

WEBBER WENTZEL

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The Honourable Minister Gwede Mantashe
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Your reference
 9/2/4/3/1230

Our reference
 O Geldenhuys
 3044509

Date
 30 October 2020

Dear Honourable Minister Mantashe and Adv. Mokoena

**NOTIFICATION IN TERMS OF REGULATION 74(1) OF THE MPRDA REGULATIONS:
 LODGING OF APPEAL IN TERMS OF SECTION 96(1) OF THE MPRDA (REF: 9/2/4/3/1230)**

1. We refer to the Centre for Environmental Rights' ("**the Appellant**") internal appeal lodged in terms of section 96(1) of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) on 21 September 2020, and its accompanying application lodged in terms of section 96(2) of the MPRDA to the Minister or delegatee for the suspension of the decision,

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Partners in office at Cape Town: Office Managing Partner: G Fitzmaurice Partners: RB Africa AE Bennett AR Bowley SJ Chong KM Colman R Cruywagen MA Dismont HJ du Preez LF Egypt AE Esterhuizen MJR Evans OH Geldenhuys PM Holloway SJ Hutton AV Ismail S Jooste LA Kahn ACR Katzke A Keyser CS Meyer LE Mostert RA Nelson A October K Rew H Samsodien J Smit RS Smith PZ Vanda DM Visagie AWR Westwood

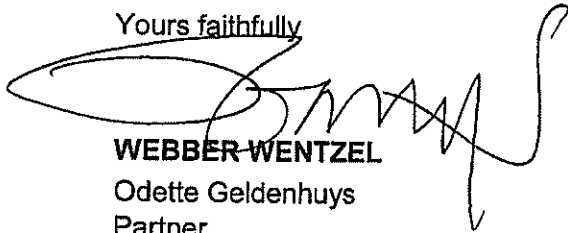
Senior Partner: JC Els Managing Partner: SJ Hutton Partners: BW Abraham RB Africa NG Alp RL Appelbaum DC Bayman KL Bellings AE Bennett T Blackbeard AP Blair DHL Booysen AR Bowley J Braum MS Burger M Bux RI Carrim T Cassim SJ Chong C Collett KL Collier KM Colman KE Coster K Couzyn DB Cron PA Crosland R Cruywagen JH Davies PM Daya L de Bruyn PU Dela M Denenga DW de Villiers BEC Dickinson MA Dismont DA Dingley G Driver W Drue HJ du Preez CP du Toit SK Edmundson LF Egypt KH Eisler AE Esterhuizen MJR Evans K Fazal AA Felekis G Fitzmaurice JB Forman KL Gawith OH Geldenhuys MM Gibson CI Gouws PD Grealy S Haroun JM Harvey JS Henning KR Hillis Z Hlophe CM Hofveld PM Holloway AV Ismail ME Jarvis CA Jennings JC Jones CM Jonker S Jooste LA Kahn ACR Katzke M Kennedy A Keyser MD Kota JC Kraamwinkel J Lamb E Louw M Mahlangu V Mannar L Marais MC McIntosh SJ McKenzie CS Meyer AJ Mills D Milo NP Mngomezulu M Moloi LE Mostert VM Movshovich RA Nelson G Niven ZN Ntshona M Nxumalo AN Nyatumba A October L Odendaal GJP Olivier N Paige AMT Pardini AS Parry S Patel GB Penfold SE Phajane M Philippides BA Phillips MA Phillips D Ramjettan GI Rapson K Rew SA Ritchie NJA Robb G Sader M Sader H Samsodien JW Scholtz KE Shepherd AJ Simpson N Singh N Singh Nogueira P Singh S Sithole J Smit RS Smith MP Spalding PS Stein MW Straeuli LJ Swaine Z Swanepoel A Thakor T Theessen TK Thekiso C Theodosiou R Tihavani G Truter PZ Vanda SE van der Meulen JP van der Poel CS Vanmali JE Veeran B Versfeld MG Versfeld TA Versfeld DM Visagie EME Wannington J Watson AWR Westwood RH Wilson M Yudaken Chief Operating Officer: SA Boyd

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pending the outcome of the internal appeal (“the Notice of Appeal” and “the suspension application”).

2. We also refer to the Appellant’s correspondence to the Minister and the Director-General of 16 October 2020, in which the Appellant stated that it will take steps to remedy the alleged procedural defects in its Notice of Appeal, and to the extent necessary, seek condonation.
3. The serves to notify the Honourable Minister and Director-General, in terms of Regulation 74(1)(c) of the Amended Mineral and Petroleum Resources Development Act Regulations, 2020¹ that the Appellant has rectified any procedural defects that there may have been in its Notice of Appeal and has lodged at the Regional Office a rectified Notice of Appeal along with a conditional application for condonation, copying the Minister and Director-General.
4. In the Appellant’s 16 October letter, it undertook deliver a response to the Rights Holders’ reply in the Appellant’s suspension application. The Appellant undertakes to deliver its response by 6 November 2020.

Yours faithfully



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¹ GN420, GG43172 of 27 March 2020.

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