



**SAFCEC**

**75**

years of service excellence

National Office

12 Skeen Boulevard, Bedfordview, 2007 | PO Box 644, Bedfordview, 2008  
Tel 011 409 0900 | Fax 086 620 0777  
admin@safcec.org.za | [www.safcec.org.za](http://www.safcec.org.za)

2003	2014	Comment
<p>GOVERNMENT NOTICE DEPARTMENT OF LABOUR No. R. 10101 18<sup>th</sup> July 2003 <b>OCCUPATIONAL HEALTH AND SAFETY ACT, 1993</b></p> <p><b>CONSTRUCTION REGULATIONS, 2003</b></p> <p>The Minister of Labour has under section 43 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), after consultation with the Advisory Council for Occupational Health and Safety, made the regulations in the Schedule</p>	<p>GOVERNMENT NOTICES DEPARTMENT OF LABOUR</p> <p><b>OCCUPATIONAL HEALTH AND SAFETY ACT, 1993</b> <b>CONSTRUCTION REGULATIONS, 2014</b></p> <p>The Minister of Labour has under section 43 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), after consultation with the Advisory Council for Occupational Health and Safety, made the regulations in the Schedule.</p>	
<b>Definitions</b>		
<p><b>"agent"</b> means any person who acts as a representative for a client in the managing the overall construction work.</p>	<p><b>"agent"</b> means a competent person who acts as a representative for a client.</p>	<ul style="list-style-type: none"> <li>• Agent refers to the Client appointed Agent. The CHSA will be responsible for health and safety and is not the Agent referred to here.</li> <li>•</li> </ul>
<p><b>"angle of repose"</b> means the steepest angle of a surface at which a mass of loose or fragmented material will remain stationary in a pile on a surface, rather than sliding or crumbling away;</p>	<p><b>"angle of repose"</b> means the steepest angle of a surface at which a mass of loose or fragmented material will remain stationary in a pile on the surface, rather than sliding or crumbling away;</p>	
<p><b>"batch plant"</b> means machinery, appliances or other similar devices that are assembled in such a manner so as to be able to mix materials in bulk for the purposes of using the mixed product for construction work;</p>	<p><b>"bulk mixing plant"</b> means machinery, appliances or other similar devices that are assembled in such a manner so as to be able to mix materials in bulk for the purposes of using the mixed product for construction work;</p>	<ul style="list-style-type: none"> <li>• Change in terminology</li> </ul>
<p><b>"client"</b> means any person for whom construction</p>	<p><b>"client"</b> means any person for whom construction work is being performed;</p>	

work is being performed;		
<p><b>“competent person”</b> in relation to construction work, means any person having the knowledge, training and experience specific to the work or task being performed: Provided that where appropriate qualifications and training are registered in terms of the provisions of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995), these qualifications and training shall be deemed to be the required qualifications and training;</p>	<p><b>"competent person"</b> means a person who—</p> <p>a) has in respect of the work or task to be performed the required knowledge, training and experience and, where applicable, qualifications, specific to that work or task: Provided that where appropriate qualifications and training are registered in terms of the provisions of the National Qualification Framework Act, 2000 (Act No.67 of 2000), those qualifications and that training must be regarded as the required qualifications and training; and</p> <p>b) is familiar with the Act and with the applicable regulations made under the Act;</p>	<ul style="list-style-type: none"> <li>• SAQA falls away for NQF</li> <li>• Requirement for knowledge of the OSH Act</li> <li>• The DoL has repeatedly announced their desire to ensure that incompetence is not tolerated in the construction sector. From their various incident investigations their findings have shown that incompetence is the root cause of the majority of avoidable incidents.</li> </ul>
	<p><b>"construction manager"</b> means a competent person responsible for the management of the physical construction processes and the coordination, administration and management of resources on a construction site;</p>	<p>New</p> <ul style="list-style-type: none"> <li>• A shift of focus for the construction manager to be more responsible for health and safety</li> </ul>
	<p><b>"construction site"</b> means a work place where construction work is being performed;</p>	<p>New</p>
	<p><b>"construction supervisor"</b> means a competent person responsible for supervising construction activities on a construction site;</p>	<p>New</p> <ul style="list-style-type: none"> <li>• Again a shift in health and safety focus to the site of work</li> </ul>
	<p><b>"construction vehicle"</b> means a vehicle used as a means of conveyance for transporting persons or material, or persons and material, on and off the construction site for the purposes of performing construction work;</p>	<p>New</p> <ul style="list-style-type: none"> <li>• MVA’s remain the most expensive and main contributor to Construction Fatalities. Road Safety remains a key focus area.</li> </ul>
<p><b>“construction work”</b> means any work in connection with—</p> <p>(a) the erection, maintenance, alteration, renovation, repair, demolition or dismantling of or addition to a building or any similar structure;</p> <p>(b) the installation, erection, dismantling or maintenance of a fixed plant where such work includes the risk of a person falling;</p> <p>(c) the construction, maintenance, demolition or dismantling of any bridge, dam, canal, road, railway, runway, sewer or water reticulation system or any similar civil engineering structure; or</p> <p>(d) the moving of earth, clearing of land, the making of an excavation, piling, or any similar type of work;</p>	<p><b>"construction work"</b> means any work in connection with—</p> <p>a) the construction, erection, alteration, renovation, repair, demolition or dismantling of or addition to a building or any similar structure; or</p> <p>b) the construction, erection, maintenance, demolition or dismantling of any bridge, dam, canal, road, railway, runway, sewer or water reticulation system; or the moving of earth, clearing of land, the making of excavation, piling, or any similar civil engineering structure or type of work;</p>	

