



Mine Closure from a legal perspective: Do the provisions of the New Mineral and Petroleum Resources Development Act and draft regulations make closure legally attainable?

by C. Dixon*

The Abandoned Mine by C.C. Woollacott

A heap of rocks marks the abandoned mine.

The veld's unpitiful silence lies around.

Those broken stone—a mute and mournful sign

Of human enterprise with failure crowned.

Time with the slow hands, shall form the scene anew,

Repair the gashes in the wounded soil,

And cover up the last remaining clue

To a poor useless record of men's toil.

And this, the mound they built when hopes were high

Shall be a grave, where those hopes buried lie.

Outline

This paper will consider the implications of the mine closure provisions set out in the new Mineral and Petroleum Resources Development Act and draft regulations. A comparison will be made with the existing provisions in the Minerals Act and the mine closure policy of the Department of Minerals and Energy (DME).

The paper will consider whether the new provisions have the potential for improving performance as regards mine closure. It will investigate the financial provisions requirements and the implications of these provisions for mines. It will consider the requirements for a social and labour plan and consider the implications of this for mine closure and its funding. It will analyse the provisions relating to the transfer of environmental liabilities to third parties and consider the implications of this in the case of closing mines and non-closing mines. Finally it will consider the issue of residual legal liability of a mining company once a closure certificate has been issued.

'Closure' is a term used to describe a number of facets associated with the cessation of mining activities and the 'shutting down' of a mine. It refers to actions that must be taken on the physical infrastructure of a mine, actions around the natural environment and the socio-economic situation, measures that must be taken regarding the employees (labour issues), and the financial implications. While this paper will focus mainly on the legal requirements concerning the environmental aspects of closure, reference will be made to some of the legalities concerning the other aspects.

Provisions under the Minerals Act (MA)

Mine closure, although provided for legally in the current mining legislation—i.e. the Minerals Act of 1991 (MA)—is not covered there in much detail. It requires an applicant for a mining authorization to motivate that it can mine in a responsible and optimal way and to show that it has the necessary financial wherewithal to do so (section 9). In

support of its mining application, it is required to submit an environmental management programme (EMP). This indicates the manner in which it intends to rehabilitate disturbances of the surface, which may be caused by mining operations (s 38 and s 39 of MA). The environmental impacts of mining during all the phases of mining i.e. construction, operation and closure, must be considered and addressed in the EMP. Hence one of the components of the EMP is a mine closure plan. The MA also requires that a mining authorization holder notify the DME in writing that it intends ceasing operations.

Detail of what must be contained in the EMP is not spelled out in the legislation.

The DME, together with stakeholders, during the early 1990s developed a guideline document on EMPs (the *Aide-Mémoire*), which became the bible for the preparation of EMPs. This requires a baseline position to be established and the impacts of the proposed mining activities on this baseline to be identified through an environmental impact assessment. This includes reference to regional socio-economic structures (including local, provincial or national regions, depending on the nature of the project). Information relating to population density, growth and location, major economic activities and sources of employment, unemployment estimate for the area, and power supply would need to be considered. The applicant must identify and list known bodies representing interested and affected parties. The mine closure plan, being the component of the EMP covering the closure phase, needed to cover all aspects of closure including the socio-economic and environmental issues.

The closure plan, and what needs to be covered in such a plan, is not specified by legislation but rather through guidance documents and policies provided by the DME such as the policy on financial provision for closure and mine closure policy in terms of section 12. It is important to look at some of the detail of these policies as it provides the necessary background material to consider the new Act and draft regulations.

One of the most important provisions of the MA (s 12) does provide for ongoing liability until the issue of a certificate (known as a closure certificate), which when issued, frees the holder from any further liability under the MA.

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Regulations under the Minerals Act set out requirements for financial provision for the EMP and this covers financial provision for closure and post-closure commitments.

