Signed Authorisation of the MR133 EMP Consolidation (2014)
AMENDMENT/VARIATION OF A MINING RIGHT

Granted in terms of section 102 of the Mineral and Petroleum Resources Development Act, 2002
(Act No. 28 of 2002)
NOTARIAL DEED OF AMENDMENT/VARIATION OF A MINING RIGHT

BE IT HEREBY MADE KNOWN:

That on this the 13 day of August in the year 2014 before me, Matsiepane Titus Mphela, Notary Public, duly sworn and admitted, residing and practising at Witbank, in the Mpumalanga Province of South Africa, and in the presence of the undersigned witnesses personally came and appeared; Tozama Kulati-Siwisa

Aubrey Tshivhandekano Regional Manager, Mpumalanga of the Department of Mineral Resources, and as such in his/her capacity as the duly representative of:

THE MINISTER OF MINERAL RESOURCES

The said Regional Manager, being duly authorised thereto under and by virtue of a Power of Attorney granted by the Director-General or Deputy Director-General: Mineral Regulation of the Department of Mineral Resources on the 22 day of the July in the year 2014 in terms of the powers delegated by the Minister in terms of section 103 (1) of the Mineral and Petroleum Resources Development Act, No 28 of 2002 ("the Act"),

And

Amendment/ Variation Mining Right: Granted in terms of section 102 of the Mineral and Petroleum Resources Development Act, No 28 of 2002
Pieter Du Toit in his/her personal capacity or as the company's General Manager or a Close Corporation’s member, and as such, the duly authorised representative of Kangra Coal (Pty) Ltd, Identification /Registration number:

2001 / 003104 / 07

(hereinafter together with his/her/its successors in title and assigns referred to as “the Holder”), the said representative, being duly authorised thereto under and by virtue of a Power of Attorney/resolution of directors/members of the Holder, signed or passed at Melrose North on the 16 day of July in the year 2014, which power of attorney or certified copy of the resolution has this day been exhibited to me, the notary, and remain filed on record in my protocol with the minutes hereof.

THE MINISTER AND THE HOLDER DECLARED THAT:

WHEREAS The State is the custodian of the nation’s mineral and petroleum resources in terms of section 3 of the Act,

AND WHEREAS In terms of clause 4 of the principal right, the terms of the right may not be amended/varied without the written consent of the Minister,

AND WHEREAS the Holder has applied for the CONSOLIDATION OF THE MINING RIGHT NUMBERS (MP) 30/5/1/2/134MR ISSUED ON PORTION OF THE REMAINDER OF THE FARM NOOITGEZIEN 381 IT, PORTION OF MINERAL AREA NO 1 OF THE FARM MAQUASA 19 IT AND PORTION OF MINERAL AREA NO.1 ON THE REMAINING EXTENT OF THE FARM ROOIKOP 18 HT, AND (MP) 30/5/1/2/2/209MR ISSUED ON PORTIONS 1 AND 2 OF THE FARM KRANSBANK 15 HT INTO MINING RIGHT NO. (MP) 30/5/1/2/1/133MR ISSUED ON REMAINING EXTENT OF THE FARM MAQUASA 19 HT, ROODEKRAAL 21 HT AND ROOIKOP 18 HT, MAGISTERIAL DISTRICT OF WAKKERSTROOM

AND WHEREAS The Minister has granted consent for the amendment/variation to the Holder, in terms of section 102 of the Act.
NOW THEREFORE THESE PRESENTS WITNESS:

The Minister hereby grants the variation/amendment of the mining right executed on the 15 day of May in the year 2013, under Protocol 117/2013, registered at the Mineral and Petroleum Titles Registration Office under , in respect of;

Certain: Remaining Extent of the farm Maquasa 19 HT, Roodekraal 21 HT and Rooikop 18 HT
Situated: Mpumalanga Magisterial/Administrative District of Wakkerstroom
Measuring: 737.1829 hectares

(In case of various farms involved, a list must be attached and referred to as ANNEXURE N/A______);