	" <b>construction work permit</b> " means a document issued in terms of regulation 3	<p>New</p> <ul style="list-style-type: none"> <li>• A Client will have to submit to the DoL the Baseline Risk Assessment and project Health and Safety plan. While the Contractor will supply to Client with their Health and Safety Plan for submitting.</li> <li>• All projects over R13m (CIDB 7), or over 1800 person hours or with more than 180 people assigned will require a permit to work.</li> <li>• All projects below the above criteria will still work off the traditional 'Notification of Construction work'</li> <li>• Permits will be unique to the project area and must be prominently displayed at the site.</li> <li>• Each permit will be assigned an inspector for regular inspection.</li> </ul>
" <b>contractor</b> " means an employer, as defined in section 1 of the Act, who performs construction work and includes principal contractors;	" <b>contractor</b> " means an employer who performs construction work;	
	" <b>demolition work</b> " means a method to dismantle, wreck, break, pull down or knock down of a structure or part thereof by way of manual labour, machinery, or the use of explosives;	New
" <b>design</b> " in relation to any structure includes drawings, calculations, design details and specifications;	" <b>design</b> " in relation to any structure, includes drawings, calculations, design details and specifications;	
" <b>designer</b> " means any person who— (a) prepares a design; (b) checks and approves a design; (c) arranges for any person at work under his control (including an employee of his, where he is the employer) to prepare a design, as well as; (d) architects and engineers contributing to, or having overall responsibility for the design; (e) build services engineers designing details for fixed plant; (f) surveyors specifying articles or drawing up specifications;	"designer" means— (a) a competent person who— (i) prepares a design; (ii) checks and approves a design; or (iii) arranges for any person at work under his or her control to prepare a design (including an employee of that person where he or she is the employer); or (iv) designs temporary work, including its components, (b) an architect or engineer contributing to, or having overall responsibility for a design; (c) a building services engineer designing details for fixed plant; (d) a surveyor specifying articles or drawing up specifications; (e) a contractor carrying out design work as part of a design and building project; or (f) an interior designer, shop-fitter or landscape architect;	<ul style="list-style-type: none"> <li>• More emphasis and accountability is being placed on 'Designers' to appreciate and include health and safety at the design stage of a project.</li> </ul>

<p>(g) contractors carrying out design work as part of a design and build project;</p> <p>(h) temporary works engineer designing formwork and false work; and</p> <p>(i) interior designers, shop-fitters and landscape architects.</p>		
<p><b>“ergonomics”</b> means the application of scientific information concerning humans to the design of objects, systems and the environment for human use in order to optimise human well-being and overall system performance;</p>		<p>Removed</p> <ul style="list-style-type: none"> <li>Ergonomics will be defined in the expected Ergonomics Regulation</li> </ul>
<p><b>“excavation work”</b> means the making of any man-made cavity, trench, pit or depression formed by cutting, digging or scooping;</p>	<p><b>“excavation work”</b> means the making of any man-made cavity, trench, pit or depression formed by cutting, digging or scooping;</p>	
<p><b>“explosive powered tool”</b> means a tool that is activated by an explosive charge and that is used for driving bolts, nails and similar objects for the purpose of providing fixing;</p>	<p><b>“explosive actuated fastening device”</b> means a tool that is activated by an explosive charge and that is used for driving bolts, nails and similar objects for the purpose of providing fixing. Change explosive power tools to explosive actuated fastening device;</p>	<ul style="list-style-type: none"> <li>Change in terminology from ‘explosive powered tool’</li> </ul>
<p><b>“fall arrest equipment”</b> means equipment used to arrest the person in a fall from an elevated position, including personal equipment, body harness, lanyards, deceleration devices, lifelines or similar equipment, but excludes body belts;</p>	<p><b>“fall arrest equipment”</b> means equipment used to arrest a person in a fall, including personal equipment such as body harness, lanyards, deceleration devices, lifelines or similar equipment.</p>	
<p><b>“fall prevention equipment”</b> means equipment used to prevent persons from falling from an elevated position, including personal equipment, body harness, body belts, lanyards, lifelines or physical equipment, guardrails, screens, barricades, anchorages or similar equipment;</p>	<p><b>“fall prevention equipment”</b> means equipment used to prevent persons from falling from a fall risk position, including personal equipment, a body harness, lanyards, lifelines or physical equipment such as guardrails, screens, barricades, anchorages or similar equipment;</p>	
<p><b>“fall protection plan”</b> means a documented plan, of all risks relating to working from an elevated position, considering the nature of work undertaken, and setting out the procedures and methods to be applied in order to eliminate the risk;</p>	<p><b>“fall protection plan”</b> means a documented plan, which includes and provides for-</p> <ol style="list-style-type: none"> <li>all risks relating to working from a fall risk position, considering the nature of work undertaken;</li> <li>the procedures and methods to be applied in order to eliminate the risk of falling; and</li> <li>a rescue plan and procedures</li> </ol>	
	<p><b>“fall risk”</b> means any potential exposure to falling either from, off or into;</p>	<p>New</p>
<p><b>“hazard identification”</b> means the identification and documenting of existing or expected hazards to the health and safety of persons, which are normally associated with the type of construction</p>		<p>Removed</p>