DME's Policy concerning the grant of a certificate in section 12 of MA

In this policy there was acknowledgement that a mining concern needed to finally conclude its business at closure. As a means to this end, and as far as environmental matters are concerned, an unconditional certificate in terms of section 12 of the MA, could be issued to a mining concern after adequate arrangements (which could include financial provision and/or the assumption of responsibility by a third party) have been made and agreed to in the EMP or closure plan to ensure acceptable post-closure management and maintenance of the rehabilitated mining area. This arrangement will not preclude other Acts from further regulating aspects concerning the environment. The policy covered the objectives of mine closure, which were listed as follows:

- ▶ That the safety and health of humans and animals are safeguarded from hazards resulting from mining operations.
- ▶ That environmental damage or residual environmental impacts are minimized to such an extent that they are acceptable to all involved parties.
- ▶ That the land is rehabilitated to, as far as is practicable, its natural state, or to a predetermined and agreed standard or land use which conforms with the concept of sustainable development.
- ▶ That the physical and chemical stability of the remaining structures should be such that risk to the environment is not increased by naturally occurring forces to the extent that such increased risk cannot be contended with by the installed measures.
- ▶ That the optimal exploitation and utilization of South Africa's mineral resources is not adversely affected.
- ▶ That mines are closed efficiently and cost effectively.
- ▶ That mines are not abandoned but closed in accordance with this policy.

Elements of the environment, identified in a mine's EMP, were to be rehabilitated in accordance with the EMP. Those elements that have not been rehabilitated, were to be ameliorated to standards agreed to by the holder of the mining authorization and the regional director who shall consult with the departments referred to in section 39(3) of the MA as well as with affected parties. Where no EMP exists, a closure plan had to be drawn up by the mining concern in consultation with the regional director.

Formal clearance needed to be obtained by the regional director from the relevant government departments to the effect that the commitments made in the EMP or closure plan have been complied with.

'The existence and significance of residual impacts already described in the EMP will be confirmed and other possible residual impacts will be identified. Agreement must be reached between the mine and the regional director, after consultation with the relevant government departments, land owners and affected parties on the allocation of responsibilities and definition of mechanisms to deal with probable liabilities associated with the long-term residual impacts of mining on the environment.'

Section 39(3) of the MA requires the Director: Mining Development (DMD) to consult with each department charged with the administration of any law which relates to any matter affecting the environment before he approves any EMP or grants any exemption or extension of time or any temporary authorization that prospecting or mining operations concerned may be begun. The policy indicates that the DME would similarly execute the function of the lead agent for matters concerning the issuing of a certificate in terms of section 12 of the Minerals Act, 1991.

A mine would be considered closed, once a certificate under s 12 was issued. An unconditional certificate would be issued by the DMD, provided that the results of the final assessment indicate that all the provisions of the act have been complied with and that all closure objectives stipulated in the EMP or closure plan have been met. If residual impacts have been identified, these must be described in the EMP or closure plan. The DMD, after consultation with the relevant government departments and the mine, shall seek to have negotiated and finalized adequate and irrefutable arrangements in terms of which the State and the mine are satisfied that these impacts will be adequately dealt with before a certificate is issued. This may include the need for a mine to make financial provision for the financing of post-closure environmental management or maintenance. A competent third party, which could include the State, could assume responsibility for such management or maintenance and utilize the available funds for this purpose.

All arrangements made and agreements reached between the mine and the State to adequately deal with such post-closure maintenance and/or the management of residual impacts, were to be incorporated into an amendment to the EMP or closure plan.

Section 39 of the MA was used as the legal justification that all the departments and affected parties involved in the approval of a mine's EMP must be consulted by the regional director when consideration is given to the issuing of a certificate in terms of section 12 of the Minerals Act, 1991.

DME Policy on financial provision for the EMP

This policy makes it clear that the State, as one of the parties exposed to the risk of inheriting responsibility to rehabilitate mines, must protect itself from unreasonable exposure. In addition, the policy acknowledges that the State also has a responsibility to protect other third parties through appropriate action and statutory prescriptions.

