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# Issue 01 of 2025

Weekly Lexinfo Energy, Mining and Engineering Law Alert

# ENERGY MINING AND ENGINEERING LAW ALERT



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## HIGHLIGHTS FROM INSIDE THIS ISSUE:

### Case

- [Hollard Insurance Co Ltd v Lynco Projects \(Pty\) Ltd and Others \(1173/2023\) \[2024\] ZAMPMBHC 86 \(17 December 2024\)](#)

### Government Gazettes

- Petroleum Products Act 120 of 1977: Amendment of the regulations in respect of petroleum products. – [RGN5746 GG 51941 p4 31Dec2024](#)
- Petroleum Products Act 120 of 1977: Maximum Retail Price for Liquefied Petroleum Gas – [RGN5747 GG 51941 p6 31Dec2024](#);
- Petroleum Products Act 120 of 1977: Regulations in respect of the single maximum national retail price for illuminating paraffin. – [RGN5745 GG 51941 p3 31Dec2024](#)

### Media Comments

- Nemaikonde, Vhangwele. Court rules body corporate can cut off electricity to owner over R100k levies and utilities debt. [[Body Corporate of The Straight v Katsi \(2023/031774\) \[2025\] ZAGPJHC 2 \(3 January 2025\)](#)] – 2025 Jan 9 [The Citizen](#)

### New Legislation

- National Nuclear Regulator Amendment Act 26 of 2024: [GN5723 GG 51804 p1 20Dec2024](#)
- Rates and Monetary Amounts Amendment Act 45 of 2024: "... amend the Mineral and Petroleum Resources Royalty Act, 2008...; to amend the Carbon Tax Act, 2019, ..." – [GN5739 GG 51829 p1 24Dec2024](#)

## UPCOMING EVENTS:

### 29 Jan 2025

Short Course in Mastering Civil Procedure | SA Legal Academy | Presented by Dwight Snyman | View [Here](#).

### 3 – 4 Feb 2025

The Protection of Personal Information Act, 2013 | UCT Law@Work | View [Here](#).

### 11 – 12 Feb 2025

Litigation skills | Presented by Lisa V. Thomas | UCT Law@Work | View [Here](#).

### 24 – 25 Feb 2025

Pension fund law | Presented by Lize De La Harpe | UCT Law@Work | View [Here](#).

### 24 Feb – 21 Nov 2025

LSSA Programme in Insolvent Estate Practice | Course leader: Prof. André Boraine | Online | View [Here](#).

View our Legal Events Calendar [Here](#).



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## CARBON TAX

### New Legislation

#### Rates and Monetary Amounts Amendment Act 45 of 2024

“To amend the Customs and Excise Act, 1964, so as to amend rates of duty in Schedule 1 to that Act; to amend the Carbon Tax Act, 2019, so as to amend rates; and to provide for matters connected therewith.”

GN5739 GG 51829 p1 24Dec2024

[https://www.gov.za/sites/default/files/gcis\\_document/202501/51829-ratesmonetaryamountsamendmentact45of2024.pdf](https://www.gov.za/sites/default/files/gcis_document/202501/51829-ratesmonetaryamountsamendmentact45of2024.pdf)

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## COMPETITION

### Government Gazette

#### Competition Act 89 of 1998

Notification of decisions to approve mergers: Khwelamet (Pty) Ltd and The Metalloys Operations.

[GenN2917 GG 51820 p59 27Dec2024](#)

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## CONTRACT

### Case

**Hollard Insurance Co Ltd v Lynco Projects (Pty) Ltd and Others (1173/2023) [2024] ZAMPMBHC 86 (17 December 2024)**

Application for payments of R2 770 029.30 – Guarantee – Fuel procurement industry – Respondents' point in *limine* questioning authority of deponent to founding affidavit dismissed – Respondents raised defence on merits being impossibility in project performance – Construction of water pipeline abandoned after members of local community hampered their efforts – Respondents not averring any fraud on part of applicant and not questioning validity of contract – Claim succeeds.

<https://www.saflii.org/za/cases/ZAMPMBHC/2024/86.pdf>

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## DIAMONDS

### Media Comments

**Francke, Robin-Lee. Nine bust for unpolished diamonds, illegal mining in the Northern Cape.**

2024 Dec 21 IOL News

"An operation in the Northern Cape in mining hotspot areas resulted in the arrests of nine suspects and the confiscation of unpolished diamonds. Operation Vala Umgodi members, including SA Police Service, South African National Defence Force (SANDF), and a private security company conducted the intensive operation in Kleinsee on Friday, December 20."

<https://www.iol.co.za/news/crime-and-courts/nine-bust-for-unpolished-diamonds-illegal-mining-in-the-northern-cape-64017e89-3669-4844-8be4-4aaaac18812e>

**Wicks, Bernadette. State's bid to wrest control of Louis Liebenberg's bank accounts heads to SCA.**

2025 Jan 2 News24

"The protracted legal tug-of-war between the state and Louis Liebenberg over control of the controversial diamond-dealer-come-fraud-accused's bank accounts, is set to continue in the Supreme Court of Appeal (SCA) next month. Liebenberg has been accused of scamming investors in his companies, Tariomix and Forever Zircon, by promising them massive returns which never materialised."

<https://www.news24.com/news24/southafrica/news/states-bid-to-wrest-control-of-louis-liebenbergs-bank-accounts-heads-to-sca-20250102> (Subscription needed)

### Media Statement

**ActionSA. ActionSA to request Public Protector probe into Mashatile's dodgy dealings with fraud-accused diamond smuggler Louis Liebenberg. 8 January 2025.**

"ActionSA will formally request the Public Protector to investigate the questionable circumstances surrounding the diamond gift from Louis Liebenberg, a fraud-accused diamond smuggler, to Deputy President Paul Mashatile, regarding any potential breaches of ethical standards or violations of the Executive Members' Ethics Act. Liebenberg, who faces over 40 charges of theft, fraud, money laundering, and racketeering, and is known for illicitly trading in political favours, suspiciously gifted the Deputy President a large diamond, supposedly intended for his wife or partner."

