

REPUBLIC OF NAMIBIA
MINISTRY of MINES and ENERGY

PREPARED FOR:
MINING CONFERENCE 22nd MAY 2014

Presenter:

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Importance of Health & Safety in the Industry:

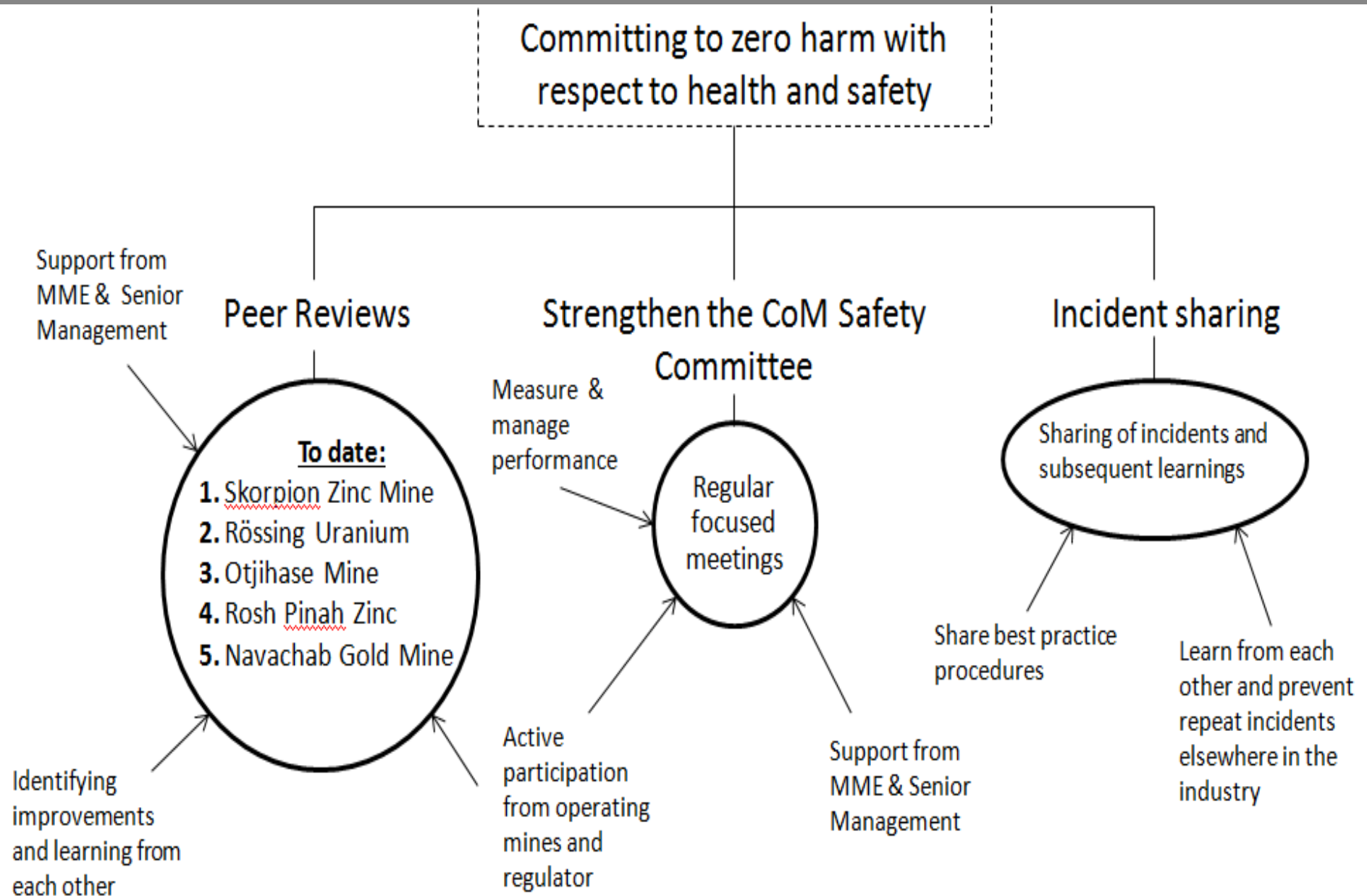
- Maintenance of Safe Working Culture, Prevention of Mine Accidents in line with the Namibian Constitution and other national laws and to Achieve Zero Harm in Mine Health and Safety.
- Commitment by both Government, Mining Investors to Mine Safely and Provide Safe Working Environments for their employees to live and enjoy healthy and safe lifestyles in line with Safety Policies.
- Just imagine a situation if Government did not put in place a Safe Environment for Investors to Invest and Work Safely.
- The same principle applies to Employees when they are exposed to Unsafe Working Environments.
- Employees must enjoy Injury & Fatality Free employment environments (Zero Harm).
- This is provided for by both the Constitution and the applicable Legislations in Namibia and required in terms of the Decent Work Country Programme of ILO.
- The primary reason why we all work so hard is to add positive value to our lives at home, work and every where, and enjoy our money safely.