'The placing of a prescriptive financial requirement on the mining industry is a regulatory option, which may be used to manage exposure to the said risk. The mining industry recognises the need for such financial provision but requires a measure of consistency. The prescriptive requirements must be clearly defined in order to provide the industry with clear and unambiguous guidance.'

The adequacy of the applicant's/holder's financial provision includes that the regional director should be satisfied through the mechanism of the EMP that:

- ▶ the applicant/holder will have the financial means to fulfil the requirements of the EMP
- ▶ there will be sufficient financial provision for the final closure of the mine

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- ▶ such funds are protected from seizure; and
- ▶ the financial provision made to fulfil the requirements of the EMP will be utilized solely for rehabilitation until a certificate in terms of section 12 of the MA (closure certificate) has been issued.

The quantum of financial provision had to be available at commencement and during mining operations, and needed to satisfy the DME that:

- ▶ the holder has or will have the ability to execute the approved EMP
- ▶ there will be sufficient financial provision for the final closure of the mine
- ▶ it takes into consideration *inter alia*, the probable difficulty of rehabilitation of the mining area, having regard to the location, the topography of the area, the method of mining to be employed, the type of mineral mined, the character of the land involved and the intended use of the land after mining.

The policy goes on to state *'The State's acceptance of responsibility or co-responsibility for environmental management in respect of land disturbed by prospecting or mining operations after closure will require that the DME will have to be satisfied that the said holder or owner has fulfilled his obligations as defined in the EMP including the identification and provision for expected residual pollution, before granting a closure certificate in terms of Section 12 of the Minerals Act, 1991. On fulfilment of the obligations imposed on the said holder or owner in terms of the MA, he will be entitled to an unconditional closure certificate.'*

The State shall accept responsibility or co-responsibility in regard to the post-closure rehabilitation of the land involved where the regional director is satisfied that the mine has demonstrated that rehabilitation measures have been implemented in accordance with the approved EMP and in accordance with the requirements of the Minerals Act, 1991, except where any statutory or other obligations have been assumed by or vested in another party. The holder of the prospecting permit or mining authorisation will then be relieved of any further liability.'

The policy contemplates certain other circumstances where the DME would accept responsibility for rehabilitation and that is where no legally responsible person can be identified or where an owner or other responsible person is identified where legal liability can be attached or where he will benefit from the rehabilitation, but the Minister is of the opinion that it would, in the prevailing circumstances, be impractical or inequitable to require such mine or responsible person to be responsible for the rehabilitation of the land involved. In these circumstances the Minister may, with the concurrence of the Minister of Finance, accept responsibility or co-responsibility for such rehabilitation. The Minister may in consultation with all the parties concerned, order the cost involved to be paid by the State, out of funds appropriated by Parliament for the purpose, by the mine, the responsible person and/or any person who will benefit from such rehabilitation in such proportion as may be determined. It was accepted that in circumstances where a mine may have ceased operations prior to there being an obligation to rehabilitate the land, and where the mine has not received a closure certificate but where the mine has insufficient assets to cover responsibility for such rehabilitation, such circum-

stances would be considered grounds for the consideration of the impracticality or inequity of the requirement of such mine to be responsible for such rehabilitation.

It should be borne in mind that the MA came about before the finalization of the SA Constitution in 1996, which now contains a universal right to an environment that is not detrimental to the health and well-being of its citizens in section 24. Part of this right includes an obligation on government to put legislation in place that protects the environment and gives effect to this right, including measures that secure ecologically sustainable development and use of natural resources, while promoting justifiable economic and social development.

The Constitution underpins all natural resources legislation, which has been developed since it came into operation. New natural resources legislation that falls into this category relates to water i.e. the National Water Act (NWA) and to environmental management i.e. the National Environmental Management Act (NEMA). Both of these gave effect to this constitutional environmental right.