<https://www.actionsa.org.za/actionsa-to-request-public-protector-probe-into-mashatiles-dodgy-dealings-with-fraud-accused-diamond-smuggler-louis-liebenberg/>

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## ELECTRICITY

### Defaulters

### Media Comments

**Cokayne, Roy. Joburg High Court lambastes CoJ for 'abuse of power'.**

2025 Jan 8 Moneyweb

"The City of Johannesburg (CoJ) and the lawyers and legal advisors it uses in disputes with its customers over alleged account arrears and the disconnection of utility services have been lambasted in a Johannesburg High Court judgment."



Acting Judge C Badenhorst referred in a judgment handed down on Monday to the “abuse of power resulting from robust yet unprincipled debt collection practices” by the CoJ.”

<https://www.moneyweb.co.za/news/south-africa/cojs-abuse-of-power-lambasted-in-johannesburg-high-court/>

### **Eskom's R95 billion debt headache.**

2025 Jan 7 Business Tech

“Billions of rand that South African municipalities owe Eskom Holdings SOC Ltd. are hindering the state-owned power utility's plan to restructure and separate its distribution unit, according to Chairman Mteto Nyati. South Africa's municipalities owed Eskom 95.4 billion rand (\$5.1 billion) by November as they struggle to collect revenue from customers and available funds are sometimes misappropriated after years of mismanagement.”

<https://businesstech.co.za/news/government/805949/eskoms-r95-4-billion-debt-headache/>

### **Nemakonde, Vhahangwele. Court rules body corporate can cut off electricity to owner over R100k levies and utilities debt. [Body Corporate of The Straight v Katsi (2023/031774) [2025] ZAGPJHC 2 (3 January 2025)]**

2025 Jan 9 The Citizen

“The Gauteng High Court in Johannesburg has ruled in favour of the body corporate of a residential complex in Johannesburg, in a case against one of its members. The body corporate of The Straight had approached the court after one of its members failed to pay an amount of R107 940.63 in levies and electricity charges together with interest and costs.”

<https://www.citizen.co.za/news/south-africa/courts/body-corporate-vs-owner-outstanding-levies-utilities/>

### **Opinion**

#### **Woode-Smith, Nicholas. Cut off nonpayers' power.**

2025 Jan 8 BusinessDay

“Delinquent municipalities not paying their electricity bills is the reason Eskom's distribution needs to be unbundled and privatised (“[Eskom warns municipal debt imperils unbundling of distribution unit](#)”, January 7). As a political entity, Eskom is helpless to enforce debt collection on nonpaying municipalities or potential voters. To even threaten to shut off the power is not only against the law but politically unthinkable — unless the entity shutting off the power is not politically motivated.”

<https://www.businesslive.co.za/bd/opinion/letters/2025-01-08-letter-cut-off-nonpayers-power/>

### **Electricity Meters**

#### **Media Comment**

#### **Charles, Marvin. 'Why do this during festive?': George residents fume after municipality blocks electricity meters.**

2025 Jan 2 News24

“Residents in George are up in arms after the municipality disconnected their electricity meters. The municipality said that fewer than 3 000 residents are affected. In the 2023/24 financial year, George municipality wrote off R74 million in municipal debt to alleviate residents' financial burden.”

<https://www.news24.com/news24/southafrica/news/why-do-this-during-festive-george-residents-fume-after-municipality-blocks-electricity-meters-20250102> (Subscription needed)

### **Tariffs**

#### **Media Comments**

#### **Kgobotlo, Boitumelo. Ramokgopa wants NERSA to reject Eskom's 36% tariff application.**

2024 Dec 23 Sunday World

“Minister of Electricity and Energy Kgosientsho Ramokgopa has expressed confidence that the National Energy Regulator of South Africa (NERSA) will not approve Eskom's proposed 36% electricity tariff increase. He said this was motivated by the stories and presentations from the NERSA public hearings, where pensioners were heard detailing how they struggle to put food on the table with their social grants, and how the increase will challenge their daily lives.”

<https://sundayworld.co.za/politics/ramokgopa-wants-nersa-to-reject-eskoms-36-tariff-application/>

See also:

- **Magubane, Thami. Ramokgopa warns high electricity costs could trigger unrest in South Africa.** – 2024 Dec 29 The Mercury  
<https://www.iol.co.za/mercury/news/ramokgopa-warns-high-electricity-costs-could-trigger-unrest-in-south-africa-302f1887-037e-4d02-960d-65f342d68d9a>



- **Massive electricity price hike for South Africa – D-Day is coming.** – 2024 Dec 23 Business Tech  
<https://businesstech.co.za/news/energy/804931/massive-electricity-price-hike-for-south-africa-d-day-is-coming/>
- **Slabbert, Antoinette. Uncertainty about Eskom tariffs to continue into new year.** – 2024 Dec 24 Moneyweb  
<https://www.moneyweb.co.za/news/south-africa/uncertainty-about-eskom-tariffs-to-continue-into-new-year/>
- **Van Diemen, Ethan. Nersa's curse is how tight to hold the purse.** – 2024 Dec 24 Daily Maverick  
<https://www.dailymaverick.co.za/article/2024-12-24-nersas-curse-is-how-tight-to-hold-the-purse/>

## Video

**Newzroom Afrika. Electricity tariff hikes could cause unrest.**

2025 Jan 3 YouTube

"NEDLAC constituency head Thulani Tshefuta is cautioning the government against electricity tariff hikes. He says this will lead to unaffordability, poor access to electricity and energy and may contribute to non-payment of electricity and other services, and even possible unrest."

