



Energy, Mining and Engineering Law Alert

Weekly Energy, Mining and Engineering Law Alert: 10 March 2022

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3SIXTY GSG / NUMSA

Media Comments

Gumede, Michelle. 3Sixty group says Prudential Authority did not do its homework.

2022 March 7 Business Day

“Financial services group 3Sixty Global Solutions Group (3Sixty GSG) has laid into the Prudential Authority (PA), the regulator of financial services firms, for its “desperate” attempt to have the provisional curator of underwriter 3Sixty Life, which it chose itself, removed. 3Sixty GSG welcomed the high court in Johannesburg’s dismissal of the application by the PA to have BDO SA’s suspended head of actuarial services, Yashoda Ram, removed...”

<https://www.businesslive.co.za/bd/companies/financial-services/2022-03-07-3sixty-group-says-prudential-authority-did-not-do-its-homework/>
(Subscription Needed)

Koka, Mpho. Reserve Bank bid to remove curator for Numsa firm dismissed.

2022 March 3 Sowetan Live

“The high court in Johannesburg has dismissed an application by the SA Reserve Bank to remove a curator it appointed to take care of the affairs of 3Sixty Life Ltd — a subsidiary of the National Union of Metalworkers of SA investment arm. Last month, the Reserve Bank through the Prudential Authority (PA) sought to remove curator Yashoda Ram after it found out that she did not complete her degree.”

<https://www.sowetanlive.co.za/news/south-africa/2022-03-03-reserve-bank-bid-to-remove-curator-for-numsa-firm-dismissed/>

Numsa rejects reports of factional battles over 3Sixty Life curatorship.

2022 March 4 The Citizen

“The National Union of Metalworkers of South Africa (Numsa) has dismissed media reports of tension and factional battles within the union emanating from the curatorship of one of its companies. This week, GroundUp and amaBhungane published stories based on-court action by the Reserve Bank’s Prudential Authority to place Numsa Investment Corporation (NIC) – owned life insurance company 3Sixty Life, under curatorship.”

<https://www.citizen.co.za/business/business-news/3040862/numsa-rejects-reports-factional-battles-over-3sixty-life-curatorship/>

Political tensions brewing around Numsa Investment Company, Irvin Jim.

2022 March 3 The Citizen

“Tensions are brewing within the ranks of South Africa’s largest union Numsa (National Union of Metalworkers of South Africa). According to a report by amaBhungane, Numsa boss Irvin Jim and his relationship with Numsa Investment Company (NIC) CEO Khandani Msibi is at the heart of growing discontent at the union.”

<https://www.citizen.co.za/business/business-news/3040300/political-tensions-brewing-around-numsa-investment-company-irvin-jim/>

Reddy, Micah. Numsa at war with itself over investment company.

2022 March 2 Daily Maverick

“Financial difficulties facing a business owned by the National Union of Metalworkers of South Africa (Numsa) have exposed tensions in the country’s largest union. They pit general secretary Irvin Jim against those in the union who question the role of his ally, Numsa Investment Company boss Khandani Msibi.”

<https://www.dailymaverick.co.za/article/2022-03-02-numsa-at-war-with-itself-over-investment-company/>

Stent, James. Millions of rands siphoned from NUMSA’s insurance company, report shows.

2022 March 4 GroundUp

“Millions of rands in insurance premiums paid by members of the National Union of Metalworkers of SA (NUMSA) were siphoned from life insurer 3Sixty Life to prop up other NUMSA-owned companies between 2017 and 2019. The Prudential Authority, a financial regulator, placed the insurer under curatorship in December 2021, after a year of operating in an insolvent position. This decision is being challenged by the board of 3Sixty Life, including acting CEO Khandani Msibi.”

<https://www.groundup.org.za/article/millions-rands-syphoned-off-from-numsa-insurance-company-report-shows/>

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CARBON TAX

Media Comment

Implications of Godongwana’s recent carbon tax announcements.

2022 Mar 8 Engineering News

“In his February Budget, Finance Minister Enoch Godongwana announced that the first phase of the carbon tax would be extended for three years, that the carbon tax rate had been increased from R134/t to R144/t, and that the carbon



tax rate would be progressively increased every year to reach \$20/t by 2026. Engineering News Editor Terence Creamer asked Carbon Trust senior manager Jarredine Morris to explain the implications of these announcements.”
<https://www.engineeringnews.co.za/article/implications-of-godongwanas-recent-carbon-tax-announcements-2022-03-08>

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COAL

Media Comments

Bulbulia, Tasneem. Rio Tinto reaches settlement with ASIC over Moz coal disclosures.

2022 Mar 7 Mining Weekly

“Anglo-Australian multinational Rio Tinto has reached a settlement with the Australian Securities and Investment Commission (ASIC) regarding the disclosure of the impairment of Rio Tinto Coal Mozambique (RTCM), which was reflected in Rio Tinto’s 2012 year-end accounts.”

<https://www.miningweekly.com/article/rio-tinto-reaches-settlement-with-asic-over-moz-coal-disclosures-2022-03-07>

Webb, Mariaan. Montem’s Tent Mountain will be allowed to proceed through regulatory process.

2022 Mar 7 Mining Weekly

“Australian company Montem Resources on Monday announced that its Tent Mountain coal project, in Alberta, Canada, would be allowed to proceed through a regulatory review, having been designated an “advanced” coal project.”

<https://www.miningweekly.com/article/montems-tent-mountain-will-be-allowed-to-proceed-through-regulatory-process-2022-03-07>

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COMPETITION

Government Gazettes

Competition Act 89 of 1998

Notification to approve with conditions the transaction involving:

- Bright Minerals Proprietary Limited and Afarak Mogale Proprietary Limited.
GN1822 GG 46000 p29 4Mar2022
<https://bit.ly/3KkPMVr>
- K2021511200 (South Africa) Proprietary Limited and Consolidated Steel Industries Proprietary Limited.
GN1828 GG 46000 p81 4Mar2022
<https://bit.ly/3KkPMVr>

Media Comment

Slater, Donna. African Energy Metals to acquire Whiskey Cobalt Mining’s stake in Manono project.

2022 Mar 4 Mining Weekly

“As consideration for the acquisition, African Energy Metals will reimburse supported prior expenses, assume certain financial obligations and issue 2.5-million of its common shares to WCM. A further 2.5-million common shares of African Energy Metals will be placed in escrow only to be released when positive lithium results are obtained from preliminary testing during the due diligence period.”

<https://www.miningweekly.com/article/african-energy-metals-to-acquire-whiskey-cobalt-minings-stake-in-manono-project-2022-03-04>

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ELECTRICITY

Defaulting Municipalities

Media Comments

Mthupha, Fanie. Metro clears up ‘misconception’ about its Eskom electricity bills.