work being executed or to be executed;		
<b>"health and safety file"</b> means a file, or other record in permanent form, containing the information required as contemplated in these regulations;	<b>"health and safety file"</b> means a file, or other record containing the information in writing required by these Regulations;	
<b>"health and safety plan "</b> means a documented plan which addresses hazards identified and includes safe work procedures to mitigate, reduce or control the hazards identified;	<b>"health and safety plan"</b> means a site, activity or project specific documented plan in accordance with the client's health and safety specification;	
<b>"health and safety specification"</b> means a documented specification of all health and safety requirements pertaining to the associated works on a construction site, so as to ensure the health and safety of persons;	<b>"health and safety specification"</b> means a site, activity or project specific document prepared by the client pertaining to all health and safety requirements related to construction work;	Note: 'Project Specific'
<b>"material hoist"</b> means a hoist used to lower or raise material and equipment, and includes cantilevered platform hoists, mobile hoists, friction drive hoists, scaffold hoists, rack and pinion hoists and combination hoists;	<b>"material hoist"</b> means a hoist used to lower or raise material and equipment, excluding passengers;	
<b>"medical certificate of fitness"</b> means a certificate valid for one year issued by an occupational health practitioner, issued in terms of these regulations, whom shall be registered with the Health Professions Council of South Africa;	<b>"medical certificate of fitness"</b> means a certificate contemplated in regulation 7(1)(8);	<ul style="list-style-type: none"> <li>Now compulsory for all persons on a construction project</li> </ul>
<b>"method statement"</b> means a written document detailing the key activities to be performed in order to reduce as reasonably as practicable the hazards identified in any risk assessment;		Removed
<b>"mobile plant"</b> means machinery, appliances or other similar devices that is able to move independently, for the purpose of performing construction work on the construction site;	<b>"mobile plant"</b> means any machinery, appliance or other similar device that is able to move independently, and is used for the purpose of performing construction work on a construction site;	
<b>"National Building Regulations"</b> means the National Building Regulations made under section 17(1) of the National Building Regulations and Building Standards Act, 1977 (Act No.103 of 1977), and published under Government Notice No. R.1081 of 10 June 1988, as amended;	<b>"National Building Regulations"</b> means the National Building Regulations made under the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), and promulgated by Government Notice No. R. 2378 of 30 July 1990, as amended by Government Notices No's R. 432 of 8 March 1991, R. 919 of 30 July 1999 and R. 547 of 30 May 2008;	Up dated to latest version
<b>"person day"</b> means one individual carrying out construction work on a construction site for one normal working shift;	<b>"person day"</b> means one normal working shift of carrying out construction work by a person on a construction site;	
<b>"principal contractor"</b> means an employer, as defined in section 1 of the Act who performs construction work and is appointed by the client to	<b>"principal contractor"</b> means an employer appointed by the client to perform construction work;	

be in overall control and management of a part of or the whole of a construction site;		
<b>"professional engineer or professional certificated engineer"</b> means any person holding registration as either a Professional Engineer or Professional Certificated Engineer under the Engineering Profession Act, 2000 (Act No. 46 of 2000);	<b>"Professional Engineer or Professional Certificated Engineer"</b> means a person holding registration as either a Professional Engineer or Professional Certificated Engineer in terms of the Engineering Profession Act, 2000 (Act No. 46 of 2000);	
<b>"professional technologist"</b> means any person holding registration as a Professional Technologist under the Engineering Profession Act, 2000 ( Act No. 46 of 2000);	<b>"Professional Technologist"</b> means a person holding registration as a Professional Engineering Technologist in terms of the Engineering Profession Act, 2000;	
<b>"provincial director"</b> means the provincial director as defined in regulation 1 of the General Administrative Regulations under the Act;	<b>"provincial director"</b> means the provincial director as defined in regulation 1 of the General Administrative Regulations, 2003;	
<b>"scaffold"</b> means any temporary elevated platform and supporting structure used for providing access to and supporting workmen or materials or both;	<b>"scaffold"</b> means a temporary elevated platform and supporting structure used for providing access to and supporting workmen or materials or both;	
<b>"shoring"</b> means a structure such as a hydraulic, mechanical or timber/steel shoring system that supports the sides of an excavation and which is intended to prevent the cave-in or the collapse of the sides of an excavation, and "shoring system" has a corresponding meaning;	<b>"shoring"</b> means a system used to support the sides of an excavation and which is intended to prevent the cave-in or the collapse of the sides of an excavation;	
<b>"structure"</b> means— (a) any building, steel or reinforced concrete structure (not being a building), railway line or siding, bridge, waterworks, reservoir, pipe or pipeline, cable, sewer, sewage works, fixed vessels , road, drainage works, earthworks, dam, wall, mast, tower, tower crane, batching plants, pylon, surface and underground tanks, earth retaining structure or any structure designed to preserve or alter any natural feature, and any other similar structure; (b) any formwork, false work, scaffold or other structure designed or used to provide support or means of access during construction work; or (c) any fixed plant in respect of work which includes the installation, commissioning, decommissioning or dismantling and where any such work involves a risk of a person falling two metres or more;	<b>"structure"</b> means— a) any building, steel or reinforced concrete structure (not being a building), railway line or siding, bridge, waterworks, reservoir, pipe or pipeline, cable, sewer, sewage works, fixed vessels, road, drainage works, earthworks, dam, wall, mast, tower, tower crane, bulk mixing plant, pylon, surface and underground tanks, earth retaining structure or any structure designed to preserve or alter any natural feature, and any other similar structure; b) any falsework, scaffold or other structure designed or used to provide support or means of access during construction work; or c) any fixed plant in respect of construction work which includes installation, commissioning, decommissioning or dismantling and where any construction work involves a risk of a person falling;	
<b>"suspended platform"</b> means a working platform suspended from supports by means of one or more separate ropes from each support;	<b>"suspended platform"</b> means a working platform suspended from supports by means of one or more separate ropes from each support;	
	<b>"temporary works"</b> means any falsework, formwork, support work, scaffold, shoring	New

