

REPUBLIC OF NAMIBIA

MINISTRY OF MINES AND ENERGY



DIRECTORATE OF MINES MINE SAFETY AND SERVICES DIVISION

MINING CONFERENCE 23TH MAY 2013 SAFARI COURT

Presenter:

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Importance of Health and Safety in the Mining Industry:

- **Willingness of Mining Investors to Mine Safely and Provide A Safe Working Environments for their employees to live and enjoy healthy and safe lifestyles.**
- **Employees to enjoy Injury and Fatality Free Employment Environments**
- **Safety Starts with and Individual Employee, Supported by Management and Regulated in terms of the Law.**

This is provided for by both the Constitution and the applicable Legislations in Namibia.

CHALLENGES: A, B, C, D and E

(A) In respect of Employers and Employees

- Improper attitudes towards Health and Safety by Employers and Employees.
- Lack of understanding of the Provisions of Labour Act and those of the Mines, Works and Minerals Ordinance (Ordinance 20 of 1968) by both Employers and Employees.
- Lack of Safety Awareness by Mining Industry Employers and Employees.
- Primarily, by mining organizations that are not part of the Chamber of Mines of Namibia

- **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.**
- **Licence Holders that do not recognize Trade Unions as bargaining units to resolve Industrial Conflicts and disputes.**
- **Mining Contractors and their Sub- Contractors**
- **Investors who perform poorly and still apply for more Mineral Rights with the Ministry of Mines.**

- **The Mines, Works and Minerals Ordinance (Ordinance 20 of 1968) makes provision for the Chief Inspector of Mines or any other Inspector of Mines to enter mine premises for inspections and verifications without prior Notice at any time of the day or night.**
- **Section 140 of the Labour Act makes provision for an employee to withdraw themselves from an Unsafe Work Place or Environment until it is safe to do so.**

- **Unsafe Acts by employees is a threat to themselves and other Employees Lives.**
- **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 made Safety Awareness Campaigns targeted primarily at Managers and Supervisors to be cascaded down to All Levels of the Organizational Structures starting with Weatherly Mining Namibia which was well received.**
- **Mine Workers Union of Namibia on Board to be part of this campaign where possible.**

- **The Chamber of Mines initiated an Independent Audit of the Mining Industry Safety Systems, which MME supports and we will consider the recommendations where possible within our laws.**
- **We will continue with Inspections despite our Resources Challenges.**
- **A copy of the Mines, Works Ordinance (20 of 1968) and its Regulations and now on the MME website for your ease of reference:**
<http://www.mme.gov.za/publications.htm>

This Regulations might be slightly old but still good enough to guide the Mining Industry.

(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.**
- **Continuous increase in the number of Mining and Exploration Activities in Namibia.**
- **The positive thing is that we have a committed Inspectorate of Mines, a supportive Mining Commissioner and a consultative Minister of Mines.**

➤ **Remoteness of the Mining and Exploration Sites across the country.**

➤ **Updating of the Mine Health and Safety Regulations especially in respect of Marine 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 a written consent granted by the Chief Inspector of Mines.**

➤ **This Provision must not be tampered with in any Case because it is sensitive and will create a complex precedence and it will still be retained in the new Mine Health and Safety Regulations.**

➤ **Of All the four (5) Mine Fatalities recorded in the Year 2012 involve Contractors on Mining License Areas as well as one which was recorded in 2013 at Matchless Mine.**

➤ **For industrial harmony in our Mines, I strongly recommend that Employers, Employees and Contractors should resolve their differences through recognized trade unions and valid Labour Arbitration Systems**

- **Without these amicable ways of negotiations riots , hatred, disputes, strikes and other industrial disharmonies will occur unfortunately 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.**

(D) Challenges in relation to the Environment

- **Namibia has inherited a legacy of Abandoned and Un-rehabilitated Mine Sites due to the lack of Legislations related to the Environment and Mine Rehabilitations.**
- **Provision for the establishment of the Mining Rehabilitation Fund to be incorporated in the Minerals Act.**
- **The Promulgation of the Environmental Act (2007) and the Appointment of the Environmental Commissioner will assist with this decision.**

E) Challenges in respect of Old Mining Machinery and Electrical Installations

- **We have too many old and poorly maintained Machinery at our Mines and this must be improved.**
- **We have unsafe electrical reticulation systems at Mines like Matchless, Africa Huaxia etc and this must be undressed urgently.**
- **The same applies to Rock Stability at Mines like Otjihase as this is a going concern.**

Mine Fatalities and Serious Accidents

- We have recorded five (5) Mine Fatalities during the Year 2012 and already two (2) in 2013.
- It traumatizes everyone from the Employer, the Families, Government Offices and the whole Society.
- It provokes industrial discomfort and worsens Labour Relations
- It leads to low productivity and leads to loss of good employees, tarnishes Namibia's image in terms global competitiveness as a Safe Mining Destination.

- **For your information the cost involved in the Mines Fatalities investigations is unbearably high as it may involve external parties, Government agencies and Insurances Companies.**
- **I therefore call upon All the Mining Operators to pay attention to the need to have Ambulance Provisions and supplies in order to mitigate the severity of Accidents at our mines.**

- **A continuous need to Increase Mine Safety Awareness Campaigns Across the Industry**
- **A need to Improve Safety Standards and to work vigilantly**
- **Engagement of Local and International Experts to Review our Safety Performance**
- **An introduction of Mine Safety Peer Review (it started with Skorpion Zinc Mine and will continue to do so periodically.**
- **Records from 1990 after Namibia's independence indicate that we have proudly recorded Zero Mine Fatalities in 2004 and 2010.**

➤ **Five Mine Fatalities Recorded in 2012 are not in terms of the historical records highest because we have had 7 fatalities in 1995 and six (6) in 2002.**

➤ **Definitely, there is a reduction and we must All pro-actively put our efforts together to minimize accidents and should not resort to emotions.**

➤ **Zero Fatality Records in 2004 and 2010 prove that it is possible to Mine without Accidents the whole of a Life of Mine!**

➤ **My humble call to the Mining Industry, is for us to lead by Example and show to the rest of the nation and the world that we Care about the Health and Safety of our Employees as Investors and Corporate Citizens in as much as we care about our production returns.**

MINING INDUSTRY SAFETY PERFORMANCE REVIEW 2012 BY PHILLIP LOCKYER

- **The Ministry of Mines and Energy fully supports 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.**
- **We also applaud the majority of Mines for Introducing Safety Peer Reviews and Alcohol Tests.**

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➤ **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 determine weak points in the Safety Systems compared to other mining jurisdictions internationally and make positive recommendations.**

➤ Those who were not co-operative are the same Mining Operators who usually give tough times to the Inspectors of Mines, the Ministry of Mines in general, the Ministry of Labour, Trade Unions, and to the society at large but they are reminded that the long arms of the law will eventually catch up with them.

➤ We were benchmarked against major mining jurisdictions such as Russia, Australia, Kazakhstan, South Africa, etc.

➤ Our rating came out good but compared to the number of our Labour Force five (5) Mine Fatalities in one Year is totally unacceptable and some fatalities could have been definitely avoided.

➤ As part of my safety campaign I advice you to always wear your appropriate PPE for your own protection and work vigilantly.



I THANK YOU!