2022 Mar 10 Boksburg Advertiser

<https://boksburgadvertiser.co.za/437666/metro-clears-up-misconception-about-its-eskom-electricity-bills/>

Slater, Charmaine. ‘Misunderstanding’ has led to R86-m interest.



2022 Mar 4 Kempton Express

“The entity said in a statement the electricity debt owed to Eskom by Gauteng municipalities continues to escalate, as more fail to service their Eskom accounts, and that CoE was among those with increasing debt to the parastatal...”

<https://kemptonexpress.co.za/329163/misunderstanding-has-led-to-r86-m-interest/>

Edison Power

Media Comment

Makwakwa, Thabo. Concern at the slow progress in Hawks probe of Edison Power.

2022 Mar 9 IOL News

“Fourteen months after fraud charges were laid against executives of the Edison Power Group, the Directorate for Priority Crime Investigation (Hawks) has not provided reasons for the slow progress on the matter. No arrests nor progress have been made by the law enforcement agency after an investigation revealed that Edison Power Group, an electrical company in which Durban business tycoon Vivian Reddy is a shareholder, was allegedly defrauded of R150 million by some of the company’s top executives.”

<https://www.iol.co.za/dailynews/news/concern-at-the-slow-progress-in-hawks-probe-of-edison-power-24931a98-b04f-48bd-b649-b027c72fbaa0>

Electricity Regulation

Media Comment

Van Staden, Martin. Electricity regulation bill shows centralist ideology still reigns.

2022 Mar 5 Business Day

“SA rightly welcomed, with much fanfare, President Cyril Ramaphosa’s announcement that we may now generate up to 100MW of electricity without requiring a licence. This rare moment of soberness represents an important decentralisation of electricity generation and might go some way to alleviate the rolling blackouts SA has faced since 2008, a crisis in many ways the result of state-driven caps on generation.”

<https://www.businesslive.co.za/bd/opinion/2022-03-05-martin-van-staden-electricity-regulation-bill-shows-centralist-ideology-still-reigns/>

Karpowerships

Media Comments

Ensor, Linda. ANC MPs cancel probe of emergency power plan after ruling.

2022 Mar 8 Business Live

“The ANC used its majority on parliament’s mineral resources & energy portfolio committee to quash an inquiry into the department of mineral resources & energy’s programme to procure more than 2,000MW of emergency power. ANC MPs said at a committee meeting on Tuesday the court that dismissed a challenge to the process by a losing bidder had fully probed the issues the planned inquiry would have dealt with...”

<https://www.businesslive.co.za/bd/national/2022-03-08-anc-mps-cancel-probe-of-emergency-power-plan-after-ruling/> (Subscription Needed)

Karpowership probe cancelled.

2022 Mar 9 eNCA

<https://www.enca.com/news/karpowership-probe-cancelled>

Mashigo, Lehlohonolo. Mantashe still to face the music on IPP tender as DNG appeals.

2022 Mar 9 IOL News

<https://www.iol.co.za/the-star/news/mantashe-still-to-face-the-music-on-ipp-tender-as-dng-appeals-7116f79e-648e-4998-ba88-a2185ced538d>

Tariffs

Media Comments

Ndenze, Babalo. MPS call for Mantashe to resign over SA’s rising energy costs.

2022 Mar 4 EWN

“Members of Parliament said that South Africans could not cope with the rising energy costs, with some calling for Energy Minister Gwede Mantashe to resign. The National Assembly held two mini-plenaries to debate among others, the negative impact of rising tariffs for electricity and other forms of energy. Eskom is increasing tariffs by 9.61%, with more steep fuel increases this week.”

<https://ewn.co.za/2022/03/04/mps-call-for-mantashe-to-resign-over-sa-s-rising-energy-costs>

Outa calls for overhaul of electricity prices.



2022 Mar 8 The Citizen

<https://www.citizen.co.za/news/south-africa/local-news/3044498/outa-calls-overhaul-electricity-prices/>

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EMPLOYMENT

Journal Article

Mparutsa, Tinotenda. Section 66 of the LRA imports the proportionality principle in determining the reasonableness of a secondary strike: *Association of Mineworkers and Construction Union and Others v Anglo Gold Ashanti Ltd t/a Anglo Gold Ashanti and Others* (CCT 233/20) [2021] ZACC 42; [2022] 2 BLLR 115 (CC); (2022) 43 ILJ 291 (CC) (12 November 2021).

2022 Mar De Rebus p27

“The debate is settled. The proportionality principle has application in the assessment of the reasonableness of a secondary strike on the business of a secondary employer. This assessment is fact sensitive and is determined on a case-by-case basis. Therefore, employers seeking to interdict secondary strike action must furnish sufficient proof that the strike did not meet the requirements for a protected secondary strike.”

<https://www.derebus.org.za/section-66-of-the-lra-imports-the-proportionality-principle-in-determining-the-reasonableness-of-a-secondary-strike/>

Media Comments

Hlangu, Lwazi. KZN manufacturing company turns to court to halt Numsa strike.

2022 Mar 9 Times Live

“The National Union of Metal Workers of SA (Numsa) has vowed to intensify the strike against companies that refuse to implement the wage agreement they entered into with the Steel and Engineering Industries Federation of SA (Seifsa) last year.”

<https://www.timeslive.co.za/news/south-africa/2022-03-09-kzn-manufacturing-company-turns-to-court-to-halt-numsa-strike/>

Mahlokoana, Theto. NUMSA, NUM embark on wage strike at Sibanye’s Gauteng, FS mining sites.

2022 Mar 9 EWN

<https://ewn.co.za/2022/03/09/numsa-num-to-embark-on-wage-strike-at-sibanye-s-gauteng-fs-mining-sites>

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ENERGY

Media Comments

Burger, Schalk. Hydrogen technology can drive innovation, socioeconomic recovery.

2022 Mar 8 Engineering News

“Hydrogen power generation can be expanded to bring innovative technology companies into South Africa to support growth and start the growth cycle, says Chem Energy SA director Hal Koyama. “Hydrogen is the technology of today. There is a large-scale movement globally towards hydrogen fuel cells and the time is right now for South Africa. Government and forward-looking companies are urged to become involved in this transition. The products exist and the opportunity is now,” he comments.”

https://www.engineeringnews.co.za/article/hydrogen-technology-can-drive-innovation-socioeconomic-recovery-2022-03-08/rep_id:4136

Mileham, Kevin. Five reasons for MONC in Gwede Mantashe – Kevin Mileham.

2022 Mar 9 Politics Web

“In June 2021, Ramaphosa overruled Mantashe and lifted the licencing requirements for energy projects below 100MW, to allow new suppliers to enter the system. These projects are also plagued by unnecessary bureaucracy and red tape, making the amendment to the licensing threshold essentially meaningless. Mantashe has obstinately been pushing for new coal power plants despite increasing evidence that there is a growing aversion to funding such projects by investors. The truth is, as he pushes a hard line on new coal mining projects, workers in the coal mining industry are losing jobs as it begins its sunset.”

