

FORM A

REQUEST FOR ACCESS TO RECORDS OF A PUBLIC BODY

(Section 18 (1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000)

[Regulation 2]

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| FOR DEPARTMENTAL USE | |
| | Reference number: _____ |
| Request received by: _____ (state rank, name and surname of information officer/deputy information officer) on _____ (date) at _____ (place). | |
| Request fee (if any): | R..... |
| Deposit fee (if any): | R..... |
| Access fee: | R..... |
| | _____ SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER |

A. Particulars of public body:

Department of Mineral Resources and Energy

Information Officer: Adv. T Mokoena

Director-General

Tel: 012 444 3868

By email: Mamabefu.modipa@dmre.gov.za

Deputy Information Officer: Mr. P Alberts

Chief Director: Legal Services

Tel: 012 444 3188

By email: Pieter.Alberts@dmre.gov.za

Diphoko.Modiselle@dmre.gov.za

Mpumalanga Regional Office:

Adv. Seapei Sekgetho

By email: Seapei.sekgetho@dmre.gov.za

Ms Lydia Maphopha

By email: Lydia.maphopha@dmre.gov.za

B. Particulars of person requesting access to the record

- (a) *The particulars of the person who requests access to the record must be recorded below.*
- (b) *Furnish an address and/or fax number in the Republic to which information must be sent*
- (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Name of organisation: Centre for Environmental Rights

Registration number: 2009/020736/08

Postal address: 2nd Floor, Springtime Studios, 1 Scott Road, Observatory,
Cape Town, 7925

Telephone number: +27 21 447 1647 / 0711013807

E-Mail Address: tmugunyani@cer.org.za and
chorsfield@cer.org.za

Capacity in which request is made, when made on behalf of another person: **N/A**

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

D. Particulars of record

- (a) *Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*
- (b) *If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

1. Description of record or relevant part of the record:

Copies of the following records are requested in relation to coal mining in Mpumalanga Province:

1. A list of all current operating mines in the province; and
 - a. the names of the respective mining right holders in respect of each of these;
 - b. records of the financial provision for rehabilitation approved for each of these;
 - c. records of the financial provision for rehabilitation held by the Department for each of these and the form it is held in in each instance (eg cash guarantee, Bank guarantee or trust fund).
2. If additional to the operations referred to in 1 above, a list of all new mining rights granted in the province since 1 January 2016; and
 - a. the names of the respective mining right holders in respect of each of these;
 - b. records of the financial provision for rehabilitation approved for each of these;
 - c. records of the financial provision for rehabilitation held by the Department for each of these and the form it is held in in each instance..
3. A list of all mining permits granted in the province since 1 January 2016; and
 - a. the names of the respective mining permit holders in respect of each of these;
 - b. records of the financial provision for rehabilitation approved for each of these;
 - c. records of the financial provision for rehabilitation held by the Department for each of these and the form it is held in in each instance.
4. A list of all prospecting rights granted in the province since 1 January 2016; and
 - a. the names of the respective prospecting right holders in respect of each of these;
 - b. records of the financial provision for rehabilitation approved for each of these;
 - c. records of the financial provision for rehabilitation held by the Department for each of these and the form it is held in in each instance..
5. A list of all derelict and ownerless mines in the province; and
 - a. the names of the respective right holders in respect of each of these;
 - b. records of the financial provision for rehabilitation approved for each of these;
 - c. records of the financial provision for rehabilitation held by the Department for each of these and the form it is held in in each instance.
6. A list of all closure certificates issued since 1 January 2016, indicating the name of each right holder and the name of each mine closed.
7. A list of all applications for closure received since 1 January 2016, indicating the name of each right holder and the name of each mine in respect of which the application is/was sought.
8. All records where financial provision has been utilized for rehabilitation since 1 January 2016.
9. All records of audit reports of financial provision accounts for mining for financial year 2019/2020 and financial year 2020/2021 in terms of Section 24P(3) (b) of NEMA received by the Department.

E. Fees

- (a) *A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.*
- (b) *You will be notified of the amount required to be paid as the request fee.*
- (c) *The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- (d) *If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

Reason for exemption from payment of fees:

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record? **English**

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Per Email or DropBox (or similar) link to: tmugunyani@cer.org.za and chorsfield@cer.org.za

Signed at **Johannesburg** this 11th day of **May 2021**.



SIGNATURE OF THE REQUESTER

Tarisai Mugunyani

Attorney

Centre for Environmental Rights