CHALLENGES

(A) In respect of Employers and Employees

- Lack of commitment and understanding in respect of the provisions of the Labour Act and those of the Mines, Works and Minerals Ordinance (Ordinance 20 of 1968) and the Minerals (Prospecting & Mining) Act No. 33 of 1992, by both Employers and Employees.
- Lack of Commitment and Safety Awareness and by Mining Industry Employers and Employees. *Put sound Safety Policies in place signed by the top executives of the organization and educate your employees about them.*
- ✓ Primarily by mining organizations that are not part of the Chamber of Mines of Namibia to capitalize on our **Safety Peer Reviews**, benchmarking and information sharing.

A brief intro to Safety Peer Review



- Mining operations that are not audited by International Standards and Safety Organizations such as NOSA and those who do not compete for OHSAS 1400 etc.
- Mining Operations that do not recognize Trade Unions as partners in resolving industrial conflicts and disputes.
- Mining Contractors and their Sub- Contractors pose a big challenge.
- Investors who perform poorly and still apply for more Mineral Rights with the Ministry of Mines and Energy.
- Investors who perform poorly and fail to accept recommendations by the Inspectors of Mines , Inspectors of Labour, the Chamber of Mines Safety Committee , International consultants and run to political offices and party structures to lobby otherwise.

.....continuation of challenges – slide 4

- ✓ The Mines, Works and Minerals Ordinance (Ordinance 20 of 1968) makes provision for the Inspector of Mines to enter any mine premises for inspections and verifications without prior notice at any time of the day or night. Inspector of Mines managed to expose some international citizens accommodated on Mineral Rights Areas and were deported with appropriate fines. Illegal accommodation of international citizens without proper immigration documents are a threat to our Safety and National Security and will not be tolerated.
- ✓ Section 140 of the Labour Act, 2007 (Act No. 11 of 2007) makes provision for an employee to withdraw himself/ herself from an unsafe work place or environment until the work place is made safe.
- ✓ If an employee does this, this should not lead to victimization but to be accepted as a reasonable consideration, failure to this may potentially lead to accidents and industrial actions.

.....continuation of challenges – slide 5

- **Unsafe Acts by employees is a risk to themselves, other employee's lives and visitors alike.
Please educate and urge your employees to act Safely and Responsibly.**
- **Employees who for whatever reasons do unsafe acts that endanger the Health and Safety of others must be procedurally disciplined, warned or possibly dismissed if found guilty.**

The same applies to employers, even if it means to loose their Mineral Rights.

Action taken by the Ministry of Mines:

MME has been doing Safety Awareness Campaigns primarily at Managers and Supervisors to be cascaded down to all levels of the organizational structures start with Weatherly Mining Namibia which was well received by both the employers and employees. This presentation is a demonstration of it.

