

Universiteit van Pretoria Jaarboek 2018

Die reg tot, en regulering van natuurlike hulpbronne 801 (EIL 801)

Kwalifikasie Nagraads

Fakulteit [Fakulteit Regsgeleerdheid](#)

Modulekrediete 30.00

Programme [LLM Ontginningsbedryfsreg in Afrika \(Gedoseer\)](#)

[MPhil Ontginningsbedryfsbeleid, -bestuur en -regulasie \(Gedoseer\)](#)

Voorvereistes Geen voorvereistes.

Onderrigtaal Module word in Engels aangebied

Departement Publiekreg

Aanbiedingstydperk Semester 1

Module-inhoud

*Hierdie inligting is slegs in Engels beskikbaar.

The objective of this module is to equip students with a thorough understanding of the legal and policy aspects of natural resources and the regulation of natural resources and industries to extract natural resources. Topics include: (a) Industry background such as the extractive industry value chain and the role of extractive industries in national, regional and global economies, basic extractive industry business and project feasibility metrics, typical national public policy priorities, the differences between the mining and oil and gas industries, gas industry specifics, the various downstream industries (smelters, refineries and petrochemical and energy industries and policy issues pertaining to renewable energy and unconventional extraction methods such as hydraulic fracturing ("fracking")); (b) Natural resource and extractive industry policy concepts and regulatory options; (c) Ownership of mineral rights dispensations (state versus private ownership of mineral rights), the legal position of the owner of the land and the owner of the products of extraction; (d) The advantages and disadvantages of the main granting methodologies applied by host governments including concessions, production sharing agreements, participation agreements, services agreements and hybrid methods; (e) Typical conditions to obtain, renew or transfer exploration or extraction rights and the veracity of the public policy basis of such requirements; (f) Agreements and transactions to transfer rights to prospect and/or to extract; (g) Constitutional and administrative law aspects of relevance in dealing with extractive industry legislation and regulation including the legality of administrative processes governed by an Act such as the MPRD Act and related regulation, the right of third parties to be heard in applications by resource companies under the MPRD Act and the constitutionality of the conversion of "old order mineral rights" to "new order mineral rights".

Die inligting wat hier verskyn, is onderhewig aan verandering en kan na die publikasie van hierdie inligting gewysig word.. Die [Algemene Regulasies \(G Regulasies\)](#) is op alle fakulteite van die Universiteit van Pretoria van toepassing. Dit word vereis



dat elke student volkome vertrouwd met hierdie regulasies sowel as met die inligting vervat in die [Algemene Reëls](#) sal wees. Onkunde betreffende hierdie regulasies en reëls sal nie as 'n verskoning by oortreding daarvan aangebied kan word nie.