	or other temporary structure designed to provide support or means of access during construction work;	
<b>"the Act"</b> means the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);	<b>"the Act"</b> means the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);	
<b>"tunneling"</b> means the construction of any tunnel beneath the natural surface of the earth for a purpose other than the searching for or winning of a mineral;	<b>"tunneling"</b> means the construction of any tunnel beneath the natural surface of the earth for a purpose other than the searching for or winning of a mineral.	
<b>Scope of application</b>		
<p>2.(1) These Regulations, shall apply to any persons involved in construction work.</p> <p>(2) The provisions of subregulation 4.(1)(a) shall not be applicable where the construction work carried out is in relation to a single storey domestic building for a client who is going to reside in such dwelling upon completion thereof.</p> <p>(3) The provisions of subregulations 4.(1)(a) and 5(1), 5.(3)(a) and 5(4) shall not be applicable where the construction work is in progress and more than fifty percent thereof has been completed at the date of promulgation of these regulations: Provided that an inspector may instruct accordingly that these Regulations shall be applicable.</p>	<p>2. (1) These Regulations are applicable to all persons involved in construction work.</p> <p>(2) Regulations 3 and 5 are not applicable where the construction work carried out is in relation to a single storey dwelling for a client who intends to reside in such dwelling upon completion thereof.</p>	
	<b>3. Application for construction work permit.</b>	New
	<p>3. (1) A client who intends to have construction work carried out, must at least 30 days before that work is to be carried out apply to the provincial director in writing for a construction work permit to perform construction work if the intended construction work will—</p> <ol style="list-style-type: none"> <li>a) exceed 180 days;</li> <li>b) will involve more than 1800 person days of construction work; or</li> <li>c) the works contract is of a value equal to or exceeding thirteen million rand or Construction Industry Development Board (CIDB) grading level 6.</li> </ol> <p>(2) An application contemplated in subregulation (1) must be done in a form similar to Annexure 1.</p> <p>(3) The provincial director must issue a construction work permit in writing to perform construction work contemplated in subregulation (1) within 30 days of receiving the construction work permit application and must assign a site specific number for each construction site.</p>	<ul style="list-style-type: none"> <li>• This section is new and relates to the above mentioned permit to work system.</li> <li>• Note the emphasis is on the 'Client' to obtain the permit</li> </ul>

	<p>(4) A site specific number contemplated in subregulation (3) must be conspicuously displayed at the main entrance to the site for which that number is assigned.</p> <p>(5) A construction work permit contemplated in this regulation may be granted only if—</p> <p>a) the fully completed documents contemplated in regulation 5(1)(a) and (b) have been submitted; and</p> <p>b) proof in writing has been submitted—</p> <p>(i) that the client complies with regulation 5(5)</p> <p>(ii) with regard to the registration and good standing of the principal contractor as contemplated in regulation 5(1)(j); and</p> <p>(iii) that regulation 5(1)(c), (d), (e), (f), (g) and (h) has been complied with.</p> <p>(6) A client must ensure that the principal contractor keeps a copy of the construction work permit contemplated in subregulation (1) in the occupational health and safety file for inspection by an inspector, the client, the client's authorised agent, or an employee.</p> <p>(7) No construction work contemplated in subregulation (1) may be commenced or carried out before the construction work permit and number contemplated in subregulation (3) have been issued and assigned.</p> <p>(8) A site specific number contemplated in subregulation (3) is not transferrable.</p>	
<p><b>3. Notification of Construction Work</b></p>	<p><b>4. Notification of Construction Work</b></p>	
<p>2.(1)These Regulations, shall apply to any persons involved in construction work.</p> <p>(2) The provisions of subregulation 4.(1)(a) shall not be applicable where the construction work carried out is in relation to a single storey domestic building for a client who is going to reside in such dwelling upon completion thereof.</p> <p>(3) The provisions of subregulations 4.(1)(a) and 5(1), 5.(3)(a) and 5(4) shall not be applicable where the construction work is in progress and more than fifty percent thereof has been completed at the date of promulgation of these regulations: Provided that an inspector may instruct accordingly that these Regulations shall be applicable.</p>	<p>(1) A contractor who intends to carry out any construction work other than work contemplated in regulation 3(1), must at least 7 days before that work is to be carried out notify the provincial director in writing in a form similar to Annexure 2 if the intended construction work will—</p> <p>a) include excavation work;</p> <p>b) include working at a height where there is risk of falling;</p> <p>c) include the demolition of a structure; or</p> <p>d) include the use of explosives to perform construction work.</p> <p>(2) A contractor who intends to carry out construction work that involves construction of a single storey dwelling for a client who is going to reside in such dwelling upon completion, must at least 7 days before that work</p>	<ul style="list-style-type: none"> <li>• CR 4 is now dedicated to the notification of Construction Work whilst duties of the Client are outlined in CR 5</li> </ul>



