

MACUA & WAMUA - ADVICE OFFICE

Ground Floor, 62 Juta Street
Braamfontein
2000
Johannesburg
Telephone: 067 720 1594
Website: www.macua.org.za



MACUA Calls for an Investigation into Reports by the Director-General of DMPR which has Misled Parliament Regarding the State of Compliance of Mining Companies in South Africa

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Mining Affected Communities United in Action (MACUA) is deeply concerned about the Department of Mineral and Petroleum Resources' (DMPR) continuous failure to adequately regulate mining corporations and its reliance on self-reported, unverified industry statistics, which it uses to paint a false picture of the state of the mining sector. This practice has resulted in misleading information being reported to Parliament and the resultant failure to enforce Social and Labour Plan (SLP) compliance, undermining not only the law, but also the rights and development of mining-affected communities.

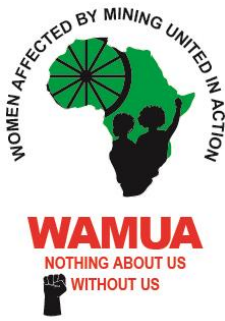
Early last September, MACUA reported a possible criminal offence to the Portfolio Committee on Mineral and Petroleum Resources against the DMPR Director General (DG), Jacob Mbele, who provided misleading information in Parliament. Despite receiving multiple reports showing these failings, the DMPR continues to accept and present industry data without verification, misinforming Parliament and failing to enforce compliance with the Minerals and Petroleum Resources Development Act (MPRDA). This is a significant regulatory failure that encourages corporate noncompliance and promotes systemic corruption.

However, we are equally concerned about the attitude of the Portfolio Committee towards this. When we initially reported the matter last year, instead of holding the Department accountable, the Committee sent us a generic statement from the DG, thus failing to fulfil its oversight responsibilities properly. As a result, MACUA has again written to the Chairperson of the Portfolio Committee, Mr. Mikateko Golden Mahlaule, calling on the chairperson to act without any further delay and to deal with this matter with the urgency that it deserves.

MACUA maintains that prima facie evidence exists that warrants, at the least, an investigation by the Portfolio Committee, and at worst, the opening of a possible criminal case against Mr. Mbele and his department.

On 21 August last year, the DMPR presented a report to the Portfolio Committee, indicating that **534 SLP projects were completed between 2019 and 2024**, with mining companies investing an estimated **R2.5 billion**. However, the Social Audit Report done by MACUA in 2022 indicates a starkly different reality:

- 69.6% of local economic development projects audited were never completed.
- Only 4.3% of the audited projects were fully implemented.
- No mining company undertook public participation in developing its SLP.



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- 92.4% of surveyed community members were unaware of SLP obligations, pointing to a severe lack of transparency and engagement.

Demands For Urgent Action

We call on the Portfolio Committee to take immediate and decisive action by:

1. Summoning the Director-General, Mr. Jacob Mbele, and Deputy Director-General, Mr. Tseliso Maqubela, to provide verifiable evidence supporting their claims of completed SLP projects and financial investments.
2. Conducting a full, independent audit of SLP project implementation.
3. Demand a full, independent audit of SLP project implementation and expenditures to assess the true state of compliance across the mining sector.
4. Rejecting the DMPR's reliance on unverified data and mandating independent verification for all future reports submitted to Parliament.
5. Instituting a formal parliamentary inquiry into the DMPR's failure to enforce compliance, regulatory capture, and its continued use of corporate self-reporting.

The current SLP framework is failing mining-affected communities due to poor regulatory enforcement, corporate non-compliance, and lack of transparency. Parliament must act decisively to rectify these structural deficiencies, hold the DMPR accountable, and enact legal reforms that ensure mining-affected communities truly benefit from mining operations.

We look forward to the Portfolio Committee's urgent response and remain committed to engaging in this process to advance the rights of mining-affected communities.

For media enquiries contact MACUA-WAMUA's media and communications manager, Magnificent Mndebele at 064 785 9746 or magnificent.mndebele@macua.org.za