

NOTICE 232 OF 2010**DEPARTMENT OF MINERAL RESOURCES****PUBLICATION OF MEMORANDUM OF OBJECTS OF THE GEOSCIENCE
AMENDMENT BILL [B 2009]**

The Minister of Minerals and Energy intends introducing the Geoscience Amendment Bill, [B 2009], in the National Assembly during March 2010. A memorandum of objects of the Amendment Bill is hereby published in accordance with Rule 241(3) of the Rules of the National Assembly.

1. OBJECTS OF BILL

The main object of the Bill is to mandate the Council for Geoscience to be the custodians and curators of geotechnical information, to be a national mandatory advisory authority in respect of geohazards related to infrastructure development, to undertake exploration and prospecting research in the mineral and petroleum sectors and to add to the functions of the Council.

The Bill seeks to put mechanism in place to address problems which are associated with infrastructure development on dolomitic land.

The Bill empowers the Council for Geoscience to be the custodian of all geotechnical data with the purpose of compiling a complete geotechnical risk profile of the country;

The Bill further enables the Council for Geoscience to become the custodian of technical information relating to exploration and mining.

The short title of the principal Act is also to be amended.

2. DEPARTMENTS/ PARTIES CONSULTED

The following Departments and statutory bodies were consulted on the Bill:

National Treasury

Public Works

Housing

Education

Water Affairs

Local and Provincial Government

South African Local Government Association

3. PARLIAMENTARY PROCEDURE

The Department of Mineral Resources is of the opinion that this Bill must be dealt with in accordance with the procedure established by section 75 of the Constitution since it contains no provision to which the procedure set out in section 74 or 76 of the Constitution applies.

Once the Bill has been tabled in Parliament, a copy can be obtained from:

- (a) the Government Printers – Cape Town and Pretoria;
- (b) the Chief Director: Mineral and Mining Policy, Department of Mineral Resources, Mineralia Centre, 234 Visagie Street, Pretoria, Tel: 012 317 8493;
- (c) the Department of Mineral Resources website, namely www.dme.gov.za.

REPUBLIC OF SOUTH AFRICA

GEOSCIENCE AMENDMENT BILL

(The English text is the official text of the Bill)

(MINISTER OF MINERAL RESOURCES)

[B 2009]

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

BILL

To amend the Geoscience Act, 1993, so as to mandate the Council for Geoscience to be the custodians of geotechnical information, to be an advisory authority in respect of geohazards related to infrastructure development, to undertake exploration and prospecting research in the mineral and petroleum sectors and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 100 of 1993

1. Section 1 of the Geoscience Act, 1993, (hereinafter referred to as the Principal Act), is hereby amended—

- (a) by the substitution for the definition of "chairman" of the following definition:
"["**chairman**"] "**chairperson**" means the [**chairman**] chairperson of the [**Management**] Board appointed in terms of section 4;".
- (b) by the substitution for the definition of "discovery" of the following definition:
"**discovery**" means a technological or scientific discovery, [**but excluding**] including a discovery of a mineral deposit;".
- (c) by the substitution for the definition of "Executive Management Committee" of the following definition:
"["**Executive Management Committee**" means the **Executive Management Committee**] "**Executive Committee**" means the Executive Committee of the Board referred to in section 15;"
- (d) by the substitution for the definition "executive officer" of the following definition:
"["**executive officer**" means the person appointed in terms of section 18 as executive officer of the Council] "**Chief Executive Officer**" means the person appointed in terms of section 18 as the Chief Executive Officer of the Council;".
- (e) by the substitution of the definition of the 'Management Board' of the following:
"["**Management Board**"] "**Board**" means the [**Management**] Non Executive Board referred to in section 4;".