4. Client	5. Duties of the Client	
<p>(1) A client shall be responsible for the following in order to ensure compliance with the provisions of the Act—</p> <p>(a) to prepare a documented health and safety specification for the construction work, and provide any principal contractor who is making a bid or appointed to perform construction work for the client with the same;</p> <p>(b) to promptly provide the principal contractor and his or her agent with any information which might affect the health and safety of any person at work carrying out construction work;</p> <p>(c) to appoint each principal contractor in writing for the project or part thereof on a construction site;</p> <p>(d) to take reasonable steps to ensure that each principal contractor's health and safety plan as determined in subregulation 5(1) is implemented and maintained on the construction site: Provided that the steps taken, shall include periodic audits at intervals mutually agreed upon between the client and principal contractor, but at least once every month;</p> <p>(e) to stop any contractor from executing construction work which is not in accordance with the principal contractor's health and safety plan contemplated in subregulation 5(1) for the site or which poses to be a threat to the health and safety of persons;</p> <p>(f) to ensure that where changes are brought about, sufficient health and safety information and appropriate resources are made available to the principal contractor to execute the work safely;</p> <p>(g) to ensure that every principal contractor is registered and in good standing with the compensation fund or with a licensed compensation insurer prior to work commencing on site; and</p> <p>(h) to ensure that potential principal contractors submitting tenders, have made provision for</p>	<p>(1) A client must—</p> <p>a) prepare a baseline risk assessment for an intended construction work project;</p> <p>b) prepare a suitable, sufficiently documented and coherent site specific health and safety specification for the intended construction work based on the baseline risk assessment contemplated in paragraph (a);</p> <p>c) provide the designer with the health and safety specification contemplated in paragraph (b);</p> <p>d) ensure that the designer takes the prepared health and safety specification into consideration during the design stage;</p> <p>e) ensure that the designer carries out all responsibilities contemplated in regulation 6;</p> <p>f) include the health and safety specification in the tender documents;</p> <p>g) ensure that potential principal contractors submitting tenders have made adequate provision for the cost of health and safety measures;</p> <p>h) ensure that the principal contractor to be appointed has the necessary competencies and resources to carry out the construction work safely;</p> <p>i) take reasonable steps to ensure co-operation between all contractors appointed by the client to enable each of those contractors to comply with these Regulations;</p> <p>j) ensure before any work commences on a site that every principal contractor is registered and in good standing with the compensation fund or with a licensed compensation insurer as contemplated in the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993);</p> <p>k) appoint every principal contractor in writing for the project or part thereof on the construction site;</p> <p>l) discuss and negotiate with the principal contractor the contents of the principal contractor's health and safety plan contemplated in regulation 7(1), and must thereafter finally approve that plan for implementation;</p> <p>m) ensure that a copy of the principal contractor's health and safety plan is available on request to an employee, inspector or contractor;</p> <p>n) take reasonable steps to ensure that each contractor's health and safety plan contemplated in regulation 7(1)(a) is implemented and maintained;</p> <p>o) ensure that periodic health and safety audits and document verification are conducted at intervals mutually agreed upon between the principal contractor and any contractor, but at least once every 30 days;</p> <p>p) ensure that a copy of the health and safety audit report contemplated in paragraph (o) is provided to the principal contractor within seven days after the audit;</p> <p>q) stop any contractor from executing a construction activity which poses a threat to the health and safety of persons which is not in accordance with the client's health and safety specifications and the principal contractor's health and safety plan for the site;</p> <p>r) where changes are brought about to the design or construction work, make sufficient health and safety information and appropriate resources available to</p>	

