



ZIMBABWE EZEKIEL GUTI UNIVERSITY
FACULTY OF LAW

EXAMINATION PAPER

COURSE CODE : LLB ~~017~~ **315**
COURSE TITLE : Mining and Energy Law
DURATION : 3 Hours
LEVEL : 5.1
DATE :

11 APR 2024

INSTRUCTIONS TO CANDIDATES:

1. This question paper comprises of two printed pages.
2. This question paper comprise of six questions.
3. Answer four questions only.
4. Start each question on a new page of your answer sheet

Question 1

Mazvihwa is a small village located in the northern part of Zimbabwe. Mazvihwa falls under natural region two and as such agriculture is a thriving business. The rains and temperatures in Mazvihwa enable the farmers to produce and harvest profitably. Sometime in 2023 the villagers in Mazvihwa started to notice people from a huge mining company based in Harare coming into their village. At first the people would simply move around the village. This continued for some time and the people of Mazvihwa did not take particular attention and continued with their agricultural activities. In 2024 as the people of Mazvihwa were busy harvesting their crops they were urgently called for a meeting by their traditional leader. The whole village rushed to the traditional leader's homestead. The people of Mazvihwa were shocked when they saw a dozen latest Ranger Rovers and Landcruiser vehicles at the traditional leader's homestead. When the people had settled the traditional leader introduced a dozen males with three-piece suits and ties and informed the villagers that these people had news for them. One of the males in suits then started addressing the villagers. He informed the villagers that the whole village was their mining claim having been registered in 1970. He further went on to state that they now wanted to work on their mine and as such the people of Mazvihwa should vacate from the village within ten days.

The people of Mazvihwa have approached you as their child whom they raised and sent to law school and became a legal practitioner.

Prepare an opinion for your people. [20 marks]

Question 2

Northstar Mining Private Limited is a duly registered mining company operating within the confines of the Zimbabwean law. Northstar Mining is well aware that there is an amendment which has been tabled to amend the Mines and Minerals Act. Northstar Mining seeks to know the changes which will be brought by the amendment bill.

Prepare a write up on the changes being brought by the Mines and Minerals Act amendment Bill. [20 marks]

Question 3

The natural environment is a finite. Human activities such as mining alter the natural environment significantly. Examine how the mining legal regime in Zimbabwe provide for the protection, conservation and rehabilitation of the environment. [20 marks]

Question 4

Energy law is of paramount importance in the modern world. Discuss. [20 marks]

Question 5

The United Nations Framework Convention on Climate Change and the Paris Accords are international legal instruments which clearly show that the international community is making hastened efforts to combat climate change and ameliorate the effects of climate change. Examine how the current energy legal regime in Zimbabwe has responded to the issue of climate change [20 marks?]

Question 6

Examine the effectiveness of the Environmental Management Agency capability to deal with energy matters. [20 marks]

****END OF PAPER****

0 / 60 (pm)