

## Department to appeal Mining Charter judgment

The Department of Mineral Resources (DMR) will appeal a court judgment relating to the Mining Charter.



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“After careful consideration, the Department has approached the Supreme Court of Appeal (SCA) to appeal the judgment handed down by the High Court, Gauteng Division, Pretoria, in respect of the application for declaratory orders in relation to the original Mining Charter, 2004 and the revised Mining Charter, 2010,” said the DMR on Tuesday.

It was reported that earlier this month the High Court in Tshwane ruled that the first two versions of the Mining Charter did not require producers to top up black shareholding levels.

On Tuesday, the department said it is concerned by the implications of the majority judgment.

“The Department is concerned by the implications of the majority judgment on the attainment of the objective to sustainably transform South Africa’s mining industry by bringing in new entrants and empowering workers and communities in mining towns.”

It added that the judgment has dire implications for the economic transformation imperatives of the Constitution, the mining

sector and South Africa at large.

“It further has the potential of extending regulatory and policy uncertainty, and sterilisation of our mineral resources, with grave economic growth and employment implications,” said the department.

The charter is government’s instrument designed to achieve mutually symbiotic sustainable growth and broad based and meaningful transformation of the mining and minerals industry.

Among its objectives is the deracialising of ownership of the mining and minerals industry by redressing the imbalances of the past.

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