

Monday, 26 January 2026]

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OF THE
REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS

MONDAY, 26 JANUARY 2026

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TABLINGS

National Assembly and National Council of Provinces

1. The Minister of Justice and Constitutional Development

- (a) Proclamation Notice No. R.305, published in *Government Gazette* No. 53984, dated 23 January 2026: Referral of matters to existing Special Investigating Unit and Special Tribunal: In respect of the affairs of the uMzinyathi District Municipality, in terms of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996).

2. The Minister in The Presidency

- (a) Amendments to the Annual Performance Plan of The Presidency for 2025/2026.

COMMITTEE REPORTS

National Council of Provinces

1. REPORT OF THE SELECT COMMITTEE ON PUBLIC PETITIONS AND EXECUTIVE UNDERTAKINGS ON THE HEARING OF THE MAGOG PETITION HELD ON 12 SEPTEMBER 2025 AT UMZUMBE VILLAGE, KWAZULU-NATAL PROVINCE, AS ADOPTED ON 09 DECEMBER 2025.

1. BACKGROUND

The Select Committee on Public Petitions and Executive Undertakings (Committee), having considered the Magog Petition, referred to the Committee by the Chairperson of the National Council of Provinces (NCOP), for its consideration and resolution, reports as follows.

On 27 June 2025, The Committee received a petition from Mr. Micheal Kholiswa Sithole (petitioner), submitted on behalf of the Sithole family and other affected community members.

The petitioner is calling for assistance from the National Council of Provinces (NCOP) in relation to the alleged systematically disregard of mining regulatory framework in Magog village, Umzumbe by the SA-Lithium mining company (mining company).

The petitioner, inter alia, alleges the following:

- The mining company had failed to consult the Magog community before undertaking the mining activities in the area.
- The infringement of cultural and other human rights as a result of inappropriate grave relocation practices that had been carried out by mining companies.
- The mining activities harmed the surrounding environment by destroying land and biodiversity, creating toxic chemicals and causing water and air pollution.
- Since mining started operating on their doorsteps, the walls of their homes are being cracked, and the floors are collapsing as houses are being damaged by unabated blasting.
- Some community members have been diagnosed with certain illnesses likely caused by mining activities; and
- The community members submitted their complaints to the Director General of Mineral Resources and Energy to no avail.

Consequently, the petitioner requested the Committee to physically visit the SA-Lithium mine and the community of Umzumbe to get a proper sense of grievance and assist the community in resolving the matter.

The main objective of the oversight was to determine the extent of allegations caused by the mining company.

2. INSPECTION *IN LOCO* AND HEARING

Following the referral of the petition to the Committee, the Committee resolved to have a hearing on the petition to afford the petitioner an opportunity to make first-hand oral submissions to the Committee on the petition submitted to the NCOP and to also allow relevant stakeholders to make submissions on the issues raised in the petition.

The Committee further resolved to couple the hearing on the petition with an inspection *in loco* to the community.

3. COMMITTEE MEMBERS AND OFFICIALS

The following Committee Members were present during the hearing on the petition:

- 3.1.1 Hon O J Mokae, (Chairperson) DA, Northern Cape.
- 3.1.2 Hon M Nonkonyana (Whip), ANC, Eastern Cape.
- 3.1.3 Hon M Billy, DA, KwaZulu-Natal,
- 3.1.4 Hon V Gericke, EFF, Western Cape.
- 3.1.5 Hon P Noe, ANC, Free State.
- 3.1.6 Hon J S Mananiso, ANC, Gauteng.
- 3.1.7 Hon O D Medupe, ANC, Northwest.
- 3.1.8 Hon S A Zulu, MK- Mpumalanga

The following Committee Members tendered their apologies for being unable to attend the hearing on the petition:

- 3.1.9 Hon N Gotsell, DA, Western Cape; and
- 3.1.10 Hon P A Phala, Limpopo, ANC.

The Committee Members present at the hearing on the petition were supported by the following committee officials:

3.1.11 Mr N Mkhize, Committee Secretary,

3.1.12 Ms N P Ngqwala, Committee Researcher, and

3.1.13 Mr J Majozi, Information Processing and Editing Officer

Before the *inspection in loco*, the Committee proceeded to have a briefing at SA-Lithium mining plant.

