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PRESS RELEASE

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Aspasa now offers a Mining Charter Audit to all members

Following the gazettment of the Mining Charter's Implementation Guidelines and Amendments in December 2018, surface mining association, ASPASA, has extended its service to members and now also offers a Mining Charter Audit.

After a seven-month engagement process with stakeholders, South Africa's new Mining Charter was developed to boost sustainable growth, enforce procurement of local goods, and to further support broad-based, meaningful Black Economic Empowerment of our mining and minerals industry.

Independent mining law consultant, Sibongile Kunene cautions that it's important for all South African mines to work strictly within the confines of the Charter.

Duty bound

"Whilst the Charter's main function is to secure one's license to operate, it now has a stronger focus on socio-economic development. Then, increasingly local communities are becoming aware of their rights and holding mining companies to account. Overall the new Charter's message is clear; if a mine strays from implementing and maintaining its duty to society, it runs the risk of having its operations suspended or its license withdrawn."

This of course means that all mining operations – small or big – will need to become more rigorous about their practices and processes. They've also been given six months (from the Charter's publication date) to get their houses in order and to submit a five-year plan indicating progressive implementation of employment equity targets and goods procurement targets.

In light of these developments, Aspasa has decided to extend its strategic support role to its members in the form of a mining charter audit – that is, besides the compulsory Health, Safety and Environment audits it already offers.

Timeous move

The Audit certainly is good news for all Aspasa members, and particularly for smaller mining operations with limited budgets and administrative challenges.

Kunene says the biggest risk facing any operator is to be suspended because of non-compliance, and that this can now be avoided. "With the Charter Audit, Aspasa members will be in a position to assess

their compliance status and take rectifying steps. This will allow mines to be a step ahead when the Department of Mineral Resources (DMR) do their compliance inspections – the outcome of which can be punitive, costly and time-consuming.”

Kunene adds that the Charter Audit can further assist operators in a policy environment that’s fragmented. “For one, the Mining Charter and Department of Trade and Industry (DTI) codes are still not aligned. Then there are also constant policy amendments. For some operations it can be a challenge keeping up with this dynamic and always-evolving sector; but with an audit operators will be aware of any changes and have a template that caters for both the Mining Charter and the DTI Codes how they affect mining operations.”

Moving forwards

Aspasa’s Mining Charter Audit takes about one to two depending on the size of the operation and amount of data gathered. Inter alia, the Audit will look at a mine’s current commitments regarding the Social and Labour Plan (SLP) and the extent of compliance. You will then be provided with a report that identifies areas in which you’re falling short as well as suggested mitigation measures.

For all Aspasa members the audit comes at a discounted rate, so if you’re not already a member now is definitely an excellent time to consider becoming one.

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Caption

Independent mining law consultant, Sibongile Kunene will provide auditing assistance to Aspasa members

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