



PHEELLO DIKANE INC.
ATTORNEYS





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ABOUT US

PhD Incorporated Attorneys was established in 2014 by its Managing Partner following the interest that he developed of returning back to practicing law whilst working for Harmony Gold Mining Company Limited as its executive of Legal, Governance and Compliance Department.

We are a small size boutique law practice that focuses on four areas of law, namely, Mine Health and Safety Law, Environmental Law, Occupational Health and Safety Law and Labour Law. Due to our size we ensure that we provide personal attention to each client we engage with.

OUR MISSION

We pride ourselves in what we do to the best of our abilities. We are well versed in the environment in which we operate, our Managing Partner has been on the “coal face” so to speak. He has earned his stripes and he knows the industry very well. He can relate with any situation and predicament because he has been there!

OUR MOTTO

Your satisfaction is our reward.

PHEELLO DIKANE

Blasting Certificate of Competency in Metaliferous Mining, Onsetter's Certificate of Competency, Mine overseer's Certificate of Competency, LLB, LLM (Labour Law), Intermediate Management Development Program, Post Graduate Diploma in Management Practice, Post Graduate Diploma in Corporate Law, Master in Business Leadership (MBL)

Pheello started his career as a learner official in mining in 1987 at Vaal Reefs Exploration and Mining Company, which was a gold and uranium division of the Anglo American South Africa stable in Orkney near Klerksdorp.

After completing his training shifts as a learner miner in the Chamber of Mines Training Center on the then Vaal Reefs 6 shaft, he obtained a permanent blasting certificate which enabled him to work and operate as a miner and a developer.

He worked as a developer at the then Vaal Reefs 2 shaft. After completing the stipulated training period, he was appointed to an acting shift overseer position.

He was later promoted to a production shift overseer position, a position he held for almost eight years.

ABOUT THE MANAGING PARTNER

Whilst he was a shift overseer at the then Vaal Reefs 8 shaft (Great Nologwa Mine) he studied and obtained a Mine Overseer's Certificate of Competency (MO certificate). A few months after obtaining the MO certificate he was granted an opportunity to act as a production Mine



Managing Partner: M. Pheello Dikane

Overseer for eight (8) months. After being in the position he moved from Great Nologwa Mine to the then Vaal Reefs 9 shaft (Kopanang Mine) as a production shift overseer. It was during that time at Kopanang Mine while working as a shift overseer that he decided to study law part time through the Potchefstroom University for Christian High Education (PU for CHE). After working as a production shift overseer and studying for two and a half years, he was appointed as a Production Mine Overseer at Kopanang Mine.

He completed his LLB degree whilst a Production Mine Overseer and once he graduated, he decided to go serve his articles of clerkship to change his career from that of being a miner to an attorney. He served his articles of clerkship at Perrott van Niekerk Woodhouse Incorporated, a law firm which specialized in labour law in Sandton. While serving his articles of clerkship he studied and completed his Master's Degree in labour law (LLM).

On completing his articles of clerkship and successfully completing his attorneys' board exams he was admitted as an attorney of the High Court of South Africa. He then returned to AngloGold Ashanti's corporate office and joined the Legal Department as one of the legal advisors. At AngloGold he dealt with general legal matters, including sale and leasing of properties, labour law and environmental law matters. During his time as a legal advisor at AngloGold Ashanti he attended and completed courses in Environmental Law for Managers, Environmental Impact Assessment and Lead Environmental Auditor through the Center for Environmental Management System, at PU for CHE.

After working in the corporate environment for almost a year he decided to go back to practice and joined Brink Cohen Le Roux Incorporated Attorneys as a senior associate. During this time he worked in the Mine Health and Safety Law as well as the Labour Law sections of the firm. He was exposed to mine accident inquiries held in terms of section 65 of the Mine Health and Safety Act as well as criminal prosecution emanating from such inquiries.

