

# State, ICT given leave to appeal on Sishen case

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THE Department of Mineral Resources and Imperial Crown Trading (ICT) have been granted leave to appeal against the mineral rights ruling in the case against Kumba Iron Ore and ArcelorMittal South Africa (Amsa).

ICT has links to politically connected individuals with little or no mining experience, including Duduzane Zuma, President Jacob Zuma's son.

The department previously awarded ICT the right to prospect for minerals at the Sishen mine in the Northern Cape, which is operated by Kumba, in an area over which ArcelorMittal South Africa (Amsa) previously held a mining right.

Amsa let its rights lapse and Sishen applied to the department for conversion of old-order rights and was granted 100% of the property. When ICT later applied for and was given prospecting rights on the property, one of the world's largest iron-ore bodies, Sishen took it to court.

Last December, Judge Raymond Zondo ruled that ICT could not have any prospecting rights because the property had been 100% awarded to Sishen.

At the time, Zondo noted that Amsa had in fact been entitled to 21.4% of the prospecting rights. However, having made the award to Sishen, the department was unable to change its decision.

Kumba spokeswoman Anne Dunn said the company was delighted with the original high court ruling as it secured 100% of the mineral rights for Sishen. But the legal process allows any party dissatisfied with any court ruling the right to appeal, and it is now for the Supreme Court of Appeal to consider the matter.

Sishen was granted leave to cross-appeal in the event that the Supreme Court of Appeal is convinced by either the department or ICT to set aside December's high court ruling.