<https://www.youtube.com/watch?v=88g6JVK95JA>

## Theft

See [INFRASTRUCTURE DEVELOPMENT/THEFT/VANDALISM](#)

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# EMPLOYMENT

## Cases

**National Union of Metalworkers of South Africa (NUMSA) obo Motlounge and Others v Polyoak Packaging (Pty) Ltd and Others (DA02/23) [2024] ZALAC 66 (17 December 2024)**

Appeal and cross-appeal concerning events during protected strike at respondent's premises – Labour Court (LC) held that dismissals of six employees found to have been unfairly dismissed and reinstated by arbitrator were substantively and procedurally fair – Cross-appeal in respect of Labour Court's finding that one further employee (Ngubane) had been unfairly dismissed – Arbitrator's finding that six employees were simply in the wrong place at the wrong time and did not participate in misconduct alleged has no basis in evidence – Award thus reviewable – No basis to interfere with LC's conclusions in respect of six employees – Labour Court erred in finding that Ngubane committed no misconduct because he did not appear in any video footage, in circumstances where no reliance had been placed on that footage to establish his misconduct – Appeal dismissed and cross-appeal upheld.

<https://www.saflii.org/za/cases/ZALAC/2024/66.pdf>

**Sibanye Gold Ltd v Commission for Conciliation, Mediation and Arbitration and Others (JR2643/21) [2024] ZALCJHB 491 (5 December 2024)**

Review application – Arbitration award finding dismissals substantively unfair as applicant had inconsistently applied discipline – Breach of picketing rules and possession of dangerous weapons during protected strike – Commissioner properly considering facts relating to inconsistency and applying proper legal principles – Finding of inconsistency reasonable – Arbitrator's conclusion that dismissal of all ten members of third respondent was substantively unfair is unreasonable – Award reviewed and set aside – Dismissal of two members substantively fair.

<https://www.saflii.org/za/cases/ZALCJHB/2024/491.pdf>

## Government Gazette

**Labour Relations Act 66 of 1995**

Notice of intention to cancel the registration of an employers' organisation: Pressure Equipment Manufacturers' Association of South Africa (PEMA) (LR 2/6/3/180).

RGN5711 GG 51775 p60 20Dec2024

[https://www.gov.za/sites/default/files/gcis\\_document/202412/51775reg11779gon5711.pdf](https://www.gov.za/sites/default/files/gcis_document/202412/51775reg11779gon5711.pdf)

## Media Comments

**Fraser, Luke. Eskom scam alert for South Africa.**

2025 Jan 6 Business Tech



“Eskom is the latest major company to warn of employment-related scams in South Africa, joining the likes of Discovery Bank and Capitec. In a [post on Twitter/X](#), Eskom warned the public about recruitment scams regarding fake vacancies for the company.”

<https://businesstech.co.za/news/lifestyle/805786/eskom-scam-alert-for-south-africa/>

#### **Magubane, Thami. Intervention ‘insufficient’ to halt plant closure.**

2025 Jan 8 Cape Times

“THE Department of Trade, Industry and Competition (dtic) has defended itself against an allegation that it failed to act to prevent the downscaling of ArcelorMittal’s steel plant in Newcastle, stating that the intervention to avert the closure was deemed insufficient. The department said that its efforts were not enough to save the thousands of jobs that will now be lost as a result of ArcelorMittal South Africa (Amsa) plant’s downscaling.”

<https://www.iol.co.za/capetimes/news/intervention-insufficient-to-halt-plant-closure-cf723654-bea3-4426-b6d0-476772ecb910>

See also:

- **Steyn, Lisa. ArcelorMittal crashes as it shuts its SA long steel mills – Says govt should have done more.** – 2025 Jan 7 News24

<https://www.news24.com/fin24/companies/arcelormittal-crashes-as-it-shutters-its-sa-long-steel-mills-says-govt-should-have-done-more-20250107> (Subscription needed)

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## **ENVIRONMENTAL LAW**

### **Media Comments**

#### **End, Aurélia. Biden issues major coastal protection before Trump handover.**

2025 Jan 6 eNCA

“US President Joe Biden on Monday banned offshore drilling across an immense area of coastal waters, weeks before Donald Trump takes office pledging to massively increase fossil fuel production. The ban encompasses the entire Atlantic coast and eastern Gulf of Mexico, as well as the Pacific coast off California, Oregon and Washington, and a section of the Bering Sea off Alaska. A White House statement said the declaration protected more than 625 million acres (253 million hectares) of waters.”

<https://www.enca.com/news/biden-issues-major-coastal-protection-trump-handover>

#### **Khumalo, Kabelo. Government dragged to court over Eskom’s emissions.**

2025 Jan 8 BusinessDay

“Environmental groups have dragged the minister of forestry, fisheries & the environment, Dion George, to court over the department’s decision to allow eight of Eskom’s power stations to deviate from basic air pollution standards, or minimum emissions standards. The standards were put in place to set the bare minimum level of compliance by major polluters, putting Eskom, Sasol and ArcelorMittal SA squarely in its sights...”

<https://www.businesslive.co.za/bd/national/2025-01-08-government-dragged-to-court-over-eskoms-emissions/>

(Subscription needed)

#### **Maguire, Gavin. US gas-fired energy boom masks overall drop in sector.**

2025 Jan 8 BusinessDay

“For the first time more than 1-billion tonnes of carbon dioxide (CO<sub>2</sub>) was discharged from US gas-fired power stations in a single year during 2024, marking a new pollution threshold for the world’s biggest producer and consumer of the fossil fuel. The emission of 1.003-billion tonnes is 3.6% higher than in 2023, and marks a 40% jump in gas-fired power generation emissions since 2015, according to data from Ember, a global energy think-tank.”

<https://www.businesslive.co.za/bd/companies/2025-01-08-us-gas-fired-energy-boom-masks-overall-drop-in-sector/>

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## **ESKOM**

### **Annual Results**

#### **Annual Report**

Eskom. Group annual results for the year ended 31 March 2024. 19 December 2024.



