



PROGRAM : B TECH - MINING ENGINEERING

SUBJECT : MINING LEGISLATION

CODE: MLG42-1

DATE : SUPPLEMENTARY EXAMINATION
23 JULY 2014

DURATION : (SESSION 2) 11:30 - 14:30

TOTAL MARKS : 100

EXAMINER : MR N NDIWENI

MODERATOR : MR K HEWITSON

5091

NUMBER OF PAGES : 4 PAGES (incl. cover page)

INSTRUCTIONS :

1. ANSWER ALL QUESTIONS
2. THIS IS AN OPEN BOOK EXAMINATION. (ONLY A TAG INDEXING SYSTEM IS ALLOWED ON THE MHSAct WITH REGULATIONS, NO OTHER NOTES ALLOWED).
3. THE USE OF COMPUTERS, LAPTOPS, PALMTOPS, CALCULATORS & RELATED ITEMS IS PROHIBITED.
4. ALL QUESTIONS SHOULD HAVE REFERENCES & KEY WORDS ,UNLESS STATED OTHERWISE
5. AN ANSWER TO A QUESTION WHEN STARTED SHOULD BE COMPLETED BEFORE ANOTHER ANSWER FOR THE FOLLOWING QUESTION BEGINS

QUESTION 1

One of the main objectives of the Mine Health and Safety Act is to provide for investigations and inquiries to improve health and safety on the mines.

1.1 When must investigations required in terms of the Act be conducted and when may investigations required in terms of the Act be conducted? Also state who is legally responsible for conducting these investigations? State relevant sections of the Act and key words. (6)

1.2 When an investigation is completed, what must be the content of the report or issues that must be addressed in the report? State relevant sections of the Act and key words. (4)

1.3 Who must have access to the reports? State relevant sections of the Act and key words. (3)

1.4 Who may be involved in the investigations? State relevant sections of the Act and key words. (4)
[17]

QUESTION 2

In terms of the regulations, what safety devices must be provided in a licensed inclined shaft? Please note that this is a shaft in which persons are conveyed. [20]

QUESTION 3

3.1 After completion of an investigation into every accident, serious illness or health threatening occurrence that must be reported upon in terms of the Act, a report is prepared. State the detail required in this report. (5)

3.2 To whom and when must a copy of the above report be delivered. (4)
[9]

QUESTION 4

Describe the necessary measures every employer must determine in order to assess and respond to risks, after consulting with the health and safety committee at a mine. [7]

QUESTION 5

List ten sections or regulations of the Act applicable to mines other than coal mines which deal with maintaining the integrity of the mines against explosions, caving, flooding and fires. [10]

QUESTION 6

6.1 What are the employer's legal responsibilities relating to the health and safety of non-mine employees. (10)

6.2 Describe the procedures and/or measures every employer is required to implement in order to ensure, as far as reasonably practicable, that every employee is properly trained in health and safety. (8)

[18]

QUESTION 7

7.1 Who may an employer appoint to perform any function entrusted to such employer in terms of the above Act? (1)

7.2 Who must the employer notify with regard to the appointment of the person mentioned in Question 1(a) above, and what information must be included in such notice? (4)

[5]

QUESTION 8

The Act prescribes that where the employment of an employee at a mine is terminated for any reason, and the employee has been subjected to medical surveillance, the employer must arrange an exit medical examination for such person.

8.1 Who is required to conduct the above-mentioned exit medical examination? (1)

8.2 What does the Act further require from the person conducting the exit medical examination? (5)

[6]

QUESTION 9

What are the duties of an employee as required by the Act. [4]

QUESTION 10

Discuss how the following objects of MPRDA ,have been implemented:-

10.1 Substantially and meaningfully expand opportunities for historically disadvantaged persons, including women, to enter the mineral and petroleum industries and to benefit from the exploitation of the nation's mineral and petroleum resources. (1)

10.2 Promote economic growth and mineral and petroleum resources development in S.A. (1)

10.3 Promote employment and advance the social and economic welfare of all S.A. (1)

10.4 Ensure that holders of mining & production rights contribute towards the socio-economic development of the areas in which they are operating. (1)

[4]

TOTAL = 100