The White Paper on a Minerals Policy for SA (1998) confirmed that the new mining legislation needed to be premised on the following:

The principles of Integrated Environmental Management (IEM) will be applied to environmental management in the mining industry. These must be amplified to include cradle-to-grave management of environmental impacts in all phases of a mine's life, effective monitoring and auditing procedures, financial guarantees for total environmental rehabilitation responsibilities, controlled decommissioning and closure procedures, procedures for the determination of possible latent environmental risks after mine closure and the retention of responsibility by a mine until an exonerating certificate is granted.

Environmental closure implications under the MPRDA

The new mining legislation i.e. the Minerals and Petroleum Resources Development Act (the Act) has been drafted in such a way as to give effect to the above policy as well as the s 24 right. There is much reference to the environment as well as to sustainable development in the new Act and in the draft regulations. It also concerns itself much more with legalities around closure.

It is important to note that, because the definition of 'mining area' has been cast to include the area for which the right is granted and in relation to any environmental, health, social or labour matter includes:

- ▶ any adjacent or non-adjacent surface of land on which the extraction of any mineral has not been authorized but upon which related or incident operations are being undertaken and including any area connected to such an area by means of any road, railway line, powerline, pipeline or cableway or conveyor belt, and any surface of land on which such road, railway line, powerline, pipeline or cableway is located and
- ▶ all buildings, structures, machinery, mine dumps or object situated on or in that area which are used for the purpose of mining on the land in question, it is therefore implicit that, when it comes to the environmental issues around closure, adjacent and non-adjacent areas will need to be factored into the

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closing plan. That holders of rights are responsible for the environmental consequences of mining on areas beyond the immediate mining areas, is borne out by the wording used in section 38.

Section 5(4) provides that no one may prospect or mine or even commence with any work incidental thereto on any area without an approved EMP or plan.

Section 38 (1)(d) and (e) makes it clear that the holder of the mining right must as far as it is reasonably practicable, rehabilitate the environment affected by mining operations to its natural or pre-determined state or to a land use that conforms to the generally accepted principles of sustainable development.

In (e) it goes on to provide that the holder is responsible for any environmental damage, pollution, or ecological degradation as a result of his mining operations and which may occur *inside or outside the boundaries of the area to which such right relates*.

Section 39 of the new Act deals with the preparation of an EMP and plan and requires a description of the manner in which the holder intends to modify, remedy, control or stop any action, activity or process, which causes pollution or environmental degradation. The holder must indicate how he will contain or remedy the cause of pollution or degradation and migration of pollutants and comply with any prescribed waste standards or management standard or practice. Although this does not specifically refer to the rehabilitation aspect for mine closure, the draft regulations make it clear that the current position will continue in that the EMP will need to include a preliminary closure plan, which will require updating over the operational life of the mine and then be finalized once closure is imminent. What the draft regulations of the act provide in this regard is covered later.

An EMP will not be approved unless the applicant satisfies the requirement of making financial provision for the rehabilitation of negative environmental impacts. Section 41 covers the financial provision. This imposes a requirement to maintain and retain the financial provision until the Minister has issued a closure certificate (as contemplated in s 43). The definition of financial provision makes it clear that this includes the provision that must be made for rehabilitation of the prospecting or mining areas.

Section 42 covers the management of residue stockpiles and residue deposits (both terms have been defined in the Act with the latter being the stockpiles remaining on termination, cancellation or expiry of the right). These have to be managed in the prescribed manner. This has been prescribed in the draft regulation. This must be done on the site demarcated for that purpose in the EMP. No temporary or permanent deposit may take place on any other site. Failure to do this is an offence under the Act as is a failure to comply with s 38(1)(c) (managing environmental impacts in accordance with the EMP) and s 44 (demolition).