<https://www.politicsweb.co.za/politics/5-reasons-for-monc-in-gwede-mantashe--kevin-mileha>

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ENVIRONMENTAL LAW

Government Gazette

Mineral and Petroleum Resources Development Regulations Act 28 of 2002

Publication of proposed amendments to Mineral and Petroleum, Social and Environmental Regulations (RGN527 of 23 April 2004 as amended). Comments invited by 12 April 2022.

RGN1803 GG 45982 p3 28Feb2022

<https://bit.ly/36UYQSG>

Internet Article

What you should know about proposed new rules for financial provision for mining rehabilitation.

2022 Mar 10 Centre for Environmental Rights

"In this short article we take a look at what financial provision for rehabilitation of environmental damage caused by mining is, and some important proposed changes in the [2021 proposed Financial Provisioning Regulations](#). We also look at how mining-affected communities can use this law to hold mining companies accountable for environmental rehabilitation."

<https://cer.org.za/news/what-you-should-know-about-proposed-new-rules-for-financial-provision-for-mining-rehabilitation>

Law Firm Article

Rapson, Garyn and Bonga, Tendai. Landowner consent requirement withdrawn for mining related EA applications.

2022 Mar 4 Webber Wentzel

"Welcome news for mining companies as the contentious landowner consent requirement introduced in June 2021 has now been withdrawn for mining related environmental authorisation or waste management licence applications."

<https://www.webberwentzel.com/News/Pages/Landowner-consent-requirement-withdrawn-for-mining-related-EA-applications.aspx>

Media Comments

Alberta expands restrictions on Rocky Mountains coal mining.

2022 Mar 7 Mining Weekly

"The Canadian province of Alberta is expanding restrictions on all new coal exploration and development activities on the eastern slopes of the Rocky Mountains until it finalizes new land use policies, the government said on Friday. The United Conservative Party government had already halted coal exploration on so-called "category 2" lands last April, and Friday's decision extends that to all lands."

<https://www.miningweekly.com/article/canadas-alberta-province-expands-restrictions-on-rocky-mountains-coal-mining-2022-03-07>

Bulbulia, Tasneem. Landowner consent requirement withdrawn for mining-related enviro applications.

2022 Mar 8 Mining Weekly

"The "contentious" landowner consent requirement for mining-related environmental authorisation (EA) or waste management licence (WML) applications has been withdrawn, law firm Webber Wentzel senior associate Tendai Bonga and partner Garyn Rapson report. With effect from March 3, consent is no longer required for EA or WML applications for mining-related activities, where the EA or WML applicant is not the owner or person in control of the land intended for such activities."

<https://www.miningweekly.com/article/landowner-consent-requirement-withdrawn-for-mining-related-enviro-applications-2022-03-08>

Canada's oil, gas emissions cap may wait until 2023, leaving climate plan hole.

2022 Mar 9 Mining Weekly

"Canadian Prime Minister Justin Trudeau's plan to cut greenhouse gas emissions from the oil and gas sector will not be ready until late this year or early 2023, the environment minister said on Tuesday, leaving a major hole in an emissions reduction plan due to be released by the government this month."

<https://www.miningweekly.com/article/canadas-oil-gas-emissions-cap-may-wait-until-2023-leaving-climate-plan-hole-2022-03-09>

Honduran Minister says new mining restrictions not retroactive.

2022 Mar 7 Mining Weekly

"The Honduran government's recent push to sharply restrict mining will not apply to existing projects, the country's environment and mining minister said on Friday, days after the ministry declared the industry harmful and pledged to cancel permits. The government announced on Monday that permit cancellations, as well as a sweeping prohibition on open-pit mining, were needed due to harm the extractive sector poses to natural resources, public health and water access."



<https://www.miningweekly.com/article/honduran-minister-says-new-mining-restrictions-not-retroactive-2022-03-07>

Iannucci, Esmarie. WA to draw up carbon legislation for resources sector.

2022 Mar 10 Mining Weekly

<https://www.miningweekly.com/article/wa-to-draw-up-carbon-legislation-for-resources-sector-2022-03-10>

Jordan, Bobby. Regulator rocks the boat with plans for more offshore refuelling of ships.

2022 Mar 10 Times Live

“SA Maritime Safety Authority intends to license new operators and create more bunker anchorages from next month, but opponents want to see an environmental impact assessment first. The regulator tasked with protecting SA’s oceans is championing a plan to increase offshore ship-to-ship fuel transfers despite environmental concerns...”

<https://www.timeslive.co.za/sunday-times/news/2022-03-06-regulator-rocks-the-boat-with-plans-for-more-offshore-refuelling-of-ships/>

(Subscription Needed)

Subramoney, Narissa. Missing in action: What is Eskom boss André de Ruyter doing in Washington?

2022 Mar 9 The Citizen

“The power utility confirmed in a briefing that de Ruyter was in Washington, meeting with the World Bank and other stakeholders regarding South Africa’s just energy transition. Back in November, President Cyril Ramaphosa announced a historic partnership with the governments of France, Germany, the United Kingdom and the United States, as well as the European Union, to support a just transition to a low carbon economy and a climate-resilient society in South Africa.”

<https://www.citizen.co.za/business/business-news/3045309/what-is-eskom-boss-andre-de-ruyter-doing-in-washington/>

South Africa energy minister backs oil, gas hunt despite opposition.

2022 Mar 8 Business Tech

<https://businesstech.co.za/news/energy/565690/south-africa-energy-minister-backs-oil-gas-hunt-despite-opposition/>

Van Diemen, Ethan. South African banks financed \$8.4bn in African fossil fuel projects since 2016.

2022 Mar 3 Daily Maverick

“A new report shows that total finance provided by South African financial institutions, Standard Bank in particular, to fossil fuel projects and fossil fuel companies between 2016 and June 2021 amount to at least \$8.4-billion. Just days after the release of the most recent Intergovernmental Panel on Climate Change (IPCC) report that UN Secretary-General António Guterres has described as an “atlas of human suffering”, another report has been released that further reaffirms that the climate crisis disproportionately affects African countries.”

<https://www.dailymaverick.co.za/article/2022-03-03-south-african-banks-financed-8-4bn-in-african-fossil-fuel-projects-since-2016/>

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GAS

Invitation to Comment

National Energy Regulator of South Africa. The impact of the surge in international gas prices into the South African gas prices, interim methodology, and review of the methodology to approve maximum prices of piped-gas. 10 March 2022.

“The Consultation Document is available to members of the public for comments on the NERSA website at www.nersa.org.za, as required by the National Energy Regulator Act, (Act No. 40 of 2004). Written comments must be submitted to the following email address: gpt@nersa.org.za or to: The National Energy Regulator (NERSA) Executive Manager: Piped-Gas Regulation Postal, Address: P.O Box 40343, Arcadia, 0007. Street Address: Kulawula House, 526 Madiba Street, Arcadia, Pretoria. The deadline for comments is Monday, 11 April 2022.”