The Mine Workers Union of Namibia was also taken on Board to be part of this campaign where possible.

.....continuation of challenges from slide 7

- **The Chamber of Mines has engaged an Independent Audit of the Mining Industry Safety Systems, which MME supported and we have considered the recommendations where possible within our laws.**
- **We have reviewed some of the structures and Inspector of Mines responsible for Marine Mining Operations has been appointed.**
- **We will continue with Inspections despite our limitations in relation to limited resources and be innovative in carrying out our duties and functions.**

B. Challenges in relation to MME:

- ❖ **Shortage of experienced Inspectors of Mines to conduct inspections regularly.**
- ❖ **Lack of resources primarily budgetary allocations, vehicles, tools etc. I urge you to donate where possible.**
- ❖ **Continuous increase in the number of Mining and Exploration Activities in Namibia.**
- ❖ **Implications of the recent Job Evaluation and Grading (JEG) exercise in Public Service has adversely affected the positions of Inspectors of Mines and we are on good cause with OPM to rectify the anomalies.**
- ❖ **Remoteness of the mining and exploration sites across the country.**
- ❖ **Reviewing of the Mine Health and Safety Regulations especially in respect to Marine Mining Operations.**

(C) CHALLENGES IN RELATION TO CONTRACTORS

- It is important to note that in terms of Regulation 147 made under the provisions of Mines, Works and Minerals Ordinance (Ordinance 20 of 1968), the overall responsibility and accountability in so far as the Health and Safety of employees is concerned, lays directly with the Mineral Rights Holder unless, if there is an express consent granted by the Chief Inspector of Mines.
- This Provision must not be tampered with in any case because it will create complex precedents and it shall still be maintained in the new Mine Health and Safety Regulations and possibly to be improved upon to provide for an above 70% of employees to be permanently employed by the Mineral Rights Holder!
- Of all the five (5) Mine Fatalities recorded in the Year 2012 involved Contractors on Mining License Areas.
It is very difficult to maintain discipline over the work force which is not yours. Apparently, the main motive for outsourcing Mining Services to Contractors is to keep Trade Unions at bay.

....continuation of challenges-slide 10- contractors

- For industrial harmony in our Mines, I strongly recommend that Employers, Employees and contractors should resolve their differences through recognized Trade Unions and Labour Arbitration Systems. Without these amicable ways of negotiations: disputes, strikes, and other industrial disharmonies will occur at all levels of the organizational structures.
- It is the responsibility of Mineral License Holders to carefully choose and bring their contractors to the required safety standards. Government does not have any agreements with the contractors and sub-contractors and does not necessarily know them.