4. Briefing

The purpose of the briefing was to allow INkosi Prince MZN Madlala, Chairperson of Madlala Traditional Authority and Mr I Harebottle, SA-Lithium Director to provide an overview regarding the relationship status of the mining operations in the area and its community which both indicated it a mutual relationship with it “normal problems” that are usually resolved amicable.

4.1 *Inspection in Loco* at SA-Lithium Mining Company plot and the Sithole grave sites

In the company of Members and officials during the *inspection in loco*, the Committee was led by Mr I Harebottle, SA-Lithium Director and Mr MK Sithole, the petitioner. The *inspection in loco* was also attended by the Ray Nkonyeni Local Municipality officials, KwaZulu-Natal department of Cooperative Governance and Traditional Affairs officials and numerous community members. During the *inspection in loco*, the Committee was led and guided to the following relevant sites:

- SA-Lithium mining plot- the Committee was led to SA-Lithium operational sites within the community and observed that open cast mining activities are carried out as close as 200m from the houses.
- Destroyed graves of KwaSithole- Mr. Sithole informed the Committee that the mine did not consult his family and failed to cordon-off the graves but mined on the graves. Indicating that graves have already been violated and destroyed by the mine, although he did point out the relevant sites and vicinity which made the Committee aware that he knew the graves sites very well. The Committee also observed open cast mining is carried out next to the Sugarcane farm.

Following the inspection *in loco*, the committee proceeded to have a hearing on the petition at Magog Primary School.

5 Hearing on the Petition

5.1. Stakeholders

The following stakeholders attended the hearing on the petition:

5.1.1 Petitioner: Mr M K Sithole

5.1.2 Representatives of Madlala Traditional Authority: INkosi Prince MZN Madlala; Induna: Mr DE; Mr SD Mnyandu; Mr DoyisaMpisis and the Company Secretary/Treasury-Mr SG Madlala.

5.1.3 Representative of SA-Lithium: Director: Corporate Management Structure; Mr I Harebottle

5.1.4 Representative of Kwa-Zulu Natal Cooperative Governance and Traditional Affairs: Amakhozi Office in Ugu District, HOD's Office and Manager of Public Participation-Ms Z Ngcobo; Municipal Specialist, Coastal Cluster-Ms Zamisa

5.1.6 KwaMadlala Umzumbe Community Members

(A complete attendance register can be made available upon request)

5.2 Submissions by the Petitioner

In his opening remarks, Mr Sithole (the petitioner) gave a brief background of himself, noting that he had lived in Magog (born and bred) but had to leave to seek greener pastures (due to socio-economic factors) in other cities. He notified that his grandmother, uncles, his daughter and his grandchildren stay in the area, and he pay them visit now and then.

Mr Sithole then in his extensive submissions he expanded on the following complaints or grievances articulated in the petition. Mr Sithole submitted that SA-Lithium (the mine) is conducting mining activities in the community of Umzumbe without any benefit to the affected mining community. Mr Sithole further submitted that the mine has never embarked on a public participation activity with a view to discuss, risks and dangers of the mining activities as well as discussing possible resettlement and attendant compensation.

Mr Sithole also informed the Committee that the mine has and continues to violate graves of the dead by mining on them, violating human rights by exposing human beings to mining health risks and health hazards from emissions of lithium and blasting. According to Mr Sithole the mine has violated the following legislation amongst other laws:

- The Constitution
- Mineral and Petroleum Resources Development Act (MPRDA).
- International Standards
- Air Quality Act;
- Local Municipality By-laws.
- Provincial Ordinances.
- Occupational Health and Safety Act 83 of 1993, as amended.
- Housing Act 107 of 1997.
- The Restitution of Land Rights of 1994.
- National Building Regulations and Standards Act 103 of 1977.
- National Environmental Act 107 of 1998; and
- Water Services Act 108 of 1997

Mr Sithole further stated that the community has submitted grievances to the local Traditional Leadership and the mine, but the mine seems not interested in listening to the people. The Committee was also made aware that the community also reported to the Office of the Regional Land Claims Commission, the fact that the mine is mining on land and farms that are under pending land claims.