<https://y8p4j9m8.stackpathcdn.com/wp-content/uploads/2022/03/Invitation-to-comment-on-the-impact-of-the-surge-in-international-gas-prices-into-the-south-african-gas-prices-interim-methodology.pdf>

Media Comments

Iannucci, Esmarie. More funding awarded for Beetaloo exploration.

2022 Mar 8 Mining Weekly

“The federal government has awarded ASX-listed Tamboran Resources a A\$7.5-million grant under the Beetaloo Cooperative Drilling Programme to support exploration in the Northern Territory. The grant agreement with Sweetpea Petroleum, a subsidiary of Tamboran Resources, will further assist gas operators in their efforts to prove up Beetaloo gas reserves, Minister for Resources and Water Keith Pitt said.”

<https://www.miningweekly.com/article/more-funding-awarded-for-beetaloo-exploration-2022-03-08>



Nhede, Nicholas. Morocco: Chariot awarded exploration contract for Rissana gas field.

2022 Mar 9 Energy Capital and Power

“The Moroccan government has awarded the exploration license for the Rissana Offshore Basin to UK-based multinational independent oil and gas exploration company Chariot. The license comprises an 8,489 km² basin surrounding Chariot’s existing offshore license, Lixus. According to the terms of the license, Chariot – through a wholly owned subsidiary – will hold a 75% interest while the Office National des Hydrocarbures et des Mines (ONHYM) will hold a 25% interest.”

<https://energycapitalpower.com/morocco-chariot-awarded-exploration-contract-for-rissana-gas-field/>

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GUPTAS

Media Comment

Benson, Bernadine. Interpol red notice: what it means and why SA requested it.

2022 Mar 6 Times Live

“The International Criminal Police Organisation (Interpol) has issued a [red notice](#) for two members of the wealthy but now disgraced Gupta family, Atul and Rajesh Gupta. This could now pave the way for their arrest and extradition from the United Arab Emirates to face fraud and money laundering charges in SA. The Guptas — who at their height owned a business empire spanning computer equipment, media, and mining — are close friends of former president Jacob Zuma. A judicial commission of inquiry into state capture recently found that, with Zuma’s help, they [orchestrated massive corruption](#).”

<https://www.timeslive.co.za/news/south-africa/2022-03-06-interpol-red-notice-what-it-means-and-why-sa-requested-it/>

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HEALTH AND SAFETY

Media Comments

Guenot, Marianne. World nuclear monitor says it lost contact with radiation monitoring systems at Chernobyl.

2022 Mar 9 Business Insider US

“The world’s nuclear watchdog lost contact with safeguards monitoring systems at Chernobyl. The decommissioned nuclear power plant has been under the control of Russian troops for 13 days. The International Atomic Energy Agency has expressed concern about the safety of the staff there.”

<https://www.businessinsider.co.za/chernobyl-iaea-cut-off-from-radiation-monitors-after-russia-attack-2022-3>

Slater, Donna. Tshiamiso Trust starts to clear 2021 case backlog.

2022 Mar 7 Mining Weekly

“The Tshiamiso Trust, created to settle silicosis and tuberculosis (TB) class action suits against six mining companies, has started a process of responding to 12 000 claimants on the outcome of their claims following a backlog of up to eight months for claims lodged before April 2021. The trust covers cases of silicosis or TB in miners from 82 affected mines of Africa Rainbow Minerals, Anglo American South Africa, AngloGold Ashanti, Harmony Gold, Sibanye-Stillwater and Gold Fields, through the periods of March 12, 1965, to December 10, 2019.”

<https://www.miningweekly.com/article/tshiamiso-trust-starts-to-clear-2021-case-backlog-2022-03-07>

Suspect arrested for murder of Richards Bay Minerals community leader.

2022 Mar 9 Mining Weekly

<https://www.miningweekly.com/article/suspect-arrested-for-murder-of-richards-bay-minerals-community-leader-2022-03-09>

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INFRASTRUCTURE THEFT

Media Comments

Eskom, Hawks swoop on cable theft syndicate in Mpumalanga.

2022 Mar 9 Engineering News

<https://www.engineeringnews.co.za/article/eskom-hawks-swoop-on-cable-theft-syndicate-in-mpumalanga-2022-03-09>



Former heavyweight champion arrested over R4.6 million in suspicious copper.

2022 Mar 6 My Broadband

<https://mybroadband.co.za/news/security/436358-former-heavyweight-champion-arrested-over-r4-6-million-in-suspicious-copper.html>

Khumalo, Zandile. 11 arrested in Mpumalanga for stealing aluminium worth R2.1m.

2022 Mar 9 News24

<https://www.news24.com/news24/southafrica/news/11-arrested-in-mpumalanga-for-stealing-aluminium-worth-r21m-20220309>

Lindeque, Mia. Two men arrested for stealing copper, electricity cables worth R3m in Joburg.

2022 Mar 7 EWN

<https://ewn.co.za/2022/03/07/two-men-arrested-for-stealing-copper-electricity-cables-worth-r3m-in-joburg>

Mgidi, Simtembile. Warning shot fired as tempers flare on Kragga Kamma Road over illegal connections.

2022 Mar 8 Herald Live

<https://www.heraldlive.co.za/news/2022-03-08-warning-shot-fired-as-tempers-flare-on-kragga-kamma-road-over-illegal-connections/>

Nqunjana, Alfonso. Eastern Cape scrapyards dealer caught in alleged possession of 120kg of illegal copper.

2022 Mar 8 News24

<https://www.news24.com/news24/southafrica/news/eastern-cape-scrapyard-dealer-caught-in-alleged-possession-of-120kg-of-illegal-copper-20220308>

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LAND RIGHTS

Media Comment

Bulbulia, Tasneem. Landowner consent requirement withdrawn for mining-related enviro applications.

2022 Mar 8 Mining Weekly

“The “contentious” landowner consent requirement for mining-related environmental authorisation (EA) or waste management licence (WML) applications has been withdrawn, law firm Webber Wentzel senior associate Tendai Bonga and partner Garyn Rapson report. With effect from March 3, consent is no longer required for EA or WML applications for mining-related activities, where the EA or WML applicant is not the owner or person in control of the land intended for such activities.”

<https://www.miningweekly.com/article/landowner-consent-requirement-withdrawn-for-mining-related-enviro-applications-2022-03-08>

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MINING

Alexkor

Media Comment

Motse, Olebogeng. DA wants answers on appointment at Alexkor joint venture.