Is hereby amended/ varied by the CONSOLIDATION OF THE MINING RIGHT NUMBERS (MP) 30/5/1/2/2/134MR ISSUED ON PORTION OF THE REMAINDER OF THE FARM NOOITGEZIEN 381 IT, PORTION OF MINERAL AREA NO 1 OF THE FARM MAQUASA 19 IT AND PORTION OF MINERAL AREA NO.1 ON THE REMAINING EXTENT OF THE FARM ROOIKOP 18 HT, AND (MP) 30/5/1/2/2/209MR ISSUED ON PORTIONS 1 AND 2 OF THE FARM KRANSBANK 15 HT INTO MINING RIGHT NO. (MP) 30/5/1/2/2/133MR ISSUED ON REMAINING EXTENT OF THE FARM MAQUASA 19 HT, ROODEKRAAL 21 HT AND ROOIKOP 18 HT, MAGISTERIAL DISTRICT OF WAKKERSTROOM, THE TOTAL EXTENT IS 5007.1129 HECTARES (AMENDED SKETCH PLAN ATTACHED).

Now therefore the Minister grants the amendment/ variation of the principal right.
Thus done and signed at Witbank on the 13 day of August in the year 2014 in the presence of the undersigned witnesses:

AS WITNESS:

[Signature]

For and on behalf of the Minister

AS WITNESS:

[Signature]

For and on behalf of the Holder

[Signature]

NOTARY PUBLIC

Amendment is hereby effected in terms of section 102 of the Mineral and Petroleum Resources Development Act.

The Amended Environmental Management Programme submitted by you, has been approved, in terms of Section 39(4)(a) read together with Section 39 (6) of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), Your attention is directed to the fact that:

1. This approval does not purport to absolve Kangra Coal (Pty) Ltd from its common law obligations towards the owner of the surface of land affected.

2. This approval may be amended or withdrawn at any stage for non compliance and provides no relief from the provisions of any other relevant statutory or contractual obligations whatsoever,
3. Environmental management must conform to the Environmental Management Programme an as approved.

4. The following legislations are applicable to this mining operation and therefore must be implemented throughout the life span of this operation:

- The National Water Act, 1998 (Act 36 of 1998), with particular reference to the sections pertaining to mining in the proximity of dams and their catchments areas, rivers, marshes, streams, pans and other water courses.
- The National Environmental Management Air Quality Act (Act 36 of 2004), with particular reference to the sections pertaining to the liberation of dust, and other emissions, created by mining activities, into the atmosphere.
- The Conservation of Agriculture Resources Act, 1983 (Act 43 of 1983), with particular references to the sections pertaining to soil conservation.
- The National Heritage Resources Act, 1989 (Act No 25 of 1999), with particular reference to the protection of all historical and pre-historical cultural remains.
- The Mine Health and Safety Act, 1996 (Act 29 of 1996) in conjunction with the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), with particular reference to those sections and regulations pertaining to health and safety at mines; mining within 100 m from structures that must be protected; as well as those sections pertaining to rehabilitation of the surface.

5. The financial provision provided in terms of Regulation 54 (2) and section 41 of the MPRDA, 2002 must be annually adjusted to conform to the above-mentioned mining activities.

6. Rehabilitation of the disturbed surface caused by mining activities at all times must comply with the said Environmental Management Programme.

7. A performance assessment, monitoring, and evaluation report must be submitted annually to this office or as determined by the Regional
Manager, or at any other time that an officer of this office duly authorized thereto requests.

8. Any alteration or deviation from the programme must be reported to the Regional Manager for his/her approval or consideration.

9. A copy of the approved Environmental Management Programme must always be available on the mining premises for inspection by duly authorized officers.

10. Should any heritage remains be exposed during the mining operation, this must immediately be reported to the South African Heritage Resources Agency (SAHRA) [in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999)]. Heritage remains uncovered during earthworks must not be disturbed until necessary approval has been obtained from SAHRA.

11. All the interested and affected parties (I & AP’s) registered during the compilation of the EMP must be informed in writing of the outcome of this application and, if requested, provide copies of the EMP.

Yours faithfully

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REGIONAL MANAGER
MPUMALANGA REGION

DATE: 13/08/2014

ACKNOWLEDGEMENT OF RECEIPT: ____________________________
DATE: 13/08/2014