



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA



MINING QUALIFICATIONS AUTHORITY

Notice: 001/2019

TO: MINE EMPLOYERS

**FROM: MR DAVID MSIZA, CHIEF INSPECTOR OF MINES
MR TEBOGO MMOTLA, CHIEF EXECUTIVE OFFICER (ACTING)**

DATE: 25 FEBRUARY 2019

NOTICE TO THE MINING RIGHTS HOLDERS

The Mine Health and Safety Act, 1996 (Act No. 29 of 1996) as amended, provides for the protection of the health and safety of employees and other persons affected by the South African mining industry. The Act also makes provision for the promotion of a health and safety culture and the enforcement of health and safety measures or legislation. The activities of the Mine Health and Safety Inspectorate are geared towards achieving the following strategic objectives:

- Actively contribute to sustainable development and growth;
- Regulate the mining and minerals sector;
- Promote health and safety in the mining and minerals sector;
- Provide efficient and effective service delivery;
- Promote culture, systems and people; and
- Ensure financial stewardship.

The main functions of the Mine Health and Safety Inspectorate are the provision of policy inputs for the establishment and application of mine safety standards at mining operations, and promote the application thereof; policy inputs towards the establishment and application of mine equipment safety standards at mining operations, and promote their application; the establishment and application of mine health standards at mining operations and the promotion of these applications; and ensuring an effective support and inspection service. Furthermore the Inspectorate is tasked with promoting, monitoring and enforcing legislation; initiating prosecution in terms of the Mine Health and Safety Act of 1996 (Act No. 29 of 1996); and ensuring compliance and where necessary apply penalties.

The Inspectorate is headed by the Chief Inspector of Mines, who is also the Chairperson of the Boards of the Mine Health and Safety Council and the Mining Qualifications Authority. The Chief Inspector of Mines has the responsibility of leading the tripartite structures established by the Mine Health and Safety Act, 1996 (Act 29 of 1996), as amended, and representatives of Government, employees and employers' organisations serve on these tripartite structures. The Mine Health and Safety Council furthermore advises the Minister of Mineral Resources on health and safety issues and promotes a health and safety culture in the mining sector, while the Mining Qualifications Authority is responsible for addressing the education and training needs of the mining and minerals sector.

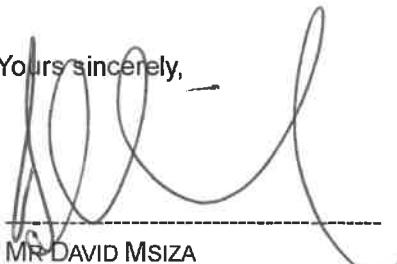
It is the statutory duty of the Council to advise the Minister on health and safety issues at mines and to co-ordinate the activities of its committees; receive reports from these committees, and liaise with the Mining Qualifications Authority.

The Mining Qualifications Authority (MQA) consists of the State, employer and employee organisations in the mining industry. The MQA was established under the Mine Health and Safety Act, 1996 (Act 29 of 1996) (MHSA), as amended and later registered as a SETA under the Skills Development Act (Act 97 of 1998). The Mining Qualifications Authority must advise the Minister of Mineral Resources about generating and monitoring education and training standards and qualifications for the mining industry, as part of the National Qualification Framework (NQF). The Mining Qualifications Authority (MQA) as a Sector Education and Training Authority is mandated by the Skills Development Act to submit a Sector Skills Plan for the mining and minerals sector to the Department of Higher Education and Training (DHET).

All mining and minerals sector entities are urged to submit their Workplace Skills Plan and Annual Training Report to comply with the Mine Health and Safety Act 74 of 2008. Section 10 (5) of the Mine Health and Safety Act states that ***“All mines must submit a workplace skills plan and the annual training report to the Mining Qualifications Authority”*** to qualify for Mandatory Grants, which is 20% of Skills Development Levies reimbursement;) and to also gain access to Discretionary Grants programmes (subject to MQA requirements). In this instance the term “mines” refer to any mining rights holder.

All mining rights holders must submit a Workplace Skills Plan and Annual Training Report to the Mining Qualifications Authority by **30 April annually**. The penalty clause will apply to any mine which did not comply with Section 10 (5) of the Mine Health and Safety Act 74 of 2008.

Yours sincerely,



MR DAVID MSIZA
DEPARTMENT OF MINERAL RESOURCES
CHIEF INSPECTOR OF MINES
DATE: 25/02/2019



MR TEBOGO MMOTLA
MINING QUALIFICATIONS AUTHORITY
CHIEF EXECUTIVE OFFICER (ACTING)
DATE: 25/02/2019