2022 March 3 OFM News

“The Democratic Alliance (DA) wants Public Enterprises Minister, Pravin Gordhan, to shed light on the rationale behind the appointment of the acting General Manager (GM) of the Northern Cape diamond mine owned in part by Alexkor...In December 2021, OFM News reported that the Special Investigating Unit (SIU) is investigating allegations of maladministration at Alexkor. According to the SIU, President Cyril Ramaphosa greenlit the SIU to investigate maladministration allegations in respect of marketing, valuation, sale, and beneficiation of diamonds, pursuant to agreements concluded between Alexkor and service providers. The proclamation was authorised by the SIU to probe dealings at the Road Accident Fund (RAF), Overstrand Local Municipality, and Alexkor.”

<https://www.ofm.co.za/article/centralsa/313802/da-wants-answers-on-appointment-at-alexkor-joint-venture>

Illegal Mining

Media Comments

De Beer, Jani. DMR to permanently close mine shafts.

2022 Mar 5 Benoni City Times

“A team from the Department of Minerals and Resources (DMR) recently visited Benoni to establish a course of action that might see the permanent closure of mine shafts associated with illegal mining operations.”



<https://benonicitytimes.co.za/435429/dmr-to-permanently-close-mine-shafts/>

Montsho, Molaole. 10 arrested in Limpopo for mining gold illegally.

2022 Mar 3 IOL News

<https://www.iol.co.za/news/south-africa/limpopo/10-arrested-in-limpopo-for-mining-gold-illegally-b2ff5292-6621-4281-82d1-3b45ca95525c>

Investments

Media Comment

Bulbulia, Tasneem. Bushveld successfully defends litigation.

2022 Mar 7 Mining Weekly

“Aim-listed Bushveld Minerals has reported on the outcome of litigation, saying the judgment vindicates the position that the investment by its subsidiary VRFB Holdings (VRFB-H) into Enerox Holdings (EHL), funded as it was partly from an investment by Mustang, was entirely appropriate and not in violation of any agreements.”

<https://www.miningweekly.com/article/bushveld-successfully-defends-litigation-2022-03-07>

Licences, Permits and Rights

Case

Trustees for time being of Burmilla Trust and Another v President: Republic of South Africa and Another (64/2021) [2022] ZASCA 22 (1 March 2022)

Appellants claimed before Southern African Development Community (SADC) Tribunal that Kingdom of Lesotho had violated SADC Treaty by expropriation of valid mining lease without compensation and were liable for moral damages – Allegation that respondents violated appellants’ rights under Constitution, s 34 by participating in prevention of prosecution of claims before SADC Tribunal – Exception to claim for constitutional damages under s 172(1)(b) in respect of value of mining lease, moral damages, costs of claim before SADC Tribunal and wasted costs of subsequent legal proceedings – Whether SADC Tribunal could in law have held that mining lease was valid despite Lesotho court decisions to contrary – Under international law SADC Tribunal not bound by Lesotho court decisions – Could reach different conclusion on proper ground – Proper grounds alleged – Whether *Van Zyl v Government of Republic of South Africa* 2008 (3) SA 294 (SCA) precluded claim in respect of value of mining lease – Decision not *res iudicata* in respect of any issue in present action – Exception should have been dismissed in respect of claim for value of mining lease and costs of prosecution of that claim before SADC Tribunal – Exception otherwise correctly allowed – Claim for moral damages would in law have been denied by SADC Tribunal for failure to exhaust domestic remedies – No basis pleaded for wasted legal costs to be awarded as constitutional damages.

<http://www.saflii.org.za/za/cases/ZASCA/2022/22.pdf>

Media Comments

Iannucci, Esmarie. Orion Minerals extends deadline for Jacomynspan buy.

2022 Mar 4 Mining Weekly

“The company in 2017 entered into a binding earn-in to acquire rights over the Jacomynspan project from two companies which hold partly overlapping prospecting rights and a mining right.”

<https://www.miningweekly.com/article/orion-minerals-extends-deadline-for-jacomynspan-buy-2022-03-04>

Ntseku, Mthuthuzeli. Disbelief as licence granted to allow for sand mining in Mitchells Plain.

2022 Mar 3 IOL News

“The Strandfontein Residents and Ratepayers Association has expressed shock at the granting of a sand mining licence to MaccSand Holding Company (Pty) Ltd by the Department of Mineral Resources and Energy for two plots of land (Erf 21168 and remainder of Erf 1212) in Mitchells Plain. The association said this despite dozens of emails and close to 3000 signatures in an online petition that was forwarded to numerous officials, including the applicant, in a bid to oppose the granting of mining rights.”

<https://www.iol.co.za/capeargus/news/disbelief-as-licence-granted-to-allow-for-sand-mining-in-mitchells-plain-0b51f688-daa6-4563-b0c9-87e0e8ea2743>

Parker, Darren. PFS on Blencowe’s Ugandan graphite project nears completion.

2022 Mar 8 Mining Weekly

“Orom-Cross is a potentially world-class graphite project – both in terms of size and end-product quality – with a high component of more valuable larger coarse flakes within the deposit. A 21-year mining licence for the project was issued by the Ugandan government in 2019 following extensive historical work on the deposit.”

<https://www.miningweekly.com/article/pfs-on-blencowes-ugandan-graphite-project-nears-completion-2022-03-08>



Slater, Donna. Deep-South says Namibia Ministry misses deadline to file Haib licence refusal defence affidavit.

2022 Mar 3 Mining Weekly

“TSX-V-listed copper explorer and developer Deep-South Resources reports that the legal counsel of Namibia’s Ministry of Mines and Energy has failed to file its defence affidavit in the refusal of a licence for the Haib copper project, as ordered by the High Court of Namibia on November 25, 2021. The renewal of the exclusive prospecting licence (EPL) 3140 covering Deep-South’s southern Namibia-based Haib copper project was refused by Namibia Mines and Energy Minister Tom Alweendo on June 16, 2021.”

<https://www.miningweekly.com/article/deep-south-says-namibia-ministry-misses-deadline-to-file-haib-licence-refusal-defence-affidavit-2022-03-03>

Slater, Donna. Ethiopia renews Akobo Minerals’ exploration licence.

2022 Mar 4 Mining Weekly

<https://www.miningweekly.com/article/ethiopia-renews-akobo-minerals-exploration-licence-2022-03-04>

Pension Benefits

Government Gazette

Occupational Diseases in Mines and Works Act 78 of 1973

Increase of pension benefits.

GN1839 GG 46000 p194 4Mar2022

<https://bit.ly/3KkPMVr>

Regulations

Government Gazette

Mineral and Petroleum Resources Development Regulations Act 28 of 2002

Publication of proposed amendments to Mineral and Petroleum, Social and Environmental Regulations (RGN527 of 23 April 2004 as amended). Comments invited by 12 April 2022.

RGN1803 GG 45982 p3 28Feb2022

<https://bit.ly/36UYQSG>

Sibanye-Stillwater

Opinion

Sibanye flies high until a suit and a strike pop the balloon.