Section 43 is one of the most important provisions concerning closure as it deals with the issuing of a closure certificate. It is in this section that reference is made to the prescribed *closing* plan. Responsibility for any environmental liability, pollution or ecological degradation remains until the issue of the certificate to the holder. This is similar to the current situation, however, the section goes on to provide for the transfer of liability under the EMP to approved third parties.

Unlike the current requirements a duty arises for the holder or an approved third party to apply for a closure certificate on certain eventualities occurring. A closure certificate must be applied for to the Regional Manager within 180 days of cessation of mining operations (or completion of the prescribed closing plan). This term is not defined and it is not clear at this stage what will need to be contained in the closing plan. The draft regulation dealing with it has set out certain requirements. In addition, this application for a closure certificate must be accompanied by the prescribed environmental risk report. This term is also not defined, but appears to involve a risk assessment on closure.

DWAF must confirm that the provisions pertaining to potential water pollution have been addressed and the Chief Inspector (CI) must confirm the provisions relating to health and safety are addressed, before a closure certificate can be issued (section 43(5)).

As indicated above, section 43 contemplates a situation where there can be a transfer of environmental liabilities and responsibilities as may be identified in the EMP or EM plan and in the prescribed closure plan from the original holder to a third party. This third party would have to meet certain prescribed qualifications for this to occur. While these provisions are to be applauded, the full implications of what such a transfer of liability will actually entail has not been clarified. For example, the question arises whether the qualified person will become a holder for the purposes of the Act.

Other concerns about the process of transferring environmental liabilities to a third party relate to the 'qualified person'. The definition of this does not cover the requirements in section 45. These requirements are very onerous and suggest the intention is not to allow for transfer of these liabilities in the normal situation where a mine or part of it is sold to another mining entity. A consultation provision with other state departments in s44(3) is not provided for in the Act.

As indicated above, no closure certificate may be issued unless the CI and DWAF have confirmed in writing that the provisions pertaining to health and safety and management of potential pollution to water resources have been addressed. It is curious that DWAF is the only other regulator singled out here, as one would expect DEAT would need to be equally satisfied about environmental media other than water. There are a number of legal concerns that arise about the effects of this provision:

- what will the effect be of such a written confirmation to the holder of the closure certificate? Will it remove liability for water pollution insofar as DWAF has signed off on it? The NWA does not make provision for any exemptions to be issued from its provisions so in view of the fact that residual liability remains under that Act, the effect of DWAF's written confirmation is not clear.

Section 43(6) contemplates that where a certificate has been issued there will be a return of such portion of the financial provision as is deemed appropriate, but in the same sentence there is provision for the retention of any portion for latent and or residual environmental impacts, which may

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become known in the future. How will a decision be made on what portion to retain, especially in view of a closure certificate only being obtainable where DWAF is satisfied that potential pollution to water resources has been addressed?

Section 44 prevents the demolition or removal of buildings, structures or objects except in certain circumstances and except as regards bona fide mining equipment. This section completely turns around the current provision, which allows for demolition except in certain circumstances.

Section 45 deals with emergency type situations where urgent remedial measures are necessary to prevent ecological degradation, pollution or environmental damage, which may be harmful to the health or well-being of anyone. It is not clear when such circumstances would be likely to arise, bearing in mind the EMP. In these circumstances a directive may be issued by the Minister for certain steps to be taken by the holder such as an assessment of the pollution, measures to address it and a timeframe for this to be done. Failure to do the necessary entitles the Minister to implement the measures and recover the costs from the holder concerned. In the first instance these measures must be funded from the financial provision made by the holder. It is difficult to reconcile this provision with the EMP or the closure plan as surely this is properly addressed through that mechanism.

The Act makes provision in section 41(5), for retaining a portion of the financial provision by the Minister even after the closure certificate has been issued, if this is required to rehabilitate the closed mining operation in respect of latent or residual environmental impacts. This again should be properly provided for in the closure plan and it is not clear whether other circumstances could give rise to these provisions being invoked.

