

20 APRIL 2020

# OIL & GAS ALERT



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On Saturday, 11 April 2020, the Minister of Mineral Resources and Energy gazetted directions under the regulations of the National Disaster Management Act (57 of 2002) as part of the measures to address, prevent and combat the spread of COVID-19 (the Directions).

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CLIFFE DEKKER HOFMEYR

## Measures to address, prevent and combat the spread of COVID-19 | Directions issued by the minister of mineral resources and energy and impact on the oil and gas sector

These Directions aim to provide an extension to certain time periods stipulated in the Mineral and Petroleum Resources Development Act (28 of 2002).

On Saturday, 11 April 2020, the Minister of Mineral Resources and Energy gazetted directions under the regulations of the National Disaster Management Act (57 of 2002) as part of the measures to address, prevent and combat the spread of COVID-19 (the Directions).

These Directions aim to provide an extension to certain time periods stipulated in the Mineral and Petroleum Resources Development Act (28 of 2002) (MPRDA).

Insofar as they relate to the oil and gas sector, the Directions have the following impact:

- If the time period for submission of an application for conversion of a technical co-operation permit to exploration right or exploration right to production right falls within the lock down period (27 March 2020 currently to 1 May 2020) then the due date for such submission is extended or deemed to be extended by the duration of the lockdown period.
- The prescribed time-periods for processing applications for technical co-operation permits, exploration rights and productions is extended or deemed to be extended by the duration of the lockdown period.
- The renewal dates of exploration rights or production rights which fall within the lockdown period or within a period of 60 days from 27 March 2020 are deemed to be extended by the duration of the lockdown period. In this regard, there are two scenarios provided for in relation to right holders, one in which the renewal date falls within the current lock down dates and another where the renewal date falls outside of the lock down period but within 60 days of 27 March 2020 (i.e. prior to 26 May 2020). In both scenarios, the renewal date is extended or deemed to be extended by the duration of the lockdown period.
- Timeframes relating to appeals against administrative decisions under the MPRDA are extended or deemed to be extended by the duration of the lockdown period.
- Any extension of time which may have been granted by the South African Agency for Petroleum Exploration and Exploitation (Petroleum Agency), which due date falls between 27 March 2020 and the termination of the national lockdown period, is extended by the number of days of the duration of the lockdown period.

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The Directions came into effect on 11 April 2020 and remain valid for the duration of the declared national state of disaster.

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- Any stipulated timeframes contained in directives, orders, notices or instructions which may have been issued under the MPRDA and which period falls within the duration of the lockdown period are extended by the number of days of the duration of the lockdown period.
- Any timeframes for submission of reports due to be submitted in terms of the MPRDA and which period falls within the duration of the lockdown period of the national state of disaster, are extended, or deemed to be extended, by the number of days of the duration of the lockdown period.

The Directions came into effect on 11 April 2020 and remain valid for the duration of the declared national state of disaster.

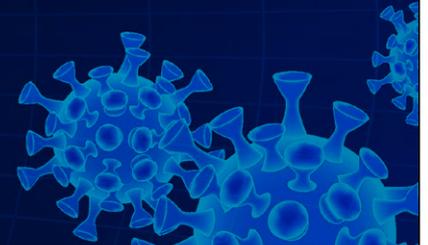
Should you require any further advice in relation to the Directions, please feel free to reach out to the CDH Oil & Gas Team.

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*Megan Rodgers and  
Sthembile Shamase*

# CDH'S COVID-19 RESOURCE HUB

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