2022 Mar 8 Business Live

“It would have been a perfect day to crack open a bottle of bubbly for Neal Froneman, the straight-talking CEO of the world’s biggest platinum group metals miner. No such luck. The day before Froneman was to present an earnings report, Appian Capital issued a statement saying it had filed a \$1.2bn (R18bn) lawsuit against Sibanye for backing out of a deal to buy two mines in Brazil.”

<https://www.businesslive.co.za/bd/opinion/editorials/2022-03-08-editorial-sibanye-flies-high-until-a-suit-and-a-strike-pop-the-balloon/>

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NUCLEAR ENERGY

Law Firm Article

Roelf, Nick. The nuclear war: South Africa’s ongoing struggle for a reliable energy source: Nuclear v renewable energy.

2022 Feb 28 Fairbridges Wertheim Becker

“Irrespective of the merits of a nuclear energy future for South Africa, the decision of Minister Mantashe on 25 February 2022 calls up unwanted memories of a South African government wanting to push through, or indeed secure, a nuclear energy-based future without significant and meaningful dialogue on the issue.”

<https://fwblaw.co.za/nuclear-war/>

Media Comments

Ginindza, Banele. State-owned power utility Eskom saves economy with the deferral generator replacements at Koeberg.



2022 Mar 7 IOL News

“Eskom’s deferral of the project to replace steam generators at Koeberg’s Unit 2 will save the economy billions of rands as loadshedding and outages in the high demand winter season would have been catastrophic, both pro and anti-nuclear supporters said yesterday as the utility bears the cost of postponing the refurbishments to August next year.”

<https://www.iol.co.za/business-report/companies/state-owned-power-utility-eskom-saves-economy-with-the-deferral-generator-replacements-at-koeberg-8cdc7018-ca7e-4193-90ba-f0ccbb105cb1>

See also:

- **Illidge, Myles. Eskom’s big Koeberg nuclear power plant problem. – In:** 2022 Mar 8 My Broadband.
<https://mybroadband.co.za/news/energy/436592-eskoms-big-koeberg-nuclear-power-plant-problem.html>

Philippines approves revival of nuclear power to help replace coal.

2022 Mar 3 Times Live

“Philippine President Rodrigo Duterte has signed an executive order to include nuclear power in the country’s energy mix, as authorities prepare for the phasing out of coal-fired power plants and after earlier efforts failed due to safety concerns.”

<https://www.timeslive.co.za/news/world/2022-03-03-philippines-approves-revival-of-nuclear-power-to-help-replace-coal/>

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PETROLEUM PRODUCTS

Government Gazettes

Petroleum Products Act 120 of 1977

- Amendment of the regulations in respect of petroleum products.
RGN1807 GG 45987 p6 1Mar2022
<https://bit.ly/3C8iHcD>
- Maximum Retail Price for Liquefied Petroleum Gas.
RGN1806 GG 45987 p4 1Mar2022
<https://bit.ly/3C8iHcD>
- Regulations in respect of the single maximum national retail price for Illuminating Paraffin.
RGN1805 GG 45987 p3 1Mar2022
<https://bit.ly/3C8iHcD>
- Repeal of regulations prohibiting the sale and dispensing of petrol and diesel into containers published in RGN6188 in GG 44861 of 16 July 2021.
GN1799 GG 45958 p3 25Feb2022
<https://bit.ly/3C5uPuL>

Media Comments

Brace for impact: Malawi to hike fuel prices.

2022 Mar 7 Malawi24

“The Malawi Energy Regulatory Authority (MERA) has said pump prices will likely be increased once President Lazarus Chakwera institutes a new MERA board. According to a statement released today, the increase is due to an increase in cost of transporting fuel to Malawi. The key determinants of the landed costs of petroleum products are the exchange rate of the Malawi Kwacha against the United States Dollar and the Free on Board prices of refined petroleum products on the international market.”

<https://malawi24.com/2022/03/07/brace-for-impact-malawi-to-hike-fuel-prices/>

Cupido, Lynn. Fuel prices could soar to R40 a litre.

2022 Mar 16 Cape Town Etc

“According to André Thomashausen, an emeritus professor of international law at Unisa, if the conflict between the two nations escalates, this may just be the reality that South Africans will have to face. It’s a worst-case scenario that may be likely when considering the impact that the invasion has already had on crude oil prices, as per IOL. “In a worst-case scenario, South Africa could expect liquid fuel prices to increase to about R40 per litre,” said Thomashausen when speaking with the online publication.”

<https://www.capetownetc.com/news/fuel-prices-could-soar-to-r40-a-litre/>

Eskom warns Russia’s invasion of Ukraine will hit electricity in South Africa.

2022 Mar 8 Business Tech

“Chief financial officer Calib Cassim said the invasion had led to an escalation in oil and gas prices which still needs to be factored in by Eskom. Eskom regularly makes use of Open Cycle Gas Turbines (OCGTs) and burns through diesel



to supplement energy supply. Cassim cautioned, however, that from a 'bottom-line point of view', the power utility can only afford to pay so much for fuel."

<https://businessstech.co.za/news/energy/565860/eskom-warns-russias-invasion-of-ukraine-will-hit-electricity-in-south-africa/>

See also:

- **Patel, Faizel. Spending millions on diesel could affect Eskom's liquidity – energy expert. – In:** 2022 Mar 9 The Citizen.

"Energy expert Chris Yelland said the amount of money Eskom is spending on diesel to keep the lights on could have a strong impact on its liquidity. The power utility said it is spending millions transporting and burning millions of litres of diesel to keep its open-cycle gas turbine (OCGT) stations operational. The announcement was made during a virtual media briefing where Eskom management provided an update on the current system challenges."

<https://www.citizen.co.za/news/south-africa/load-shedding/3045832/spending-millions-diesel-strong-impact-eskoms-liquidity/>

Evans, Julia. Mantashe says ANC had 'foresight' to invest in Shell-affiliated Batho-Batho Trust to get R15-million payout.

2022 March 4 Daily Maverick

"ANC chairperson Gwede Mantashe, who is the country's Energy and Mineral Resources Minister, has defended the ruling party's R15-million donation it received from Batho Batho Trust, which has investments in Shell's exploration business. He said it was a 'dividend' the party received from their long-term investment in the trust."

<https://www.dailymaverick.co.za/article/2022-03-04-mantashe-says-anc-had-foresight-to-invest-in-shell-affiliated-batho-batho-trust-to-get-r15-million-payout/>

Jordan, Bobby. Regulator rocks the boat with plans for more offshore refuelling of ships.

2022 Mar 10 Business Live

"SA Maritime Safety Authority intends to license new operators and create more bunker anchorages from next month, but opponents want to see an environmental impact assessment first. The regulator tasked with protecting SA's oceans is championing a plan to increase offshore ship-to-ship fuel transfers despite environmental concerns..."