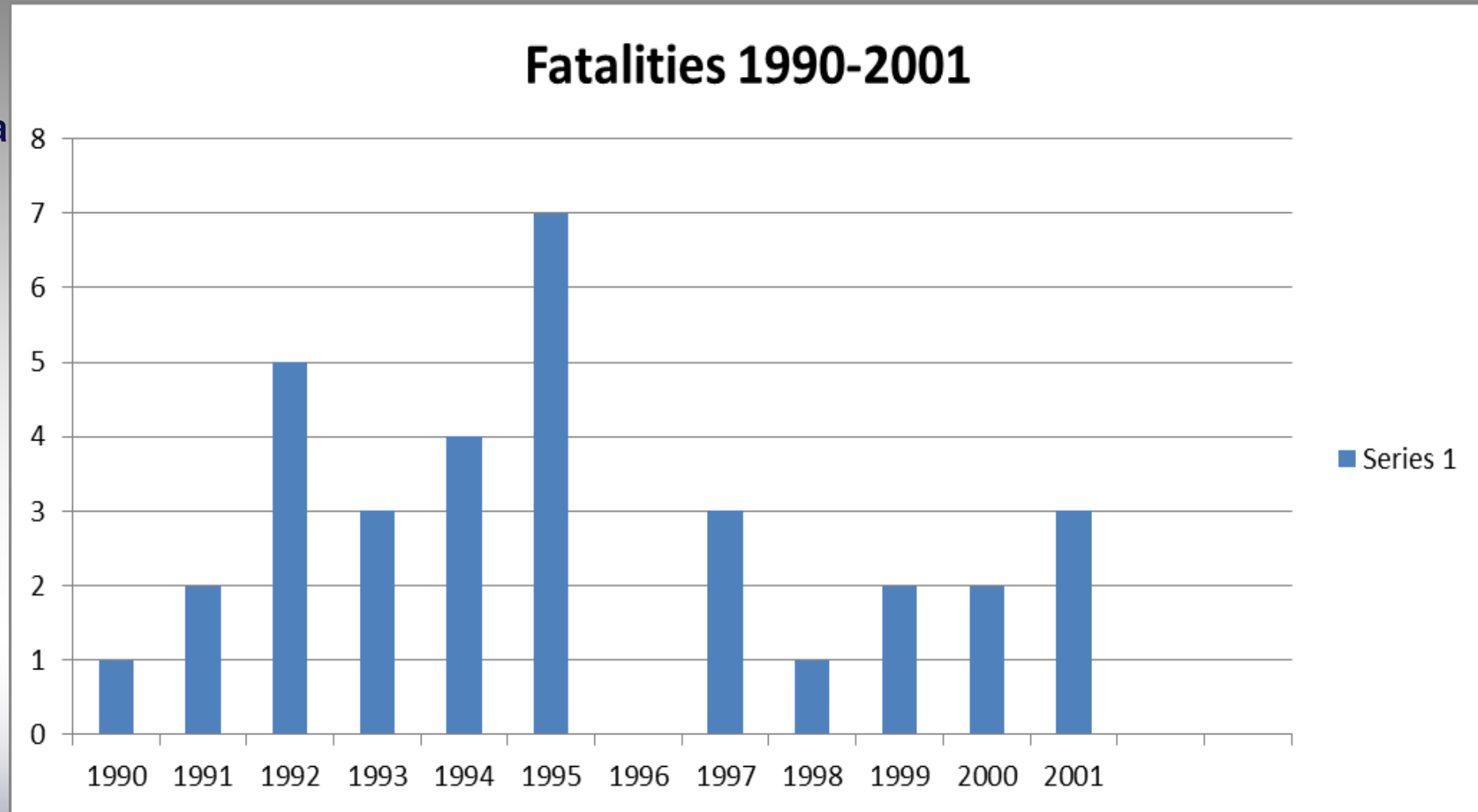
Formal communications from MME will therefore be directed to the Mineral Rights Holder and not Contractors.