He also dealt with accident investigations in terms of the Occupational Health and Safety presided over by Inspector of Labour. As far as labour law is concerned he was exposed to, amongst others, dealing with and presenting clients' cases at the City of Johannesburg in internal disciplinary hearings. He was later made a director at Brink Cohen Le Roux Inc. He left Brink Cohen Le Roux to join Harmony Gold as an executive manager responsible for legal, compliance and later governance was added to his portfolio. As an executive manager responsible for legal at Harmony,

he handled and managed all legal matters including fatal inquiries in terms of the Mine Health and Safety law, medico-legal inquiries, labour matters, defending criminal prosecutions, preparing and drafting representations of the employer in responses to section 54 and 55 orders issued in terms of the Mine Health and Safety Act. He attended to applications presented and submitted to the office of the Director General in terms of section 96 of the Mineral Petroleum Resource Development Act. He also dealt with environmental matters, particularly those dealing with rehabilitation of surface areas in terms of closure plans and the sale and purchase of fixed property on behalf of the company.

Towards the end of 2014 he decided to pursue the interest he had developed whilst in the employ of Harmony for 5 years of going back to practising law. He founded Pheello Dikane Incorporated Attorneys (PhD Inc.) through which he is pursuing his interests in dealing with Mine Health and Safety Law, Occupational Health and Safety Law, Labour Law and Environmental Law

OUR PRODUCTS & SERVICES

Environmental law

South Africa is known for its mineral wealth which it started exploiting for over a century now. It is therefore not surprising that the current South African legislation requires strict compliance with environmental law, as it also does with other laws, particularly in the mining sector. The law places an obligation on mining companies to embark on environmental rehabilitation of any disturbed mining sites upon the termination or premature closure, decommissioning and final closure of mining activities.

The aim is to ensure that any environmental disturbances caused by the mining activities are remediated so as to return the land to its closest possible pre-mining state. Due to the financial magnitude that such obligation brings upon premature closure, it is imperative that concurrent rehabilitation forms part of the mining operational activities. We provide advice in legal risk mitigation and management, applications for permits, lodgement of appeals of environmental orders, administrative appeals and litigation.

We also advise on specific environmental impacts assessments, conducting of due diligence investigations and compliance auditing.

Labour law

Our country's labour market is highly regulated as enshrined in the Constitution. We have experience and knowledge in the field of employment law. We represent clients in all labour related matters including chairing disciplinary hearings of senior personnel within organisations. We offer advices on the ever developing labour law and on how companies can better prepare to be compliant at all reasonable times. We also provide service on other aspects of employment law, such as the resolution of labour disputes in collective bargaining units, industrial actions, unfair discriminations, dismissals, unfair labour practices and restraint of trade issues.

Mine Health and Safety law

The Chamber of Mines, with the Department of Mineral Resources and the organised labour as participants in the Mine Health and Safety Council have crafted and adopted certain mile stones which, when achieved would put South African mining industry on par with their international peers. However, as these mile stones cannot be achieved over night, it is imperative that legislation is complied with as far as is reasonably practicable. We provide advice on preparing Codes of Practice in terms of Section 9 of the Mine Health and Safety Act and in accordance with the Chief Inspector of Mines' guidelines. We prepare letters of appointment for certain individuals required to carry legal appointments in terms of the MHSA and the Minerals Act Regulations, which remain in force in terms of Item 4 of Schedule 4 of the MHSA.

We provide advice with regard to the lodgement of appeals to the Chief Inspector of Mines and draft written submissions in support of such appeals. We represent and provide advice to clients in inquiries conducted under the direction of the Mine Health and Safety Inspectorate of the Department of

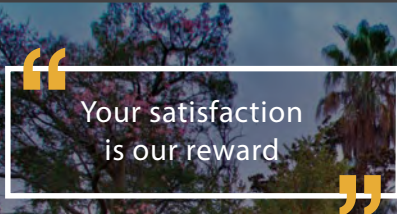


Mineral Resources. We also provide legal advice and represent clients in courts of law when criminal prosecution is recommended against them following the inquiry. In essence, we understand the needs of clients as far as compliance with the MHS Act is concerned and we provide the necessary advice therein.

Occupational Health and Safety law

We understand that the health of the workforce is paramount to any organisation and as a result, we, just as our clients, have developed an interest in the field. We provide advice on the requirements of the Occupational Health and Safety which particularly applies to all other sectors where Mine Health and Safety Act is not applicable. We provide advice and represent clients in investigations conducted under the direction of the Department of Labour.


We also advise clients on the compensation regimes that are currently in operation, the Compensation for Occupational Injuries and Diseases Act and the Occupational Diseases in Mines and Works Act. It is clear that the Occupational Law applies over a wide scope within different sectors and industry, we provide advice on such inter-industry applications.





To learn more about what services PhD Inc. offers,
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