In concluding his submissions, Mr Sithole believes that Parliament is the only avenue his community can seek relief from. Other than that, he stated that they will be left with one last avenue, that is to approach the High Court seeking an order to interdict the mining operations until such time that the mine complies with all legislation and ensuring the environment and neighbourhood is safe for mining operations to continue.

5.3 Umzumbe Community Submissions

The affected community members residing in Ward 13/14 of Umzumbe, within the jurisdiction of Ray Nkonyeni Local Municipality, Ugu District briefly supplemented the submissions made by Mr Sithole. And individual members of the communities raised the following interrelated issues:

- *Location of the Mining Activities*

The flouting of environmental laws by SA-Lithium such that it is mining within the close vicinity of villages, and this has affected the conditions of their houses. Members of the community submitted that open cast mining is being carried out within the vicinity of their village and when blasting is

done, during mining operations, their houses literally shake as a result of the impact from the blasting.

- *Lack of Public Participation and Transparency.*

They have not been informed of any environmental impact assessment conducted in terms of the National Environmental Management Act. There has been no notification, consultation, or involvement of the community. They are deeply concerned that SA Lithium has commenced and continue operations in complete disregard of *Section 24 of the Constitution*, which guarantees everyone the right to “*an environment that is not harmful to their health or well-being and to have the environment protected, for the benefit of present and future generations...*”

- *Impacts on Health, Safety and Quality of Life.*

The mining activities have turned their lives upside down:

- Constant dust inhalation: Submitting that they are exposed to dangerous dust emissions day and night, leading to respiratory discomfort and a rise in health-related symptoms among community members, particularly children and the elderly.
- Unbearable noise pollution: The mine operates 24 hours a day. The continuous movement of trucks and machinery denies them sleep and peace, violating basic health and wellbeing standards.
- Structural damage to their homes: Many households now have visible cracks due to vibrations and ground disturbances. These raise serious safety concerns.
- Psychological stress: The cumulative effect of these impacts has severely affected the mental and emotional wellbeing of the community.

- *Failure to Conduct a Socio-Economic Impact Assessment.*

The community submitted that they were not aware of any social or socio-economic impact assessment having been conducted. SA Lithium’s limited outreach consists of:

- Free transport for school children.
- Occasional food vouchers for the elderly.
- Sponsoring soccer events at a local sports ground.

The community feels that these token gestures do not address or compensate for the broader and deeply felt negative impacts. No structured skills development, employment, or community upliftment programs have been implemented to improve their socio-economic standing as residents

directly affected by the mine operations. The community respectfully requests accountability and compliance with the law by SA Lithium mine company.

5.4 Remarks by the Ray Nkonyeni Municipality

The representative of the Ray Nkonyeni Municipality present at the hearings submitted that they had received insufficient information regarding the petition hearing to enable them to make well informed submission. But did acknowledge that the issues raised in the petition, they are aware of them.

The Committee was made aware that engagements and consultations are taking place with with the mine and community members.

5.5 Remarks by the Kwa-Zulu Natal Cooperative Governance and Traditional Affairs

The Department of Cooperative Governance and Traditional Affairs submitted that it is unable to make oral submissions on the petitions since it had not been forwarded copies of the petition. But assured the Committee that once furnished with all the relevant information, it will execute its duties accordingly.

6 OBSERVATIONS AND FINDINGS

- 6.1** SA-lithium mine has been established within the existing community of uMzumbe. The allegations include safety risks from shared road usage, noise pollution, dust emissions, blasting operations, nocturnal mining activities, and proximity to residential areas.
- 6.2** Urgent remedial actions are needed, including community resettlement, enhanced dust suppression, and improved communication with the mine, to ensure compliance and safeguard community well-being.
- 6.3** The petitioner submitted, that they have been raising these concerns for a while but without any progress from the relevant authorities. In his case, he has never had any formal feedback from the following relevant authorities:

- Department of Employment and Labour.
- Department of Human Settlements.
- Department of Mineral Resources and Energy; and
- Department of Forestry, Fisheries and Environment,

6.4 The Committee was informed that certain graves have been destroyed, while others have been relocated. During such a process, the mine did not consult the affected families and failed to cordon-off the graves, and it was alleged that it had mined on some of the graves.