- “Bulk generation of illegal prepaid electricity tokens on Eskom’s online vending system for prepaid meters: Collusion is suspected between Eskom staff and illicit operators who breached controls within the prepaid ecosystem to facilitate the creation and sale of fraudulent prepaid electricity tokens; a forensic investigation is underway to determine the root causes and make recommendations; and inability to reliably estimate the potential obligation from the exposure that illicit tokens can be used in the future due to the high level of uncertainty around the number of illicit prepaid electricity tokens that remain in circulation and compatible with Eskom meters.
- Challenges involving NTCSA:  
Determination of take-on balances at 31 March 2024 following the disposal of the Transmission business to NTCSA; subsequent derecognition of a deferred tax asset of R36.6 billion following the transaction; and valuation of an upstream guarantee from NTCSA for third-party debt secured by NTCSA’s assets.  
Responding to reportable irregularities raised by the external auditors.”

<https://www.eskom.co.za/wp-content/uploads/2024/12/Eskom-results-presentation-2024.pdf>

### Financial Statements

#### **Eskom. Annual financial statements for the year ended 31 March 2024. 19 December 2024.**

“The information in this report covers the group performance of Eskom and its major operating subsidiaries, unless otherwise stated. A high-level summary of the pertinent issues that characterised the year under review, as well as any material developments after year end, is presented in this report. Additional information, where relevant, is contained in relevant sections of the directors’ report, annual financial statements and integrated report.”

<https://www.eskom.co.za/wp-content/uploads/2024/12/Eskom-annual-financial-statements-2024.pdf>

### Integrated Report

#### **Eskom. Integrated report for the year ended 31 March 2024. 19 December 2024.**

“Our integrated report aims to provide a holistic account of how we create and preserve value, our strategy, risks and opportunities, performance and outlook, as well as governance of these areas. Supplementary information is included at the back of the report. It is a holistic report to stakeholders covering all our areas of our value creation journey and is aimed predominantly at providers of financial capital – lenders, bondholders and other investors, as well as the shareholder, representing the people of South Africa. Nevertheless, the report aims to provide information to a wide range of stakeholders. The report considers our performance in the context of our internal framework that covers environmental, social and governance (ESG) practices.”

<https://www.eskom.co.za/wp-content/uploads/2024/12/Eskom-integrated-report-2024.pdf>

### Summary

#### **Eskom. Performance commentary for the year ended 31 March 2024. 19 December 2024.**

“The following commentary provides an overview of our financial and operational performance for the year ended 31 March 2024, as well as progress on other key matters. Developments after the end of the year to 18 December 2024, being the date of approval of the results by the Board, have been discussed where relevant. During the year under review, generation plant availability has continued to decline, resulting in more frequent loadshedding at higher stages on average than in the previous year, requiring stage 6 loadshedding on 55 days (2023: 34 days). Furthermore, we have continued to experience the adverse effects of generation supply constraints on financial performance, mostly due to the reliance on expensive production from Eskom-owned and independent power producer (IPP) open-cycle gas turbines (OCGTs).”

<https://www.eskom.co.za/wp-content/uploads/2024/12/Eskom-performance-commentary-2024.pdf>

### Sustainability Report

#### **Eskom. Sustainability report for the year ended 31 March 2024. 19 December 2024.**

“Our role, as a state-owned company (SOC) with both a commercial and social mandate, is to supply electricity in an efficient and sustainable manner, to contribute to lowering the cost of doing business in South Africa, and to enable economic growth. Our operations are executed in a manner aimed at minimising any negative effects/impacts we may potentially pose to our people, the environment, and the South African economy. As an organisation embarking on an energy transition that will be undertaken in a just manner and ensuring social inclusivity, we have a vision to drive economic growth by being a financially sustainable provider of energy solutions across Africa. Globally, there has been a move by stakeholders, most notably investors, towards weighing the sustainability and ethical impact of an organisation by assessing how it approaches environmental, social and governance (ESG) matters. Our stakeholders, and particularly our lenders, base their relationship decisions with us on their insight into our risks and opportunities, i.e., the sustainability of Eskom.”



<https://www.eskom.co.za/wp-content/uploads/2024/12/Eskom-sustainability-report-2024.pdf>

## Graft Claims

### Media Comment

**Khumalo, Kabelo. Eskom says no evidence yet to back up De Ruyter's graft claims.**

2025 Jan 7 BusinessDay

"Power producer Eskom says it has yet to uncover evidence of the corruption claimed by erstwhile CEO André de Ruyter in his explosive book published in May 2023. De Ruyter, who quit the role in December of 2022, had also launched a private investigation into corruption at Eskom at the end of 2021. It was conducted by forensic investigation organisation George Fivaz Forensic & Risk, which compiled a damning report on criminal activity at Eskom implicating government officials..."

<https://www.businesslive.co.za/bd/national/2025-01-07-eskom-says-no-evidence-yet-to-back-up-de-ruyters-graft-claims/> (Subscription needed)

## Top Funders

### Media Comment

**Goba, Nompilo. BlackRock and PIC named as Eskom's top funders.**

2025 Jan 7 BusinessDay

"Finance minister Enoch Godongwana has revealed that BlackRock, the world's largest asset manager, holds the majority of Eskom's foreign bonds, while Africa's biggest fund manager, the Public Investment Corporation (PIC), has the largest domestic exposure to the state-owned utility's debt. Godongwana's disclosure in response to a parliamentary question from EFF MP Carl Niehaus offered a detailed breakdown of Eskom's creditors..."