<https://www.timeslive.co.za/sunday-times/news/2022-03-06-regulator-rocks-the-boat-with-plans-for-more-offshore-refuelling-of-ships/>

(Subscription Needed)

Mazingaizo, Sharon. Zimbabwe hikes fuel price again as international oil prices surge.

2022 Mar 9 Times Live

"The Zimbabwe Energy Regulatory Authority (Zera) has increased fuel prices for the second time barely a week after an upward review, attributing the hike to surging international oil prices. The maximum pump price for diesel is now set at US\$1.68 (R25.45) and petrol US\$1.67 (R25.29). The adjustment comes days after an upward review from a flat price of US\$1.51 (R22.87)."

<https://www.timeslive.co.za/news/africa/2022-03-09-zimbabwe-hikes-fuel-price-again-as-international-oil-prices-surge/>

Nhede, Nicholas. Angola's licensing round and the impact of regulatory reforms on oil production.

2022 Mar 8 Energy Capital and Power

"Angola is one of Africa's top hydrocarbon producers with 8.2 billion barrels of proven oil reserves and an estimated 13.5 trillion cubic feet (tcf) of natural gas reserves. However, production in Angola is on the decline, with the country's oil volumes decreasing from 1.7 million barrels per day (bpd) in 2015 to just short of 1.2 million bpd in 2021. With production expected to decline even further to 1.1 million bpd in 2022, the government has implemented various measures and policy reforms aimed at increasing exploration and getting production back on track."

<https://energycapitalpower.com/angolas-licensing-round-and-the-impact-of-regulatory-reforms-on-oil-production/>

Nigeria's growing population faces an ever-growing fuel crisis.

2022 Mar 9 The Citizen

"Nigeria's growing population of over 200 million people is facing an ever-growing fuel crisis despite its vast oil reserves. The shortage of refining capacity at existing oil refineries is the main driver of Nigeria's fuel crisis, which hampers the socio-economic development of the country. It places a high subsidy burden on the government and has long made Nigeria dependent on imported petroleum products."

<https://www.citizen.co.za/news/news-world/news-africa/3045557/nigerias-population-faces-ever-growing-fuel-crisis/>

Tang, Hulleng. Canada's Alberta premier pushes for revival of Keystone oil pipeline to replace Russian imports to US.

2022 Mar 8 Business Insider US

"US President Biden revoked a key permit for the Keystone XL pipeline in 2021. The pipeline's developer officially terminated the project in June. On Monday, Alberta Premier Jason Kenney said the US could "come back to the table and help us build Keystone XL."

<https://www.businessinsider.co.za/keystone-oil-pipeline-alberta-premier-urges-revival-russia-ukraine-energy-2022-3>

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PIPELINE THEFT

Media Comment

Parker, Darren. Fuel theft on Transnet pipeline causes ‘massive’ diesel spill.

2022 Mar 9 Engineering News

“State-owned Transnet Pipelines has reported a “massive” diesel spillage caused by fuel thieves tampering with the network. In the early hours of March 9, a pressure drop on the multiproduct pipeline between Durban, in KwaZulu-Natal, and Heidelberg, in Gauteng, was detected by the Transnet Pipelines National Control Centre.”

https://www.engineeringnews.co.za/article/fuel-theft-on-transnet-pipeline-causes-massive-diesel-spill-2022-03-09/rep_id:4136

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RENEWABLE ENERGY

Media Comment

Iannucci, Esmarie. Zenith secures new renewable option for mine sites.

2022 Mar 9 Mining Weekly

“Independent power producer Zenith Energy has inked an ecosystem framework agreement-deployment (ESAD) with Sydney-based clean technology innovator 5B, that could result in renewable energy penetration increasing on mine sites in the Goldfields and the Pilbara. The ESAD will permit Zenith to deploy 5B’s Maverick system, which is a prefabricated solar array, allowing for rapid deployment and increasing Zenith’s ability to expand renewable assets across sites.”

<https://www.miningweekly.com/article/zenith-secures-new-renewable-option-for-mine-sites-2022-03-09>

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RUSSIA / UKRAINE

Media Comments

Delfs, Arne [et,al]. Russia’s cheap energy comes back to haunt Germany.

2022 Mar 6 Business Day

“For years, the US warned Germany about building up a dangerous energy dependence on Russia, the source of more than half of its fossil fuel imports. Now that the war in Ukraine has shocked Berlin into the same conclusion, the government is finding that changing course might be too late.”

<https://www.businesslive.co.za/bloomberg/news/2022-03-06-russias-cheap-energy-comes-back-to-haunt-germany/>

Guenot, Marianne. World nuclear monitor says it lost contact with radiation monitoring systems at Chernobyl.

2022 Mar 9 Business Insider US

“The world’s nuclear watchdog lost contact with safeguards monitoring systems at Chernobyl. The decommissioned nuclear power plant has been under the control of Russian troops for 13 days. The International Atomic Energy Agency has expressed concern about the safety of the staff there.”

<https://www.businessinsider.co.za/chernobyl-iaea-cut-off-from-radiation-monitors-after-russia-attack-2022-3>

Herron, James and Hurst, Laura. Shell to stop buying Russian oil and gas.

2022 Mar 8 Moneyweb

“Shell Plc and BP Plc said they won’t make any new purchases of Russian oil and gas, but won’t be able to immediately to disentangle themselves from the country due to long-term contracts and the likely difficulty of finding alternative supplies. The announcements, which for Shell mark a dramatic U-turn in response to international opprobrium for its purchase of Russian crude last week, accelerates energy companies’ rejection of Russia over its invasion of Ukraine.”

<https://www.moneyweb.co.za/mineweb/energy/shell-to-stop-buying-russian-oil-and-gas/>

Maleke, Dieketseng. Mining firms in the country set for profit windfall as Russian-Ukraine conflict rages.

2022 Mar 7 IOL News

“South African mining firms are in line for a profit windfall as the Russian invasion of Ukraine has led to an extended rally in commodities, on the back of spooked investors and fears of a supply crunch. On February 24, world markets



were shaken as Russia launched its massive military attack, which observers describe as the largest in Europe since World War II... The PGM industry anticipates that local mining firms will benefit if Russian PGM sources are sanctioned."

<https://www.iol.co.za/business-report/companies/mining-firms-in-the-country-set-for-profit-windfall-as-russian-ukraine-conflict-rages-609afaf8-91f7-4618-9e53-18db97f334e9>

Pakistan signs trade deal with Russia amid war.

2022 Mar 4 IOL News

"Pakistan has become the first country to officially sign a huge trade deal with Russia at a time when Moscow has come under severe criticism for invading Ukraine. As part of the agreement, Pakistan will import two million tonnes of wheat and natural gas from Russia. Will this impact Pakistan's assistance from the International Monetary Fund (IMF)?"

<https://www.iol.co.za/news/world/pakistan-signs-trade-deal-with-russia-amid-war-b6e4df2d-dd2a-534d-9529-432a8904ddd1>

Pendleton, Devon and Stupples, Ben. Sanctions upset oligarch's succession plans.