6.5 Allegations of laws violated: *Constitution of the Republic of South Africa, Mineral and Petroleum Resources Development Act (MPRDA), Occupational Health and Safety Act (OHSA), Environmental Management protocols.*

6.6 The creation of economy through mining and its processes is a constitutional right, however, not superseding the social, health and the environmental rights of the communities the mines find around its operation.

6.7 The Committee received several oral submissions from the community members regarding the lack of community health services and infrastructure (clinic) as set out in the international standards and best practice, except that the mine provides everyone who is sick as a result of mining activities with panado pills.

7. Recommendations

Following extensive deliberations on the submissions made during the hearing on the petition, the Committee recommends as follows:

7.1 Independent Compliance and Environmental Audit - That the Department of Mineral and Petroleum Resources (DMRE), in collaboration with the Department of Forestry, Fisheries and the Environment (DFFE) and the South African Human Rights Commission (SAHRC),

commission an independent compliance, environmental, and health impact audit within 60 days of the adoption of this report. The audit must assess licensing compliance, environmental degradation, air and water quality, and the health impact on residents, and its findings must be made public

7.2 Immediate Relief and Safety Measures - That the DMRE, working with the Department of Human Settlements and the Ugu District Municipality, conduct urgent structural assessments of damaged houses and facilitate temporary relocation or compensation for households facing safety risks within 60 days of the adoption of this report.

7.3 Accountability for Grave Violations - That the Committee refer the matter of grave destruction to the South African Heritage Resources Agency (SAHRA) and the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL Commission) for investigation, prosecution, and remedial action under relevant heritage and cultural rights legislation.

7.4 Restorative Justice and Compensation - That SA Lithium be directed to establish a Compensation and Restoration Fund to address property damage, medical expenses, and loss of water supply. This fund must be administered transparently under DMRE oversight, with independent auditing and community representation

7.5 Public Transparency and Progress Reporting - DMRE publishes quarterly progress reports on the implementation of all recommendations on both its website and the Parliamentary Monitoring Group platform, ensuring continuous public accountability.

7.6 Follow-up Parliamentary Oversight Visit - That the Committee undertake a follow-up oversight visit within six months of the adoption of this report to verify progress on resettlement, health interventions, and community compensation.

7.7 Legal and Policy Referral - That the report recommends the Department of Justice and Constitutional Development and National Prosecuting Authority consider possible criminal or civil liability under environmental, heritage, and human rights legislation for any confirmed violations.

7.8 The Madlala Traditional Authority/ Tribal council and the SA-Lithium mine company in consultation with the Department of Cooperative Governance and Traditional Affairs and community members must establish a multidisciplinary Committee to oversee the following:

- Occupational health and safety;
- Environmental impact assessment;
- Social facilitation and community profiling;
- Cash Compensation for assets, including crops and structures;
- Settlement profiling and enumeration;
- Provision of a resettlement site and resettlement housing- **A comprehensive business case is required demonstrating the community resettlement plan, time frames and phases. The business plan is to be communicated, workshopped, ratified for adoption by the community, and**
- Livelihood restoration programmes.

7.9 SA-Lithium mine company addresses the community concerns within the defined legal framework, addresses the concerns raised and take action to safeguard the well-being of the community. Engage with the community regarding its internal processes and work together to draft engagement terms of reference (to indicate, but not limited to, engagement criteria, engagement periods, meeting agenda, economic participation and profit sharing, procurement strategies, representation), ensuring it complies with the Constitution of the Republic of South Africa -*Section 32 guarantees access to information, which is crucial for indigenous communities in the context of mining operations on or near their land.*

7.10 SA-Lithium mine company to ensure compliance with regulatory frameworks and fostering a mutually beneficial relationship with the affected community households. The intervention of the DMPR, Department of Employment and Labour, Department of Forestry, Fisheries and Environment, to act as a facilitators and exercise their oversight as regulators in this matter. By ensuring legislative compliance with constitutional principles and protecting customary rights.

7.11 The Department of Mineral and Petroleum Resources, Department of Employment and Labour, Department of Forestry, Fisheries and the Environment, Madlala Traditional Authority and SA-Lithium mine company are to appear before the Committee within 6 (six)

months of the tabling of this report in the House and report to the Committee on the progress made in implementing recommendations 7.1 to 7.10 above.

Report to be considered.