<https://www.businesslive.co.za/bd/companies/financial-services/2025-01-07-blackrock-and-pic-named-as-eskoms-top-funders/> (Subscription needed)

## Unbundling

### Media Comment

**Khumalo, Kabelo. Eskom warns municipal debt imperils unbundling of distribution unit.**

2025 Jan 7 BusinessDay

"Eskom chair Mteto Nyati has warned that runaway municipal debt, which topped the R100bn mark, risks delaying the unbundling of the utility's distribution unit, potentially putting into question the viability of the distribution arm. Nyati in his letter to stakeholders published in Eskom's 2024 annual report said "unsustainable" levels of municipal arrear debt, with electricity theft were the issues keeping the board up at night..."

<https://www.businesslive.co.za/bd/national/2025-01-07-eskom-warns-municipal-debt-imperils-unbundling-of-distribution-unit/> (Subscription needed)

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## GAS

### Media Comments

**Deadline looms for unconventional gas regulations inputs.**

2025 Jan 8 BizCommunity

"Interested parties have one week left to submit written comments or make inputs on the proposed Unconventional Gas Regulations. The Department of Water and Sanitation has made provisions for a second round of public consultations and comments on the proposed Unconventional Gas Regulations. Water and Sanitation Minister, Pemmy Majodina, published the Gazette Notice 51642 on 22 November 2024, and granted the sector key stakeholders and the public sector 30 days to make representations on the proposed regulations."

<https://www.bizcommunity.com/article/deadline-looms-for-unconventional-gas-regulations-inputs-031545a>

**Maguire, Gavin. US gas-fired energy boom masks overall drop in sector. See [ENVIRONMENTAL LAW](#)**

**Sasol cuts gas production in Mozambique amid post-election unrest. See [HEALTH AND SAFETY](#)**



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## HEALTH AND SAFETY

### Media Comments

#### DRC sues Apple over 'blood mineral' claims.

2024 Dec 17 News24

"Computer chips and tech devices require a wide array of minerals and specialty metals. The lawyers said that the scale and duration of the alleged activities have caused "unfathomable harm and suffering" for civilians, fuelling violence and conflict by financing militias and terrorist groups and contributing to forced child labour and environmental devastation."

<https://www.news24.com/fin24/tech/drc-sues-apple-over-blood-mineral-claims-20241217> (Subscription needed)

#### Sasol cuts gas production in Mozambique amid post-election unrest.

2024 Dec 24 SABC News

"South African petrochemical giant Sasol has reduced natural gas production at its central processing facility in Temane, Mozambique, citing concerns for the safety of staff and assets amid widespread unrest following a disputed election. South Africa relies heavily on gas imports through the Rompco pipeline, which transports gas from Mozambique's onshore fields to Sasol's Secunda industrial complex in Mpumalanga, before distribution to Gauteng and KwaZulu-Natal."

<https://www.sabcnews.com/sabcnews/sasol-cuts-gas-production-in-mozambique-amid-post-election-unrest/>

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## INFRASTRUCTURE DEVELOPMENT/THEFT/VANDALISM

### Media Comments

#### Bail denial for farmer in illegal electricity case welcomed – Eskom.

2024 Dec 24 Politics Web

"The suspect arrested in connection with a large-scale illegal electricity operation uncovered in Leeupoort near Fochville in Gauteng earlier this month, has been denied bail and will remain in custody at the Klerksdorp correctional facility until the next court appearance, scheduled for 28 March 2025. Eskom supports the court's decision as it underscores the seriousness of the offence and supports ongoing efforts to deter such activities. This case highlights the significant challenges Eskom faces in combating electricity theft and its broader implications for the utility and the nation."

<https://www.politicsweb.co.za/politics/bail-denial-for-farmer-in-illegal-electricity-case>

#### Illidge, Myles. Eskom electricity theft disaster.

2024 Dec 27 My Broadband

"A compulsory prepaid electricity meter project carried out in 2024 revealed a high prevalence of electricity theft in South Africa. Eskom estimated that 2.1 million prepaid customers had been buying electricity illegally. The timer built into the Standard Transfer Specification (STS) ran out of time at 20:15 on 24 November 2024, requiring customers with STS-compliant prepaid electricity meters to update them before that deadline."

<https://mybroadband.co.za/news/energy/575650-eskom-electricity-theft-disaster.html>

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## LAND RIGHTS

### Media Comment

#### Schutters, Lindsay. Renegen starts 2025 with helium hurdles and legal battles.

2025 Jan 7 BizCommunity

"Renegen continues to grapple with operational and legal challenges as it heads into 2025. The [quarterly update published on New Year's Eve](#) shows that while the company makes strides in stabilising its production processes, a courtroom battle with Springbok Solar over land-use rights casts a shadow on its ambitious growth plans."

<https://www.bizcommunity.com/article/renege-starts-2025-with-helium-hurdles-and-legal-battles-708622a>

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## MINING

### Illegal Mining

#### Media Comments

**Five arrested for illegal mining near Belfast.**

2024 Dec 22 Middelburg Observer

<https://www.citizen.co.za/middelburg-observer/news/2024/12/22/five-arrested-for-illegal-mining-near-belfast/>

**Hawker, Diane. Stilfontein illegal miners are 'eating human flesh' and cockroaches to survive, rescued miners tell ConCourt.**

2025 Jan 5 Daily Maverick

"Three artisanal miners who recently emerged from abandoned mine shafts in Stilfontein in North West have told the Constitutional Court about the abhorrent conditions underground. The NGO Mining Affected Communities United in Action wants the court to sanction police and other government actors. Meanwhile, government lawyers argue that the Buffelsfontein Gold Mine should be responsible for the rescue operation."