2022 Mar 3 Business Live

"Alexey Mordashov spent years meticulously mapping the handover of his multibillion-dollar empire to his children. In the span of a bloody week, those plans have gone out the window. Mordashov — who made a fortune in steel in newly post-Soviet Russia — was sanctioned on Monday by the EU in the wake of his country's invasion of Ukraine. Filings in the UK this week showed that he had shifted control of a roughly \$1.1bn stake in mining company Nordgold to his wife, Marina Mordashova."

<https://www.businesslive.co.za/bloomberg/news/2022-03-03-sanctions-upset-oligarchs-succession-plans/>

Russia is tightening its grip on Ukraine nuclear plant, says U.N. watchdog.

2022 Mar 6 Daily Maverick

"Russian forces that seized Ukraine's Zaporizhzhia nuclear power plant have now placed staff running the facility under their command and restricted communications with the outside world, the U.N. nuclear watchdog said on Sunday."

<https://www.dailymaverick.co.za/article/2022-03-06-russia-is-tightening-its-grip-on-ukraine-nuclear-plant-says-u-n-watchdog/>

Russian oil is increasingly becoming untouchable for traders.

2022 Mar 8 Daily Maverick

"Russian oil is becoming even less welcome in the global petroleum market as traders fret over the possibility of a U.S.-led ban on the nation's supplies, and a latest purchase by Shell Plc drew condemnation. TotalEnergies SE said its traders will no longer buy the nation's crude."

<https://www.dailymaverick.co.za/article/2022-03-08-russian-oil-is-increasingly-becoming-untouchable-for-traders/>

Tang, Hulleng. Canada's Alberta premier pushes for revival of Keystone oil pipeline to replace Russian imports to US.

2022 Mar 8 Business Insider US

"US President Biden revoked a key permit for the Keystone XL pipeline in 2021. The pipeline's developer officially terminated the project in June. On Monday, Alberta Premier Jason Kenney said the US could "come back to the table and help us build Keystone XL."

<https://www.businessinsider.co.za/keystone-oil-pipeline-alberta-premier-urges-revival-russia-ukraine-energy-2022-3>

UK dockers refuse Russian oil, accuse sanction loophole.

2022 Mar 5 IOL News

"British dockers on Saturday refused to unload Russian oil from a tanker, calling for the government to close a "loophole" in sanctions allowing foreign-flagged ships to deliver the fuel..."

<https://www.iol.co.za/news/world/uk-dockers-refuse-russian-oil-accuse-sanction-loophole-e3dcc1aa-9db8-4bbe-a3ba-e35e04542a7f>

US senators seek to bar Russia selling gold to dodge sanctions.

2022 Mar 8 Mining Weekly

<https://www.miningweekly.com/article/ussenators-seek-to-bar-russia-selling-gold-to-dodge-sanctions-2022-03-08>

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SEISMIC SURVEY

Media Comments

Naidoo, Priyanka. Court vindicates the rights of West Coast fishing communities to be consulted before seismic surveys.



2022 Mar 7 Daily Maverick

<https://www.dailymaverick.co.za/article/2022-03-07-court-vindicates-the-rights-of-west-coast-fishing-communities-to-be-consulted-before-seismic-surveys/>

Payi, Bulelwa. Small-scale fishers tell Searcher to go and never return.

2022 Mar 6 IOL News

<https://www.iol.co.za/weekend-argus/news/small-scale-fishers-tell-searcher-to-go-and-never-return-dec6f6dc-bfe0-4112-bdb8-bc4df5b8cde6>

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STATE CAPTURE

Media Comments

Grootes, Stephen. Gwede Mantashe's challenge to Zondo will further damage the ANC and its standing.

2022 Mar 3 Daily Maverick

"On Tuesday night, the third instalment of the Zondo Commission report was published. It said Bosasa had paid for work done at two of Mantashe's properties in the Eastern Cape and one in Gauteng. The report says that "...the provision of free security installations was manifestly part of the corrupt modus operandi of Bosasa and its directors." On Wednesday afternoon, Mantashe held a press conference at the offices of his department. He told journalists he would challenge Zondo's explosive findings. It is not clear why he held the briefing at his official government office while the findings are about his conduct while he was the secretary-general of the ANC."

<https://www.dailymaverick.co.za/article/2022-03-03-gwede-mantashe-challenge-to-zondo-will-further-damage-the-anc-and-its-standing/>

Gules, Nicki and Jika, Thanduxolo. 'Don't allow Gupta enabler to grab Optimum,' warns Hermione Cronje.

2022 Mar 6 Times Live

"In one of her final acts as head of the Investigating Directorate, advocate Hermione Cronje has warned that Dubai-based British businessman Daniel McGowan was involved in state capture and should not be allowed to get his hands on one of its biggest prizes — the Gupatas' Optimum Coal Mine..."

<https://www.timeslive.co.za/sunday-times/news/2022-03-06-dont-allow-gupta-enabler-to-grab-optimum-warns-hermione-cronje/>

(Subscription Needed)

Mahlaka, Ray. ANC caught in Bosasa crime web.

2022 Mar 6 Daily Maverick

"The Zondo Commission has found that the value of crooked contracts given to Bosasa by government departments was at least R2.37bn. And the ANC is deeply implicated in the skulduggery. In the late 1990s, Bosasa, known at the time as Dyambu Holdings, was a fledgling logistics group that hardly got media headlines because its operations were small and limited to providing catering services to hostels in the mining industry. But Bosasa did have an impressive client list, doing catering for mining and resources giants such as Sasol and Harmony Gold."

<https://www.dailymaverick.co.za/article/2022-03-06-anc-caught-in-bosasa-crime-web/>

Moodley, Neesa. 'Industrial-strength money laundering' at Optimum Coal Mine the epicentre of State Capture.

2022 Mar 8 Daily Maverick

<https://www.dailymaverick.co.za/article/2022-03-08-industrial-strength-money-laundering-at-optimum-coal-mine-the-epicentre-of-state-capture/>

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TAXATION

Law Firm Article

Montjane, Josias (SNG Grant Thornton, RSA). Discussion paper: proposed tax regime in respect of oil and gas.

2022 Mar 8 Montaq

"On 17 December 2021 National treasury issued a tax policy discussion paper (discussion paper) on "what is the most appropriate tax regime for the oil and gas industry?". Government wishes to evaluate whether the tax regime for the upstream petroleum industry (within the wider fiscal policy context) is suitably designed to create a balance between attracting investment and generating an appropriate level of government revenue, while simultaneously enabling South Africa to achieve its commitments in respect of climate change. Below are key proposals made in the discussion paper together with our brief comments where relevant."

<https://www.mondaq.com/southafrica/income-tax/1169152/discussion-paper-proposed-tax-regime-in-respect-of-oil-and-gas>

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