<p>the cost of health and safety measures during the construction process.</p> <p>(2) A client shall discuss and negotiate with the principal contractor the contents of the health and safety plan contemplated in subregulation 5(1) and thereafter finally approve the health and safety plan for implementation.</p> <p>(3) A client shall ensure that a copy of the principal contractor's health and safety plan is available on request to an employee, inspector or contractor.</p> <p>(4) No client shall appoint a principal contractor to perform construction work, unless the client is reasonably satisfied that the principal contractor that he or she intends to appoint has the necessary competencies and resources to carry out the work safely.</p> <p>(5) A client may appoint an agent in writing to act as his or her representative and where such an appointment is made, the responsibilities as are imposed by these regulations upon a client, shall as far as reasonably practicable apply to the person so appointed.</p> <p>(6) No client shall appoint any person as his agent, unless the client is reasonably satisfied that the person he or she intends to appoint has the necessary competencies and resources to perform the duties imposed on a client by these regulations.</p>	<p>the principal contractor to execute the work safely; and</p> <p>s) ensure that the health and safety file contemplated in regulation 7(1)(b) is kept and maintained by the principal contractor.</p> <p>(2) Where a client requires additional work to be performed as a result of a design change or an error in construction due to the actions of the client, the client must ensure that sufficient safety information and appropriate additional resources are available to execute the required work safely.</p> <p>(3) Where a fatality or permanent disabling injury occurs on a construction site, the client must ensure that the contractor provides the provincial director with a report contemplated in section 24 of the Act, in accordance with regulations 8 and 9 of the General Administrative Regulations, 2013, and that the report includes the measures that the contractor intends to implement to ensure a safe construction site as far as is reasonably practicable.</p> <p>(4) Where more than one principal contractor is appointed as contemplated in subregulation (1)(k), the client must take reasonable steps to ensure co-operation between all principal contractors and contractors in order to ensure compliance with these Regulations.</p> <p>(5) Where a construction work permit is required as contemplated in regulation 3(1), the client must, without derogating from his or her health and safety responsibilities or liabilities, appoint a competent person in writing as an agent to act as his or her representative, and where such an appointment is made the duties that are imposed by these Regulations upon a client, apply as far as reasonably practicable to the agent so appointed.</p> <p>(6) Where notification of construction work is required as contemplated in regulation 4(1), the client may, without derogating from his or her health and safety responsibilities or liabilities, appoint a competent person in writing as an agent to act as his or her representative, and where such an appointment is made the duties that are imposed by these Regulations upon a client, apply as far as reasonably practicable to the agent so appointed: Provided that, where the question arises as to whether an agent is necessary, the decision of an inspector is decisive.</p> <p>(7) An agent contemplated in subregulations (5) and (6) must—</p> <ul style="list-style-type: none"> <li>a) manage the health and safety on a construction project for the client; and</li> <li>b) be registered with a statutory body approved by the Chief Inspector as qualified to perform the required functions;</li> </ul> <p>(8) When the chief inspector has approved a statutory body as contemplated in subregulation (7)(b), he or she must give notice of that approval in the Gazette.</p>	
--	---	--

9 Structures	5. Duties of the Designer	The new CR 5 is an upgrade from the previous CR 9 with more duties placed on the designer
<p>(1) A contractor shall ensure that—</p> <p>(a) all reasonably practicable steps are taken to prevent the uncontrolled collapse of any new or existing structure or any part thereof, which may become unstable or is in a temporary state of weakness or instability due to the carrying out of construction work; and</p> <p>(b) no structure or part of a structure is loaded in a manner which would render it unsafe.</p> <p>(2) The designer of a structure shall—</p> <p>a) before the contract is put out to tender, make available to the client all relevant information about the design of the relevant structure that may affect the pricing of the construction work;</p> <p>b) inform the contractor in writing of any known or anticipated dangers or hazards relating to the construction work, and make available all relevant information required for the safe execution of the work upon being designed or when the design is subsequently altered;</p> <p>c) subject to the provisions of paragraph (a) and (b) ensure that the following information is included in a report and made available to the contractor—</p> <p>(i) a geo-science technical report where appropriate;</p> <p>(ii) the loading the structure is designed to withstand; and</p> <p>(iii) the methods and sequence of construction.</p> <p>d) not include anything in the design of the structure necessitating the use of dangerous procedures or materials hazardous to the health and safety of persons, which could be avoided by modifying the design or by substituting materials;</p>	<p>1) The designer of a structure must—</p> <p>(a) ensure that the applicable safety standards incorporated into these Regulations under section 44 of the Act are complied with in the design;</p> <p>(b) take into consideration the health and safety specification submitted by the client;</p> <p>(c) before the contract is put out to tender, make available in a report to the client—</p> <p>(i) all relevant health and safety information about the design of the relevant structure that may affect the pricing of the construction work;</p> <p>(ii) the geotechnical-science aspects, where appropriate; and</p> <p>(iii) the loading that the structure is designed to withstand;</p> <p>(d) inform the client in writing of any known or anticipated dangers or hazards relating to the construction work, and make available all relevant information required for the safe execution of the work upon being designed or when the design is subsequently altered;</p> <p>(e) refrain from including anything in the design of the structure necessitating the use of dangerous procedures or materials hazardous to the health and safety of persons, which can be avoided by modifying the design or by substituting materials;</p> <p>(f) take into account the hazards relating to any subsequent maintenance of the relevant structure and must make provision in the design for that work to be performed to minimize the risk;</p> <p>(g) when mandated by the client to do so, carry out the necessary inspections at appropriate stages to verify that the construction of the relevant structure is carried out in accordance with his design: Provided that if the designer is not so mandated, the client's appointed agent in this regard is responsible to carry out such inspections;</p> <p>(h) when mandated as contemplated in paragraph (g), stop any contractor from executing any construction work which is not in accordance with the relevant design's health and safety aspects: Provided that if the designer is not so mandated, the client's appointed agent in that regard must stop that contractor from executing that construction work;</p> <p>(j) when mandated as contemplated in paragraph (g), in his or her final inspection of the completed structure in accordance with the National Building Regulations, include the health and safety aspects of the structure as far as reasonably practicable, declare the structure safe for use, and issue a completion certificate to the client and a copy thereof to the contractor; and</p> <p>(j) during the design stage, take cognisance of ergonomic design principles in order to minimize ergonomic related hazards in all phases of the life cycle of a structure.</p> <p>(2) The designer of temporary works must ensure that—</p> <p>a) all temporary works are adequately designed so that it will be capable of</p>	