<https://www.dailymaverick.co.za/article/2025-01-05-stilfontein-illegal-miners-eat-human-flesh-cockroaches-rescued-miners/>

See also:

- **Mntambo, Nokukhanya. MACUA approaches ConCourt in fight for illegal miners in Stilfontein to be rescued.** – 2025 Jan 2 EWN  
<https://www.ewn.co.za/2025/01/02/macua-approaches-concourt-in-fight-for-illegal-miners-in-stilfontein-to-be-rescued>
- **Mntambo, Nokukhanya. Protracted mission to bring Stilfontein illegal miners to the surface continues.** – 2024 Dec 27 EWN  
<https://www.ewn.co.za/2024/12/27/protracted-mission-to-bring-stilfontein-illegal-miners-to-the-surface-continues>
- **Mntambo, Nokukhanya. Second group of illegal Stilfontein miners sentenced.** – 2025 Jan 8 EWN  
<https://www.ewn.co.za/2025/01/08/second-group-of-illegal-stilfontein-miners-sentenced>
- **Mntambo, Nokukhanya. Stilfontein illegal mining: Good Party adds to calls urging Mantashe to intervene.** – 2025 Jan 9 EWN  
<https://www.ewn.co.za/2025/01/09/stilfontein-illegal-mining-good-party-adds-to-calls-urging-mantashe-to-intervene>
- **Nkadimeng, Innocentia. Macua proposes using drones to assess conditions at Buffelsfontein gold mine.** – 2025 Jan 8 TimesLIVE  
<https://www.timeslive.co.za/news/south-africa/2025-01-08-macua-proposes-using-drones-to-assess-conditions-at-buffelsfontein-gold-mine/>
- **Pongweni, Takudzwa. Crisis committee claims police are deliberately misleading the public on Stilfontein's illegal miners.** – 2025 Jan 1 Daily Maverick  
<https://www.dailymaverick.co.za/article/2025-01-01-stilfontein-committee-claims-police-are-deliberately-misleading-the-public-on-illegal-miners/>
- **Schrieber, Sinesipho. Stilfontein mine owner says not legally bound to rescue trapped miners.** – 2025 Jan 7 BusinessDay  
<https://www.businesslive.co.za/bd/national/2025-01-07-stilfontein-mine-owner-says-its-not-legally-bound-to-rescue-trapped-miners/> (Subscription needed)

**Ngcobo, Thandoluhle. Mpumalanga acting top cop praises law enforcement for making in-roads in fighting illegal mining.**

2024 Dec 28 EWN

<https://www.ewn.co.za/2024/12/28/mpumalanga-acting-top-cop-praises-law-enforcement-for-making-in-roads-in-fighting-illegal-mining>

**Swartz, Kim. 14 undocumented foreigners arrested for 'illegal sand mining'.**

2025 Jan 6 TimesLIVE

<https://www.timeslive.co.za/news/south-africa/2025-01-06-14-undocumented-foreigners-arrested-for-illegal-sand-mining/>



## Podcast

### Maggs, Jeremy. Illegal miners: Is access to food a human right?

2025 Jan 8 Moneyweb

"A debate is raging among human rights activists, mining companies and legal experts about illegal miners' right to access food."

<https://www.moneyweb.co.za/moneyweb-podcasts/moneyweb-midday/illegal-miners-is-access-to-food-a-human-right/>

## Videos

### Newzroom Afrika. Buffelsfontein gold mine does not need closure certificate.

2025 Jan 8 YouTube

"Researcher at Benchmarks Foundation, David Van Wyk, says the Buffelsfontein gold mine does not require a mining closure certificate for the disused Stilfontein shaft, because the company has an active mine site in the area. This is at the back of a report by TimesLIVE on an urgent application filed at the Constitutional Court by an NGO called Mining Affected Communities United in Action, where the company denied liability for rescue operations."

<https://www.youtube.com/watch?v=kkOaA2ke8Oo>

### Newzroom Afrika. Feature: True cost of illegal mining and measures required to effectively regulate the trade.

2025 Jan 5 YouTube

"The illicit trade is highly lucrative, affecting government revenue and posing safety risks for nearby communities. However, the pressing questions remain: what is the true cost of illegal mining and what measures are required to combat or effectively regulate the trade?"

<https://www.youtube.com/watch?v=ZaOruK1dhVs>

### SABC News. Stilfontein mine: Spoor calls for acceleration of retrieval operations.

2025 Jan 3 YouTube

"North West police say more illegal miners are continuing to emerge from underground at different disused shafts in Stilfontein. Government says it needs R7.8 million to bring all the illegal miners to the surface... Let's speak to Richard Spoor, of Richard Spoor Inc Attorneys."

<https://www.youtube.com/watch?v=XnXlXoTmdVc>

See also:

- Newzroom Afrika. Call for public support for Illegal miners in Stilfontein [with Yasmin Omar]. – 2025 Dec 30 YouTube  
<https://www.youtube.com/watch?v=TUANjhHnf6s>
- Newzroom Afrika. MACUA: Court must force government to send food to illegal miners. – 2025 Jan 1 YouTube  
<https://www.youtube.com/watch?v=JNFgvQwBPoU>
- Newzroom Afrika. State is obligated to assist illegal miners in Stilfontein [with Yasmin Omar]. – 2024 Dec 26 YouTube  
[https://www.youtube.com/watch?v=\\_29cKu3DC74](https://www.youtube.com/watch?v=_29cKu3DC74)

## Royalties

### Media Comment

### Tshehle, Boitumelo. ActionSA leader accused of colluding with mines.

2025 Jan 5 Sunday World

"ActionSA North West provincial chairperson and traditional leader Kgosi Kwena Mangope is at the centre of a dispute over mining royalties involving close family members and residents of Mmasebudule near Zeerust. Residents and family members have accused Mangope of colluding with mining companies to extract chrome from residential plots in the village without their consent or any benefit to the landowners. Mangope took over as leader of the Bahurutshe Boo Manyane traditional authority from his father, former Bophuthatswana bantustan leader Lucas Mangope in 2017."

<https://sundayworld.co.za/news/actionsa-leader-accused-of-colluding-with-mines/>

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## NUCLEAR ENERGY

### Media Comment

#### Libera, Malcolm. Ramaphosa signs another bill into law.

2024 Dec 19 Business Tech

“President Cyril Ramaphosa has signed the National Nuclear Regulator Amendment Bill into law, marking a significant step in enhancing nuclear safety and aligning South Africa with global regulatory standards... Additionally, the law empowers the Regulator to monitor and regulate occupational exposure to cosmic radiation for aircrew operating at altitudes below 49,000 feet, addressing a previously overlooked aspect of aviation safety.”

