minister– DMRE



POWER OR DUTY BEING DELEGATED							DESIGNATION/ POST LEVEL		DELEGATION CONDITIONS		
Topic Description		Principal Functionary	DESIGNATED TO PER TIER				Indicators for Execution/ Reporting/Consultation / Informing				
			DMRE Head Office	DMRE Regional Office	SOEs						
Three	Rehabilitation of Derelict and Ownerless Mines						DDG:MPP		Mintek & CGS		APP to be used as a measurement tool. Quarterly reports to be submitted by the relevant DDGs.
13 00 00	Fast-track the implementation of the D&O programme. This must include coming up with strategies to address issues that have been identified as inhibitors to the success of the programme. Investigate possible technologies for the programme.		DG								

Date: 12/01/2022
SIGNATURE: Executive Authority

Inherent in the position of Minister – DMRE

Date: 13/01/2022
SIGNATURE: Deputy Minister

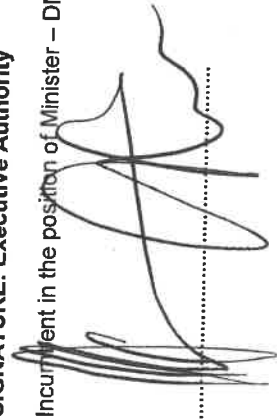
The Deputy Minister accepts these delegations in her capacity as the incumbent in the post Minister– DMRE

POWER OR DUTY BEING DELEGATED			DESIGNATION/ POST LEVEL			DELEGATION CONDITIONS
	Topic Description	Principal Functionary	DESIGNATED TO PER TIER			Indicators for Execution/ Reporting/ Consultation / Informing
Four	Monitoring and Evaluation (M&E)		DMRE Head Office	DMRE Regional Office	SOEs	
	Compliance with the law and rights/contracts is not at the required level. The lack of adequate M&E within the Department is a challenge. We must ensure that there is effective M&E through addressing capacity challenges and clear M&E strategy to ensure maximum compliance by the energy and mining sectors. Internal M&E must also be capacitated and monitored	DG	DDG:MR DDG: CS	All RMs		APP to be used as a measurement tool. Quarterly reports to be submitted.

Date: 12/01/2022

SIGNATURE: Executive Authority

Incumbent in the position of Minister – DMRE



Date: 13/01/2022

SIGNATURE: Deputy Minister

The Deputy Minister accepts these delegations in her capacity as the incumbent in the post Minister– DMRE

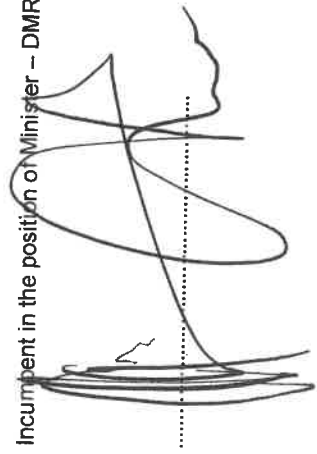


POWER OR DUTY BEING DELEGATED						DESIGNATION/ POST LEVEL		DELEGATION CONDITIONS
Topic Description		Principal Functionary	DESIGNATED TO PER TIER			Indicators for Execution/ Reporting/Consultation / Informing		
			DMRE Head Office	DMRE Regional Office	SOEs			
Five	Compensation of Ex Mine Employees							
	Compensation of former mine employees is a long outstanding matter. With the court settlement finalised, we must facilitate a speedy payment process in consultation with stakeholders but not limited to the Minerals Council, the Department of Health and the Department of Labour.	DG	DDG: MPP DDG: MHS	All PIs	MHSC	APP to be used as a measurement tool. Quarterly reports to be submitted by the relevant DDGs.		

Date: 12/01/2022

SIGNATURE: Executive Authority

Incumbent in the position of Minister – DMRE



Date: 13/01/2022

SIGNATURE: Deputy Minister

The Deputy Minister accepts these delegations in her capacity as the incumbent in the post Minister– DMRE



POWER OR DUTY BEING DELEGATED			DESIGNATION/ POST LEVEL			DELEGATION CONDITIONS
	Topic Description	Principal Functionary	DMRE Head Office	DMRE Regional Office	SOEs	Indicators for Execution/ Reporting/ Consultation / Informing
Six	Revitalisation of Distressed Mining Towns Economies in former mining towns are in distress. The incumbent must ensure that the established structure coordinates its efforts to revitalize economies of these towns. Aligned planning around active mining towns must be re-enforced to avoid future distressed mining towns. This must be done in consultation with but not limited to COGTA, DoL, DHSWS.	DG	DDG: MPP DDG: MR			APP to be used as a measurement tool. Quarterly reports to be submitted by the relevant DDGs.

Date: 12/01/2022

SIGNATURE: Executive Authority

Incumbent in the position of Minister – DMRE

Date: 13/01/2022

SIGNATURE: Deputy Minister

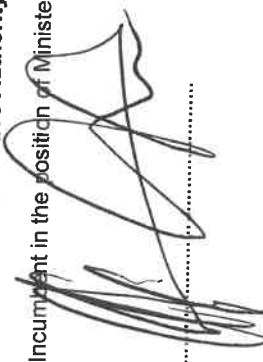
The Deputy Minister accepts these delegations in her capacity as the incumbent in the post Minister– DMRE

POWER OR DUTY BEING DELEGATED			DESIGNATION/ POST LEVEL			DELEGATION CONDITIONS
	Topic Description	Principal Functionary	DMRE Head Office	DMRE Regional Office	SOEs	Indicators for Execution/ Reporting/Consultation/ Informing
Seven	Small-Scale Mining Small-scale mining is a sector requiring attention for it to grow and make a positive contribution to the economy. The incumbent must ensure that this sector grows through setting up legal operations and facilitating government support. This will be done in consultation with DTIC, DEA and other interested and affected parties.	DG	DDG: MPP DDG: MR	All RMs	CGS Mintek	APP to be used as a measurement tool. Quarterly reports to be submitted by the relevant DDGs.
Eight	Renewable Energy and Energy Efficiency Ensure rollout and implementation of Solar water geysers programmes and speedy installation of geysers on all households.	DG	DDG:MPP			APP to be used as a measurement tool. Quarterly reports to be submitted by the relevant DDGs.

Date: 12/01/2022

SIGNATURE: Executive Authority

Incumbent in the position of Minister – DMRE



Date: 13/01/2022

SIGNATURE: Deputy Minister

The Deputy Minister accepts these delegations in her capacity as the incumbent in the post Minister– DMRE