Section 46 states that, where measures contemplated under s 45 are required to address pollution or rehabilitate dangerous occurrences but the holder or his successor-in-title cannot be traced, the RM may be instructed to take the necessary measures. These measures must be funded from the financial provision made by the holder or from money appropriated by parliament.

The Act contemplates the title deed to the property then being endorsed to the effect that such land has been remedied where the State has funded such measures. It is queried why there cannot be a similar provision for land, which a holder has rehabilitated. What would the effect be of such an endorsement on residual liability?

Section 52 governs the social requirements where mining operations are to cease and 10% or more than 500 employees, whichever is the lesser, are likely to be retrenched within 12 months. It requires consultation with the trade union or affected employees and notification to the Minerals and Mining Development Board.

It should be noted that in terms of section 23, an applicant for a mining right under the new Act needs to establish that the granting of the right will *inter alia* further the promotion of employment and advance the social and economic welfare of all Southern Africans in accordance with the prescribed social and labour plan, and that it has provided financially or otherwise for this plan. No further detail is provided in the Act of the social and labour plan, although this is covered in the draft regulations referred to later.

Draft regulations to the Act were published for comment in December 2002 and a final version of the regulations has not been seen. Important definitions are included in the draft regulations, which have a bearing on closure. A definition is introduced for 'closure certificate' i.e. the certificate issued in terms of s 43 of the Act. What is the status of closure certificates issued under the MA? No transitional provision is included in the Act.

Other important definitions are the following:

- ▶ 'latent environmental impacts' means environmental impacts, which may occur due to natural events or disasters
- ▶ 'post closure management' means ongoing management of residual environmental impacts for a specified period as determined after closure to s 43(1) has been obtained.
- ▶ 'residual environmental impacts' means the environmental impacts remaining after mitigation.

The social and labour plan requirements are covered in draft regulations 26–28 and they have implications for mine closure.

The contents of the EMP is covered in Reg (34)(2)(a)(i) which make it clear that the objectives and goals for mine closure must be included in EMP. Regulation 47 deals with what those objectives are. Regulation 48 refers to the closure plan being part of the EMP and it sets out the requirements of what must be in the closure plan:

- ▶ a description of closure objectives and how these relate to mining operations and their environmental and social setting
- ▶ a summary of regulatory requirements and conditions for closure negotiated and documented in the EMP
- ▶ a summary of the results of the environmental risk report and identified residual and latent impacts
- ▶ a summary of the results of progressive rehabilitation undertaken
- ▶ a description of the methods to decommission each mining component and the mitigation or management strategy proposed to avoid, minimize and manage residual or latent impacts
- ▶ details of any long-term management and maintenance expected
- ▶ details of financial provision for monitoring, maintenance and post closure management, if required
- ▶ a plan or sketch describing the final land use proposal and arrangements for the site
- ▶ a record of interested and affected persons consulted and technical appendices.

Financial provision

The pecuniary provision requirements, which are in Reg 5.16 to the MA, are basically the same as those now included in the Act (s 41)—financial provision for remediation of environmental damage. This section speaks of making the prescribed financial provision for the rehabilitation or *management* of negative environmental impacts and this is elaborated on in the regulations.

The methods of financial provision are set out in Reg 38. One can construe these requirements to mean that provision must be made for the ongoing costs of rehabilitation as well, and not just for closure. These provisions are not linked back to EMP obligation or commitments.

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Regulations 38–40 cover the method for financial provision and provide for standard forms for financial provision and the quantum. Reg 5.16.4 under MA currently provides the pecuniary provision referred to in that regulation should only be used for the purposes of the said regulations. The new requirements go beyond what was previously contemplated, as it appears to cover more than just the closure phase. Reg 38 uses different words to the Act—financial provision for rehabilitation and remediation of environmental damage.