<p>(e) take into account the hazards relating to any subsequent maintenance of the relevant structure and should make provision in the design for that work to be performed to minimise the risk;</p> <p>(f) carry out sufficient inspections at appropriate times of the construction work involving the design of the relevant structure in order to ensure compliance with the design and a record of those inspections is to be kept on site;</p> <p>(g) stop any contractor from executing any construction work which is not in accordance with the relevant design;</p> <p>h) conduct a final inspection of the completed structure prior to its commissioning in order to render it safe for use and issue a completion certificate to the contractor; and</p> <p>i) ensure that when preparing the design, cognisance is taken of ergonomic design principles in order to minimise ergonomic related hazards in all phases of the life cycle of a structure.</p> <p>(3) A contractor shall ensure that all drawings pertaining to the design of the relevant structure are kept on site and are available on request by an inspector, contractors, client, client's agent or employee.</p> <p>(4) Any owner of a structure shall ensure that inspections of that structure upon completion are carried out periodically by competent persons in order to render the structure safe for continued use: Provided that the inspections are carried out at least once every six months for the first two years and thereafter yearly and records of such inspections are kept and made available to an inspector upon request.</p> <p>(5) Any owner of a structure shall ensure that the structure upon completion is maintained in such a manner that the structure remains safe for</p>	<p>supporting all anticipated vertical and lateral loads that may be applied;</p> <p>b) the designs of temporary works are done with close reference to the structural design drawings issued by the contractor, and in the event of any uncertainty consult the contractor;</p> <p>c) all drawings and calculations pertaining to the design of temporary works are kept at the office of the temporary works designer and are made available on request by an inspector; and</p> <p>d) the loads caused by the temporary works and any imposed loads are clearly indicated in the design.</p>	
--	---	--

<p>continued use and such maintenance records shall be kept and made available to an inspector upon request.</p>		
<p><b>5. Principal Contractor, Contractor</b></p>	<p><b>7. Duties of Principal Contractor and Contractor</b></p>	
<p>(1) A principal contractor shall provide and demonstrate to the client a suitable and sufficiently documented health and safety plan, based on the client's documented health and safety specification contemplated in regulation 4(1)(a), which shall be applied from the date of commencement of and for the duration of the construction work.</p> <p>(2) A principal contractor shall take reasonable steps as far as is necessary to ensure co-operation between all contractors to enable each of those contractors to comply with the provisions of these regulations.</p> <p>(3) A principal contractor shall be responsible for the following in order to ensure compliance with the provisions of the Act—</p> <p>(a) to provide any contractor who is making a bid or appointed to perform construction work for the principal contractor, with the relevant sections of the documented health and safety specification contemplated in regulation 4(1)(a) pertaining to the construction work which has to be performed;</p> <p>(b) to appoint each contractor contemplated in paragraph (a) in writing for the part thereof of the project on a construction site;</p> <p>(c) to take reasonable steps to ensure that each contractor's health and safety plan contemplated in subregulation (4) is implemented and</p>	<p>(1) A principal contractor must—</p> <p>(a) provide and demonstrate to the client a suitable, sufficiently documented and coherent site specific health and safety plan, based on the client's documented health and safety specifications contemplated in regulation 5(1)(b), which plan must be applied from the date of commencement of and for the duration of the construction work and which must be reviewed and updated by the principal contractor as work progresses;</p> <p>(b) open and keep on site a health and safety file, which must include all documentation required in terms of the Act and these Regulations, which must be made available on request to an inspector, the client, the client's agent or a contractor; and</p> <p>(c) on appointing any other contractor, in order to ensure compliance with the provisions of the Act—</p> <p>(i) provide contractors who are tendering to perform construction work for the principal contractor, with the relevant sections of the health and safety specifications contemplated in regulation 5(1)(b) pertaining to the construction work which has to be performed;</p> <p>(ii) ensure that potential contractors submitting tenders have made sufficient provision for health and safety measures during the construction process;</p> <p>(iii) ensure that no contractor is appointed to perform construction work unless the principal contractor is reasonably satisfied that the contractor that he or she intends to appoint, has the necessary competencies and resources to perform the construction work safely;</p> <p>(iv) ensure prior to work commencing on the site that every contractor is registered and in good standing with the compensation fund or with a licensed compensation insurer as contemplated in the Compensation for Occupational Injuries and Diseases Act, 1993;</p> <p>(v) appoint each contractor in writing for the part of the project on the construction site;</p> <p>(vi) take reasonable steps to ensure that each contractor's health and safety plan contemplated in subregulation (2)(a) is implemented and maintained on the construction site;</p> <p>(vii) ensure that the periodic site audits and document verification are conducted at intervals mutually agreed upon between the principal contractor and any contractor, but at least once every 30 days;</p> <p>(viii) stop any contractor from executing construction work which is not in accordance with the client's health and safety specifications and the principal contractor's health and safety plan for the site or which</p>	