<https://businesstech.co.za/news/government/804685/ramaphosa-signs-another-bill-into-law/>

### New Legislation

#### National Nuclear Regulator Amendment Act 26 of 2024

“To amend the National Nuclear Regulator Act, 1999, so as to substitute certain definitions and insert new definitions; to authorise the Regulator to perform additional regulatory functions; to provide for the decontamination, decommissioning and closing of national defence force facilities, equipment, machinery and scrap for civilian use; to provide for financial provision for costs associated with safe rehabilitation or decommissioning of facilities; to provide for additional powers of inspectors; to provide for administrative fines; to provide for the establishment of the National Dose Register; to provide for a centralised database of radiation workers; and to provide for matters connected therewith.”

Commencement date to be proclaimed.

GN5723 GG 51804 p1 20Dec2024

[https://www.gov.za/sites/default/files/gcis\\_document/202501/51804-nationalnuclearregulatoramendmentact26of2024.pdf](https://www.gov.za/sites/default/files/gcis_document/202501/51804-nationalnuclearregulatoramendmentact26of2024.pdf)

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## PETROLEUM

### Fuel Prices

### Government Gazettes

#### Petroleum Products Act 120 of 1977

- Amendment of the regulations in respect of petroleum products.  
[RGN5746 GG 51941 p4 31Dec2024](#)
- Maximum Retail Price for Liquefied Petroleum Gas.  
[RGN5747 GG 51941 p6 31Dec2024](#)
- Regulations in respect of the single maximum national retail price for illuminating paraffin.  
[RGN5745 GG 51941 p3 31Dec2024](#)

### Media Comments

#### Fraser, Luke. Warning signs for petrol prices in February.

2025 Jan 8 Business Tech

“After three consecutive fuel price increases, early data shows South Africans may see more pain at the pumps in February. Fuel prices did not start 2025 on a positive note, with prices going up by 12 and 19 cents per litre for 93 and 95 petrol respectively, and between 7.50 and 10.50 cents per litre for diesel. This was due to both the global price of petrol increase in December and the rand coming in weaker relative to November.”

<https://businesstech.co.za/news/energy/806036/warning-signs-for-petrol-prices-in-february/>

#### SA welcomes in 2025 with petrol and diesel increases.

2024 Dec 29 BizCommunity

“The fuel prices for January 2025 will be adjusted with increases for Petrol 93, Petrol 95 and diesel. The Minister of Mineral and Petroleum Resources has [announced](#) the adjustment of fuel prices based on current local and international factors with effect from 1 January 2025.”

<https://www.bizcommunity.com/article/sa-welcomes-in-2025-with-petrol-and-diesel-increases-142016a>



## Licence Management

### Invitation to Comment

**National Energy Regulator of South Africa (NERSA). Applications by Engen Petroleum (Pty) Ltd, Sasol Oil (Pty) Ltd-Total Energies Marketing South Africa (Pty) Ltd JV (NATCOS) and Prax South Africa (Pty) Ltd-Sasol Oil (Pty) Ltd JV. 8 January 2025.**

"NERSA has received the following applications:

- Engen Petroleum (Pty) Ltd: An application for the revocation of a licence issued for the operation of a petroleum storage facility located at Bram Fischer International Airport, Bloemfontein, Free State Province, PPL.sf.F3/13/69/2006/AM1;
- Engen Petroleum: An application for the revocation of a licence issued for the operation of a petroleum storage facility located at Kimberley Airport, Kimberley, Northern Cape Province, PPL.sf.F3/13/70/2006/AM1; and
- Sasol Oil (Pty) Ltd and Total Energies Marketing South Africa (Pty) Ltd operating as NATCOS: An application for the third amendment of the conditions of a licence issued for the operation of petroleum pipelines, storage and loading facilities located in Island View, Durban, KwaZulu-Natal Province, PPL.sf.F3/18/2006/AM2.

Stakeholders and members of the public are invited to comment on the applications in writing. Written comments must be sent to NERSA for the attention of Ms Xolile Mtwla, Executive Manager, at: Post: Petroleum Pipelines Regulation, The National Energy Regulator of South Africa, PO Box 40343, Arcadia, Pretoria, 0007 | Email: [pipelines@nersa.org.za](mailto:pipelines@nersa.org.za) | Fax: 012 401 4700. The closing date for comments is 19 February 2025."

[https://www-nersa-org-za.b-cdn.net/wp-content/uploads/2025/01/Notice-and-Comments-Advert\\_.pdf](https://www-nersa-org-za.b-cdn.net/wp-content/uploads/2025/01/Notice-and-Comments-Advert_.pdf)

## Tariff Application for Storage Facilities

### Invitation to Comment

**National Energy Regulator of South Africa (NERSA). Tariff applications for petroleum storage facilities. 7 January 2025.**

"The Energy Regulator invites the public to comment on the tariff applications for the following facilities:

- bp Southern Africa (Pty) Ltd and Sasol Oil (Pty) Ltd's petroleum storage facility located in Pretoria, Gauteng Province; and
- bp Southern Africa (Pty) Ltd and Strategic Fuel Fund Association SOC petroleum storage facility located in Cape Town, Western Cape Province.

Stakeholders and members of the public are invited to submit written comments on the abovementioned tariff applications. Written comments and enquires must be sent to the Head of Department: Petroleum Pipelines Tariffs at: Postal address: Petroleum Pipelines Tariffs, National Energy Regulator of South Africa, PO Box 40343, Arcadia, Pretoria, 0007 | Email: [pipelines@nersa.org.za](mailto:pipelines@nersa.org.za) | Tel: 012 401 4600 | Fax: 012 401 4700."

