



## mineral resources & energy

Department:  
Minerals Resources and Energy  
REPUBLIC OF SOUTH AFRICA

Private Bag X7279, Witbank, 1035, Tel: 013 653 0500, Fax 013 690 3288, Saveways Centre, First Floor, Mandela Drive, Witbank, 1035, **From:** Directorate: Mineral Regulation: Mpumalanga Region, Email: Vuyo.Mayekiso@dmre.gov.za **Enquiries:** Vuyolwethu. Mayekiso **Ref:** MP 30/5/1/1/2/16239PR.

### **BY EMAIL/FAX**

The Director/s  
**Tornowize (Pty) Ltd**  
PO BOX 3526  
River Crescent  
Die Heuwel  
**FAX NO: 086 515 3178**

**sonwabo@tornowize.co.za**

Dear Sir/Madam

**ACCEPTANCE OF AN APPLICATION FOR PROSPECTING RIGHT IN TERMS OF SECTION 16(4) OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002) [HEREIN AFTER REFERRED TO AS THE ACT] AS AMENDED BY SECTION 12(d) OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT AMENDMENT ACT, 2008 (ACT 49 OF 2008) [HEREINAFTER REFERRED TO AS THE AMENDMENT ACT]**

1. Please be informed that your application for prospecting of **Coal** on **Portions 4, 7 & 8** of the farm **Elandsfontein 75 IS**, situated in the Magisterial District of **Witbank** is hereby accepted in terms of section 16(2) of the Act as amended by section 12(b) of the Amendment Act.
2. Please take notice that in terms of section 16(4) of the Act as amended by section 12(d)(a) and 12(d)(b) of the Amendment Act, you are required to:-
  - 2.1. to consult in the prescribed manner with the landowner, lawful occupier and any interested and affected party, the Land Restitution Commission and submit the result of such consultation within 30 working days from the date of the signature below.

Acceptance of a prospecting right under file reference number 16239PR.

3. You are in terms of section 17(1) of the Act as amended by section 13(c) of the Amendment Act required to give effect to the objects referred to in section 2(d) of the Act **to ensure that you are BBEE compliant**. Therefore, please submit on or before 30 July 2021 ... to this office for the attention of the writer hereon any documentation proving such including but not limited to: -

3.1. Certified copies of share certificates and share holders register

3.2. Certified copies of Shareholders agreements

3.3. Certified copies articles and memorandum of association of the company

3.4. Trust deed documents and letters of authority for any trust holding shares

3.5. Details relating to funding (all relevant agreements)

3.6. Any other information that may be necessary to explain and serve as evidence that the applicant meets the appropriate HDSA ownership and/or compliance requirements of the aforesaid Act and Mining Charter; **thereby including women and communities in your structure.**

4. Please submit **within 14 days** from date of this letter for the attention of **Mr Ntshela Phasha 3 copies of a complete prospecting work programme prepared in terms of regulation 7 of the Mineral and Petroleum Resources Development Act, 2002 (Act no 28 of 2002): Mineral and Petroleum Development Regulation.**

5. Your attention is also drawn to the provisions of Section 17(1) (e) of the MPRDA, which provides that the minister may grant an application for a prospecting right if the applicant is not in contravention of any relevant provision of this Act. Section 19(2) (f) places an obligation on the holder of a prospecting right to pay the prescribed prospecting fees, as per regulation 76 of the MPRDA. You are therefore reminded to ensure that payment of all prospecting fees for all the prospecting right that you hold, are up to date, failing which this may have a negative impact on the outcome of your current application.


6. ***In light of the minimum requirements as stipulated on Regulation 16 (1) and 16(2) of the EIA Regulations, your application for an Environmental Authorisation was incomplete as it was not accompanied by this acceptance letter as per Sub Regulation 16(1)(ix) and considering that it is now completed by this acceptance letter, you are hereby required to submit the***

Acceptance of a prospecting right under file reference number 16239PR.

**documents as stipulated on Regulation 19 (1) to 19(8) of the EIA Regulations (Only in cases where Basic Assessment Report is applicable) or Regulations 21 (Scoping Report) and Regulation 23 (EIR and EMPr) (In case of Scoping and Environmental Impact Report). All timeframes are effective from the date of this letter.**

7. Please take note that failure to adhere to the timeframe stipulated above and to submit any documentation required in terms of this notice will result into non-compliance with the provision of the Act and the Amendment Act and will result in your application being processed refusal.

Yours faithfully:

  
**REGIONAL MANAGER**  
**MPUMALANGA REGION**  
DATE: ...12/07/2021