The methods identified tie back to the DME policy on financial provision i.e. trust fund, written guarantee, financial deposit or other methods. There is inconsistency with the financial provision definition, which includes insurance.

Reg 39 sets out the standard forms. It seems these are intended to be prescriptive.

Reg 40 requires the holder of the right to submit financial statements from a financial institution as proof that it has the financial means to execute the EMP. The detailed itemization of costs is set out in Reg 40 (2). Annual update and review of quantum is similar to the position under the MA. The agreement with DME, negotiated by the Chamber of Mines, on top up for sudden closures, has not been reflected in the regulations.

Regulation 46 sets out the detail of the environmental risk report, which must accompany the application for a closure certificate and the methodology that must be used in undertaking the risk assessments to be done in accordance with this provision.

Notwithstanding the significantly more detailed requirements, which appear from the draft regulations, there is still some uncertainty about residual liability from a legal perspective. Residual liability remains for mining companies at present insofar as they may still be exposed to liability under both the National Water Act and under NEMA, which are worded in such a way that their provisions apply retrospectively to activities that took place in the past, which gave or give rise to water pollution or environmental pollution now. Neither Act allows for exemptions to be given to a person so that the provisions of the Act do not apply to them.

When one considers the question of liability (or residual liability) after closure, it is important to note the provisions of section 38(2). Section 38 (2) provides that notwithstanding the provisions of the Companies Act and the Close Corporations Act, directors of a company or members of a Close Corporation (cc) are jointly and severally liable for any unacceptable negative impact on the environment, including damage, degradation or pollution advertently or inadvertently caused by the co/cc they represent. This is an extraordinary section that creates unlimited and strict liability on the part of directors of a company or cc. If this section stands it will most certainly need to be explored in the context of residual liability after mine closure as on the face of it, anyone, including the state, would be able to proceed against a director of a mine, which may have been closed properly and which has received a closure certificate but impacts occur on the environment, notwithstanding all efforts taken to address these. These provisions relating to residual liabilities remaining after mine closure, can have inequitable results. ♦

Snowden acquires equity share in training specialist*

Following the acquisition of a 50% stake in R3.5 m a year Traisc Consultants (Pty) Ltd, a new company—Snowden Training (Pty) Ltd (trading as Traisc)—will soon bring wide-ranging educational services to the mining industry.

Traisc has been training mine personnel since 1998 in areas ranging from rock engineering to safety, ventilation, strata control, mine management and supervisory skills. Founding member Francois Naude will remain as managing director for two years to ensure a smooth transition. At present, the company employs 18 educators (of which 5 are rock engineers) at its training facility near Libanon gold mine in Gauteng, while it also offers on-site training in several languages, including 'Fanegalo'. Practical experience is a vital ingredient offered by all trainers employed.

Traisc's impressive list of clients includes De Beers, Anglo American, Anglo Platinum and Cementation Mining. Traisc has presented training courses in just about every type of mine found in southern Africa. Although it was built predominantly on the low-level, high-volume education of entry-level gold mining staff, the company has its focus on platinum for short to medium term growth, as well as areas like mine management and mine contractors.

Snowden, equally well known for its high-level technical training of mining professionals, represents an ideal growth partner for Traisc in the light of the company's significant

marketing reach and worldwide credibility. 'Demand for the type of training Traisc is providing made us aware of the opportunity to expand our capacity. The potential synergy between Snowden and Traisc makes Traisc an ideal partner for this purpose,' explains Snowden general manager, Marc Struik.

'While we have been growing at a rate that saw us just about doubling our turnover every year, this deal should allow us entry into segments of the market we would not otherwise have had access to,' echoes Naude. 'It is a whole new ball game now, with countless previously unexplored avenues opening up for us.'

Accredited to Technikon South Africa, the company is also in the process of being audited for MQA certification. This will allow it to not only provide training towards receiving Chamber of Mines' certificates, but across the entire spectrum of mining activities.

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