The closing date for comments is 18 February 2025."

<https://www-nersa-org-za.b-cdn.net/wp-content/uploads/2025/01/Invitation-to-comment-on-tariff-applications-by-bpSA-Cape-Town-and-Pretoria-TA.pdf>

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## RENEWABLE ENERGY

### Media Comments

**Khumalo, Kabelo. UK study finds Sasol well placed to drive SA's green hydrogen sector.**

2025 Jan 9 BusinessDay

"A working paper by the School of Oriental and African Studies, a public research university in London, says decarbonisation is an existential challenge for Sasol, but argues the group is well positioned to drive SA's green hydrogen economy. The paper, published in December, looked into the green transition and employment in Southern Africa. It flagged Sasol as having a key role to play in the region's just transition efforts..."

<https://www.businesslive.co.za/bd/companies/energy/2025-01-09-uk-study-finds-sasol-well-placed-to-drive-sas-green-hydrogen-sector/> (Subscription needed)

**Luvhengo, Phathu. Preferred bidders under renewable energy programme appointed.**

2024 Dec 23 TimesLIVE

"Minister of electricity and energy Dr Kgosientsho Ramokgopa announced the appointment of eight preferred bidders under the renewable energy independent power procurement programme Bid Window 7. The programme aims to



procure 615MW to provide capacity and energy services to Eskom at eight sites in North West, the Free State and Gauteng.”

<https://www.timeslive.co.za/news/south-africa/2024-12-23-preferred-bidders-under-renewable-energy-programme-appointed/>

### Microgrids dominate battery trends in 2025.

2025 Jan 7 BizCommunity

“While Eskom basks in the glow of improved performance, a hidden force is quietly reshaping South Africa's energy landscape. Behind the scenes, a revolution is brewing – solar panels sprouting on homes and businesses, coupled with the rise of battery storage, are dramatically reducing reliance on the national grid. As 2025 unfolds, it's clear that the power to keep the lights on is increasingly shifting into the hands of the people.”

<https://www.bizcommunity.com/article/mini-grids-dominate-battery-trends-in-2025-364268a>

### Milestone development for renewable energy in Central Africa.

2025 Jan 6 Freight News

“Marking a major step forward in expanding green infrastructure across the Central African region, the African Export-Import Bank (Afreximbank) has signed a project preparation facility financing agreement for its private-sector renewable energy project in the Democratic Republic of Congo (DRC). Partnering with Kipay Investments SAS (Kipay), the Bank will finance the technical and bankability studies, legal, financial advisory and fundraising costs for development of the up to 200 MW reservoir-based hydropower project to be located along the Lufira River.”

<https://www.freightnews.co.za/article/milestone-development-renewable-energy-central-africa>

### Slabbert, Antoinette. Electricity: Municipalities, grid constraint top 2025 to-do list.

2025 Jan 6 Moneyweb

“Solutions for the “disastrous” state of electricity supply at municipal level, as the Association of South African Chambers (Asac) puts it, and the grid constraints that are at the heart of the failure of government’s procurement of renewable energy from a wind perspective, must be top of the agenda for 2025.”

<https://www.moneyweb.co.za/news/south-africa/electricity-municipalities-grid-constraint-top-2025-to-do-list/>

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## ROYALTIES/TAXATION

See also [MINING: Royalties](#)

### New Legislation

#### Taxation Laws Amendment Act 42 of 2024

“To—

- amend the Income Tax Act, 1962, so as to amend certain definitions; amend certain provisions; to insert new provisions; to amend certain Schedules;
- amend the Customs and Excise Act, 1964, so as to make provision for continuations; to amend certain Schedules;
- amend the Value-Added Tax Act, 1991, so as to amend certain provisions; to amend a Schedule; and to make provision for continuations;
- amend the Securities Transfer Tax Act, 2007, to amend certain provisions;
- amend the Mineral and Petroleum Resources Royalty Act, 2008, so as to amend a provision;
- amend the Employment Tax Incentive Act, 2013, so as to amend certain provisions;
- amend the Taxation Laws Amendment Act, 2013, so as to amend certain effective dates;
- amend the Taxation Laws Amendment Act, 2018, so as to amend certain provisions;
- amend the Carbon Tax Act, 2019, so as to amend certain provisions; and to amend certain Schedules;
- amend the Taxation Laws Amendment Act, 2021, so as to amend a certain provision; and
- amend the Taxation Laws Amendment Act, 2023, so as to amend certain provisions; and to provide for matters connected therewith.”

GN5736 GG 51826 p1 24Dec2024

[https://www.gov.za/sites/default/files/gcis\\_document/202501/51826-taxationlawsamendmentact42of2024.pdf](https://www.gov.za/sites/default/files/gcis_document/202501/51826-taxationlawsamendmentact42of2024.pdf)

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## TRADE AND INDUSTRY

### Government Gazette

#### International Trade Administration Commission

Notice of an initiation of the investigation for remedial action in the form of a safeguard measure against the increased imports of flat-rolled products of iron or non-alloy steel.

[GenN2916 GG 51820 p54 27Nov2024](#)

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## TRUSTS

### Case

#### Glencore Operations South Africa (Pty) Ltd and Others v Master of the High Court: North West and Others (945/2023; 1081/2023) [2024] ZASCA 179 (19 December 2024)

Trust Property Control Act 57 of 1988 – Whether second to seventh respondents were lawfully appointed as trustees to trust – Whether Master of the High Court had power to authorise second to seventh respondents to act as trustees if not lawfully appointed – Whether counter-application was vitiated by lack of standing – Whether jurisdiction prerequisites to amendment of trust deed laid down by s 13 were complied with.

Judgment: <https://www.saflii.org/za/cases/ZASCA/2024/179.pdf>

Media summary: <https://www.saflii.org/za/cases/ZASCA/2024/179media.pdf>

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