D. Challenges in respect to the Environment

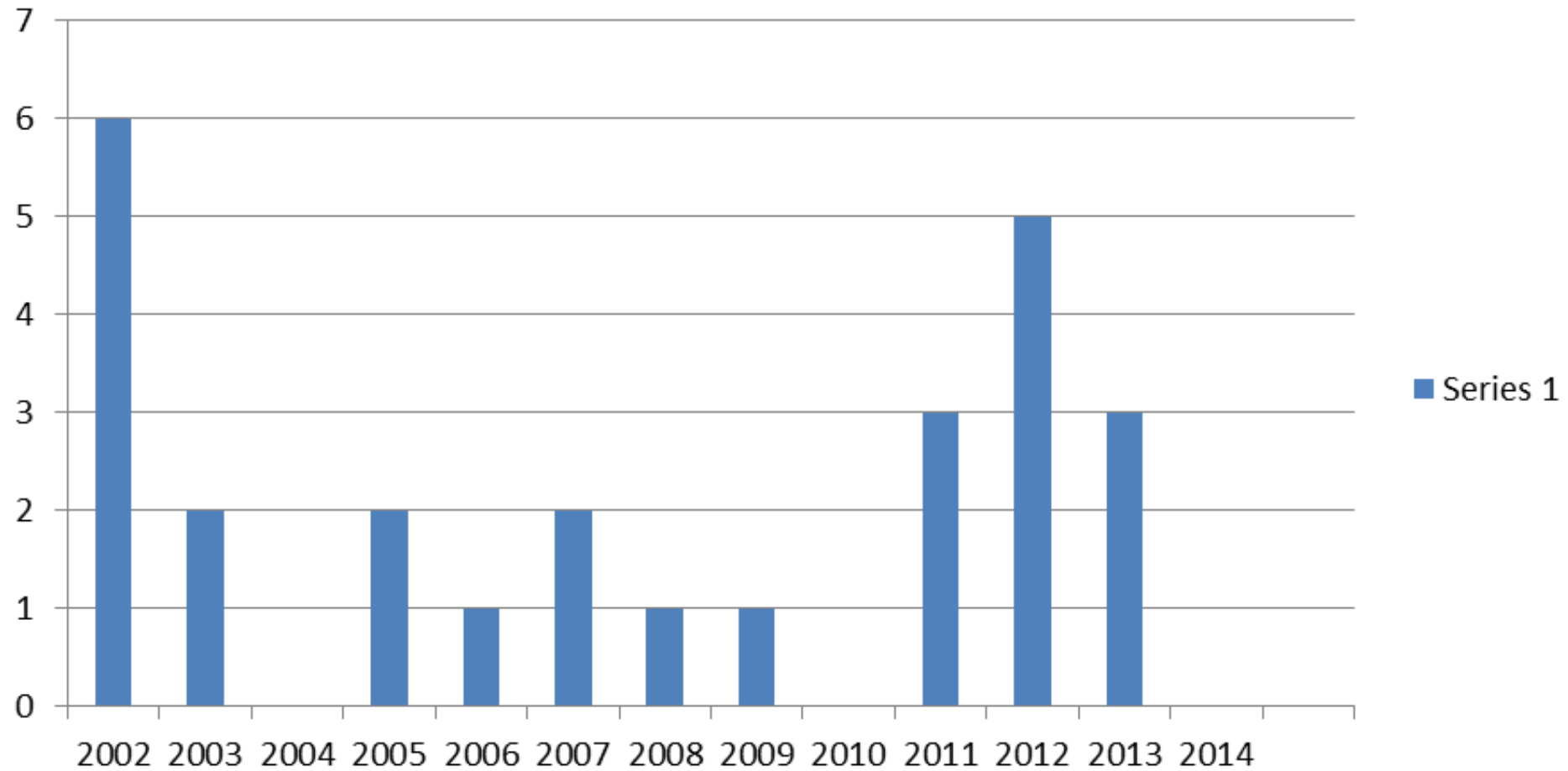
- ❖ **Namibia has inherited a legacy of abandoned and un-rehabilitated Mine Sites due to the lack of Legislations related to Environmental Management and Mine Rehabilitation.**
- ❖ **The Promulgation of the Environmental Act (2007) and the appointment of the Environmental Commissioner will assist to address this aspect.**
- ❖ **I encourage Mineral Right Holders to submit Mine Survey Plans to MME so that we can act accordingly when the need arises.**
- ❖ **Some parts of Klein Aub town caved in during earthwork to expand the town for residential development in an effort by GRN to alleviate Housing Shortage and we could only assist when correct Mine Survey Plans were found.**
- ❖ **Please consult MME when doing Developmental Work within the proximities of Mining Areas both active and dormant.**

Mine Fatality Graph

- Total



Fatalities 2002-2014



- Total # Of Fatalities in 12 years =26 Fatalities

.....Continuation of mine fatality – slide 14

- Mine Accidents traumatize everyone from the employer, families, government and the whole Society.

