



STONEWELL QUARRY (PTY) LTD
T/A DORNING CRUSHERS
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REG NO. 2017/502047/07

Sir Francois Mieder Smith.

APPOINTMENT AS MINE MANAGER OF DORNING CRUSHERS (PORTERSHOEK QUARRY) IN TERMS OF SECTION 3(1)(a), READ TOGETHER WITH SECTION 7(2) OF THE MINE HEALTH AND SAFETY ACT, 29 OF 1996

In terms of Section 3(1)(a), read together with Section 7(2) of the Mine Health and Safety Act, 29 of 1996, you are hereby appointed as the Mine Manager of Portershoek Quarry to be responsible for the day to day management and operations of the mine within your area of responsibility.

You are hereby referred to the addendum attached to this appointment insofar as it describes your area of responsibility. You are to ensure that you are familiar with the said area of responsibility, and understand and agree with the boundaries of your area of responsibility, both functionally and geographically.

Your appointment will be with effect from the date of your signed acceptance until this appointment is cancelled or superseded by a new appointment.

Section 7(2) of the Mine Health and Safety Act, 29 of 1996 allows for the employer to assign to you functions and provisions under the Act and Regulations entrusted to the employer. You will be held responsible for compliance therewith in your area of responsibility. You are hereby referred to the addendum attached to this appointment insofar as it describes the functions and provisions assigned to you.

You are to report to me without delay any situation in conflict with the Act with which you cannot properly deal.

In terms of Section 3(1)(a) of the Mine Health and Safety Act, 29 of 1996 you must take all reasonable measures to ensure the Safety and Health of employees and keep proper discipline. You will be responsible for the day to day management of the mine.

I wish to bring to your attention that your responsibilities as provided for in the appointment or addendum do not detract from your general responsibilities as provided for in terms of the Act and Section 3(1)(a), for your area of responsibility.

Your attention is specifically directed to the Regulations and Sections as set out in the addendum attached to this appointment.

You are hereby authorised and obliged to take all reasonably practicable measures to comply with all applicable legislative requirements, in particular the requirements set out under the Mine Health and Safety Act, 29 of 1996 and its attendant Regulations. You are authorised to appoint the prescribed persons to assist you in your duties and functions. It will be your responsibility to ensure that such persons discharge their duties as set out in their appointments.

Instructions and procedures are from time to time issued by the employer and/or its representative and it will be your responsibility to ensure the implementation of and adherence to these instructions and procedures at the Mine.

It is your responsibility to report any shortcomings in relation to the implementation of applicable legislation which you are unable to rectify, immediately in writing to the appointed employer representative.

You are at all times to ensure that you are familiar with the provisions of the mining legislation and all amendments thereto, as well as of other legislation which may impact on the activities at the mine, and your health and safety responsibilities as described above.

Please note that the delegation of responsibilities contained in the Mine Health and Safety Act, 29 of 1996 further down the line does not relieve you of accountability in terms of the Act.

Please confirm your acceptance of this appointment in writing by signing the acknowledgement below.



**CEO 2A (1)
Duston Elliott Appointee
For and on behalf of the employer**

The above appointment and responsibilities are understood and accepted.

I acknowledge and accept the above appointment and declare that I am familiar with the duties, functions and responsibilities imposed on me by legislation and this appointment and undertake to ensure the implementation and adherence to these duties, functions and responsibilities.

Francois Meider Smith

I.D - 8308145016084

SIGNED:



DATE:

27/9/2023

ANNEXURE "A"

ADDENDUM TO THE APPOINTMENT

This addendum is an integral part of your appointment.

SECTION A: GEOGRAPHICAL AREA OF RESPONSIBILITY

Your geographic area of responsibility is:

Dorning Crushers Portershoek Quarry

SECTION B: FUNCTIONAL RESPONSIBILITY

Within your geographic area of responsibility, your attention is drawn to the fact that you are to ensure compliance with the legislation. Without derogating from your general duty in terms of compliance, I would however wish to draw your attention to the following duties taken from the legislation, and assigned to you in terms of Section 7(2):

1. Legal reference: Mine Health and Safety Act, 29 of 1996

The following duties/functions are assigned to you:

In terms of Section 7(2) of the Mine Health and Safety Act, 29 of 1996 you are responsible for the compliance with the following functions and provisions which are entrusted to the employer by the Act:

- Sections; 2(1), 5(1) and (2), 6, 7(1)(4) and (5), 8(2) and (3), 9, 10, 11, 12, 13, 14, 15, 17, 19(1), 23(2), 29(4) and 32.
- You must also ensure compliance with Chapter 3 of the Mine Health and Safety Act and the implementation of the collective agreement as contemplated in Section 26 and 33 of the Act.

2. Legal reference: Minerals Act, 51 of 1991 (Regulations;) – in force in terms of Schedule 4 of the Mine Health and Safety Act, 29 of 1996.

The following duties/functions are assigned to you:

- Your attention is specifically directed to the following Regulations: Chapters 2, 3, 4, 7, 21 and 22

3. Legal reference: Mine Health and Safety Act, 29 of 1996, Regulations;

The following duties/functions are imposed on/assigned to you:

- Your attention is specifically directed to the following Regulations: Chapters 4, 5, 6, 8, 9, 10, 16, 17 and 23.

SECTION C: *AUTHORITY*

You are given the authority to ensure proper discipline and compliance with the legal provisions and requirements.

- You are to familiarise yourself with the group and internal disciplinary codes and procedures and to apply them when required;
- You are to bring to my attention the need for any additional authority required by you to ensure compliance with the legal provisions/requirements;
- You are to bring to my attention the need for any means needed to ensure compliance with the legal provisions/requirements;
- You are required to bring any queries, difficulties or any issue that can not be properly resolved by yourself to my attention;

**SECTION D: *SAFETY, HEALTH, ENVIRONMENTAL AND QUALITY
MANAGEMENT SYSTEM (“SHEQ MANAGEMENT SYSTEM”)
REQUIREMENTS***

In addition to your statutory responsibilities, you are required to comply with the SHEQ Management System within your area of responsibility.

You are to make yourself familiar with all mine Standards, Procedures, Codes of Practice, Mandatory Codes of Practice and Policies as they relate to the Safety, Health, Environmental and Quality Management Systems, and ensure compliance, within your scope of authority, therewith.

Should you be unable to comply, you will immediately bring this to my attention.

These responsibilities are consistent with, and supplementary to your legal duties.

GENERAL

Your attention is drawn to the fact that amendments occur from time to time both to the applicable Legislation and the Regulations. It is your responsibility to ensure that you are up to date and, where appropriate, advise management on relevant changes to the legislation and Regulations. You should note that your rights and powers are only in respect of the designated working area for which you have been appointed.

By attaching your signature at the bottom of this addendum you confirm that you have read and understood the requirements and accept the responsibilities set out in the contents.

Signed 

Date 27/9/2023

Mr. Francois Meider Smith