

**Annexe D**
**ENVIRONMENTAL LEGAL REQUIREMENTS**

1. The Supplier shall provide Eskom with copies of the following documents prior to the Supply of Contract Limestone:
  - 1.1 The Mine Mining Right; including:
    - 1.1.1 the approved Environmental Management Programme, and
    - 1.1.2 the latest closure liability assessments;
  - 1.2 the Water Use Licence applicable to the production and Delivery of Contract Limestone in terms of the Agreement
  - 1.3 Environmental Authorisations as applicable in terms of:
    - 1.3.1 the National Environmental Management Act (NEMA)
    - 1.3.2 the National Environmental Management (Air Quality Act) NEM:AQA where applicable
    - 1.3.3 the National Environmental Management (Waste Act) NEM:WA as amended
2. Should amendments or replacements to the documentation referred to in 1 above be applicable, these are to be supplied to Eskom immediately following any amendment or replacement thereof.
3. To the extent applicable, for instances that the Supplier, at any time prior to the Signature Date of the Agreement or during the currency of the Agreement, does not, or ceases to, validly hold the rights, authorisations and licenses referred to in clause 1 above for any reason whatsoever, the Supplier hereby indemnifies Eskom from all third party liabilities in terms of closure and rehabilitation of the Mine.
4. The Supplier shall provide Eskom with the following documents stipulated in the table below:

Item No.	Documentation	Frequency
1	Environmental Management Programme Performance Assessment Reports, as submitted to the Department of Mineral Resources	Two-yearly
2	Compliance Audit Reports of internal and/or independent compliance auditors and management plans to address the findings thereof	As per the condition of the authorisation

Item No.	Documentation	Frequency
3	Reports of audits conducted by the relevant regulatory authorities indicating the status of the Supplier's compliance with clause 6 of the Standard Terms and Conditions of Limestone Supply and any relevant rights, permits, licences and authorisations relating thereto	As and when the visits are conducted
4	Copies of administrative notices (pre-directives and directives) received by the Supplier in respect of any actual or potential non-compliance with clause 6 of the Standard Terms and Conditions of Limestone Supply and any relevant rights, permits, licences and authorisations relating thereto	Within 3 days of receipt by the supplier thereof
5	Correspondence between the Supplier and the relevant regulatory authorities in relation to notices and audits referred to in item 3 and 4 above and action plans addressing the non-compliances.	Concurrently submitted to Eskom and authorities