They create industrial discomfort and worsen labour relations, leading to low productivity due to loss of good employees, tarnish Namibia's image in terms global competitiveness as a Safe Mining Destination.

- For your information, the cost involved in the Investigation of Mines Fatalities is unbearably high as it involves external parties, government agencies, insurance companies and possible law suits.
- I therefore, call upon all the mining operators to pay attention to the need to have Ambulance Provisions/Medical Facilities in order to mitigate the severity of accidents at our mines. I applaud Namdeb, Rössing, Skorpion Zinc, B2 Gold, Ohorongo Cement and Navachab Mines for leading by example.

Accommodation of Employees in the Mining Industry

- Provision of decent *accommodation and ablution facilities* for our mining employees is a basic Government Policy requirement that we must all accept and fulfill. As we stand it is already a standard condition of our preparedness/unpreparedness to grant a mining license and no mineworkers will be accommodated in the mine lease area unless with an express approval of the Minister on the recommendations by the Chief Inspector of Mines and the Mining Commissioner.
- The unacceptable situation of employees sleeping, cooking and living in unventilated and overcrowded cargo containers and tents and poorly maintained buildings is prevalent mainly in the Dimension Stone Industry, Purity Manganese, Africa Huaxia and must be done away with.
- We have successfully done away with such conditions at Namdeb, Rosh Pinah and applaud Skorpion Zinc Mine for what they have done at Rosh Pinah Town, the model currently used by Okorusu Fluorspar, the efforts by Dundee Precious Metals, Navachab Gold, Ohorongo Cement, B2Gold and Husab Mines to mention but a few.
- If the applicant for the mining license cannot convincingly demonstrate to the state that they have the capacity to provide adequate and acceptable accommodation, it is a clear indication that they are not prepared to mine and provide a Safe Working Environment to the workforce.

LESSONS LEARNED

- A need for continuation to increase Mine Safety Awareness Campaigns across the Industry.
- A need to Improve Safety Standards, Provision of better Accommodation and Ablution Facilities and to work vigilantly.
- A need for Engagement of Local and International Experts to review our safety performance.
- An introduction of Mine Safety Peer Review (it started with Purity Manganese, Skorpion Zinc, Rössing, Otjihase, Rosh Pinah, Navachab Gold Mines and will continue to do so periodically in order to improve our safety systems.
- I applaud the Chamber of Mines Safety Committee and Inspectors of Mines for their Commitment to Safety Peer Reviews and introduction of Zero Tolerance on Alcohol and Drug Use on Mine Lease Areas.

Mining Industry Safety Performance Review 2012

by Phillip Lockyer

- The Ministry of Mines and Energy fully supported and applauds the Chamber of Mines for appointing an international mining safety expert to review and assess the safety situation in the Namibian mining industry and advise accordingly.
- The majority of the visited mining operations co-operated well and supported this positive exercise.
- With careful efforts we were successful in convincing those who were not co-operative, that the exercise is not meant to harm anyone but to identify weak points and oversights in the safety systems compared to other mining jurisdictions internationally and make positive adjustments.
- We were benchmarked against major mining jurisdictions such as Russia, Australia, Kazakhstan, South Africa, USA etc.

Our rating came out good but compared to the number of our Mining Labour Force, the accident rate is unacceptable and some could have been definitely avoided.

Conclusion

My humble call to the Mining Industry, is for us to lead by *example* and show the rest of the nation and the world that we care about the Health and Safety and Welfare of our employees as investors and corporate citizens in as much as we care about our profits.

Loosing investors, is not what government wants as we promote and encourage foreign direct investment, but the main aim why we want FDI is for the wellbeing of our people and economic development but this should not affect our people negatively to benefit employers.

Unacceptable Accommodation Facilities





Kitchen



Safety Food for Thought:

As part of our safety campaigns we advice you to always wear your appropriate PPE for your own protection and work vigilantly!!!!!!



I THANK YOU !