

A reprieve for the Mining Industry - mining operations may start to operate at 50% capacity, subject to strict conditions

17 April 2020

On 16 April 2020, amendments were issued to the regulations published under the Disaster Management Act, 2002, in response to the COVID-19 pandemic, which will significantly impact the mining industry during the nationwide lockdown.

All mining operations are now listed as essential services.

Collieries which supply Eskom must continue to operate at full capacity. Refineries (including smelters, plants and furnaces) will also operate at full capacity to avoid any shortage of fuel.

All other mining operations must be conducted at a reduced capacity of not more than 50% during the period of lockdown. Thereafter, mining operations shall be conducted at increasing levels of capacity as determined by the Minister of Mineral Resources and Energy, as it is anticipated that the end to the lockdown will be a gradual process.

The restarting and increasing of capacity of mining operations are subject to strict compliance with the following conditions:

- a) a rigorous screening and testing programme must be implemented as employees return to work;
- b) the mining industry must provide quarantine facilities for employees who have tested positive for COVID-19;
- c) data collected during the screening and testing programme must be submitted to the relevant authority;
- d) arrangements must be made to transport South African employees from their homes to their respective areas of operations; and

- e) employees from neighbouring SADC countries must be recalled to work at the end of lockdown in their respective countries, in accordance with the Regulations and other regulations applicable in such countries.

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