



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

DMR 10

Private Bag X 5, Braamfontein, 2017 Cnr. De Korte and De beer Street, 78 Mineralia Building, Braamfontein, 2017.
Tel: 011 358 9700 Email: shirley.matjomane@dmr.gov.za Ref No: GP 30/5/1/1/2/ 10543 PR

From: Mineral Regulation: Gauteng Office **Enquiries:** S.M. Matjomane

REGISTERED MAIL

Tom Berry Enterprises CC
P.O. Box 1097
Lebowakgomo
POLOKWANE
0737

Attention: Mr. Thato J. Ramoraswi

APPLICATION FOR PROSPECTING RIGHT IN TERMS OF SECTION 16 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, ACT 28 OF 2002 (THE ACT) AS AMENDED BY SECTION 12 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, ACT 49 OF 2008 "HEREIN REFERRED TO AS THE AMENDED ACT": A PORTION OF PORTION 28 OF THE FARM GROOTFONTEIN 165 IR; IN THE MAGISTERIAL DISTRICT OF NIGEL.

1. This is to inform you that your application for a prospecting right for **Coal** in terms of Section 16 of the MPRDA, (as amended) has been accepted.
2. In terms of section 12(d) read with regulation 52(1) of the said Act, you are therefore required to:
 - a) Consult in the prescribed manner with the landowners, lawful occupiers and any other interested and affected party and include the result of the consultation in the relevant environmental reports.

3. Apply for a Water Use Licence at the Department of Water Affairs and Sanitation in accordance with the National Water Act and associated Regulations, where applicable.
4. The Minister has, after having had regard to and considered the type of mineral that you applied for and the extent of your proposed prospecting activity decided to direct you to give effect to the objects of section 2(d) of the MPRDA. You are therefore directed to submit the following documents within **60 days** [i.e. on or before the 15/11/2018] from the date of this letter, namely;
 - a. Duly signed shareholders agreements with your empowerment partner in which provision **shall** be made for entrepreneurs, local community and employees,
 - b. Share certificates,
 - c. Details relating to the equity by the BEE shareholders,
 - d. Any other agreement relating to the BEE shareholding including the voting pool agreement, where applicable, and
 - e. Your Articles and Memorandum of association.
5. Acceptance of your application does not grant you the right to commence with any prospecting and/or mining activities. It only signifies that your application will be processed in order for the Minister or his delegate to consider same and make a decision within **197** days from the date of acceptance of your application.

You are furthermore requested to consult with Newshelf 1186 (Pty) Ltd also as your interested and affected party due to the fact that they have an existing prospecting right over your area of interest for the same minerals. Proof of such consultation must be incorporated in your environmental report(s)

Regards



Regional Manager

Gauteng Region

BRAAMFONTEIN

Date: 22/08/2018