<p>maintained on the construction site: Provided that the steps taken shall include periodic audits at intervals mutually agreed upon between the principal contractor and contractor(s), but at least once every month;</p> <p>(d) to stop any contractor from executing construction work which is not in accordance with the principal contractor's and/or contractor's health and safety plan for the site or which poses a threat to the health and safety of persons;</p> <p>(e) to ensure that where changes are brought about, sufficient health and safety information and appropriate resources are made available to the contractor to execute the work safely;</p> <p>(f) to ensure that every contractor is registered and in good standing with the compensation fund or with a licensed compensation insurer prior to work commencing on site; and</p> <p>(g) to ensure that potential contractors submitting tenders have made provision for the cost of health and safety measures during the construction process.</p> <p>(4) A contractor shall provide and demonstrate to the principal contractor a suitable</p>	<p>poses a threat to the health and safety of persons;</p> <p>(ix) where changes are brought about to the design and construction, make available sufficient health and safety information and appropriate resources to the contractor to execute the work safely; and</p> <p>(x) discuss and negotiate with the contractor the contents of the health and safety plan contemplated in subregulation (2)(a), and must thereafter finally approve that plan for implementation;</p> <p>(d) ensure that a copy of his or her health and safety plan contemplated in paragraph (a), as well as the contractor's health and safety plan contemplated in subregulation (2)(a), is available on request to an employee, an inspector, a contractor, the client or the client's agent;</p> <p>(e) hand over a consolidated health and safety file to the client upon completion of the construction work and must, in addition to the documentation referred to in subregulation (2)(b), include a record of all drawings, designs, materials used and other similar information concerning the completed structure;</p> <p>(f) in addition to the documentation required in the health and safety file in terms of paragraph (c)(v) and subregulation (2)(b), include and make available a comprehensive and updated list of all the contractors on site accountable to the principal contractor, the agreements between the parties and the type of work being done; and</p> <p>(g) ensure that all his or her employees have a valid medical certificate of fitness specific to the construction work to be performed and issued by an occupational health practitioner in the form of Annexure 3.</p> <p>(2) A contractor must prior to performing any construction work—</p> <p>a) provide and demonstrate to the principal contractor a suitable and sufficiently documented health and safety plan, based on the relevant sections of the client's health and safety specification contemplated in regulation 5(1)(b) and provided by the principal contractor in terms of subregulation (1)(a), which plan must be applied from the date of commencement of and for the duration of the construction work and which must be reviewed and updated by the contractor as work progresses;</p> <p>b) open and keep on site a health and safety file, which must include all documentation required in terms of the Act and these Regulations, and which must be made available on request to an inspector, the client, the client's agent or the principal contractor;</p> <p>c) before appointing another contractor to perform construction work be reasonably satisfied that the contractor that he or she intends to appoint has the necessary competencies and resources to perform the construction work safely;</p> <p>d) co-operate with the principal contractor as far as is necessary to enable each of them to comply with the provisions of the Act; and</p> <p>e) as far as is reasonably practicable, promptly provide the principal contractor with any information which might affect the health and safety of any person at work carrying out construction work on the site, any person who might be</p>	
---	---	--

and sufficiently documented health and safety plan, based on the relevant sections of the principal contractor's health and safety specification contemplated in regulation 5(3)(a) provided by the principal contractor, which plan shall be applied from the date of commencement of and for the duration of the construction work.

(5) A principal contractor shall discuss and negotiate with the contractor the contents of the health and safety plan contemplated in subregulation (4), and shall finally approve that plan for implementation.

(6) A principal contractor shall ensure that a copy of his or her health and safety plan contemplated in subregulation (1), as well as the contractor's health and safety plan contemplated in subregulation (4), is available on request to an employee, inspector, contractor, client or client's agent.

(7) Every contractor shall ensure that a health and safety file, which shall include all documentation required in terms of the provisions of the Act and these Regulations, is opened and kept on site and made available to an inspector, client, client's agent or principal contractor upon request.

(8) A principal contractor shall hand over a consolidated health and safety file to the client upon completion of the construction work and shall, in addition to the documentation referred to in subregulation (7), include a record of all drawings, designs, materials used and other similar information concerning the completed structure.

(9) A principal contractor shall ensure that in addition to the documentation required in the health and safety file as determined in subregulations (7) and (8), a comprehensive and updated list of all the contractors on site accountable to the principal contractor, the agreements between the parties and the type of

affected by the work of such a person at work, or which might justify a review of the health and safety plan.

(3) Where a contractor appoints another contractor to perform construction work, the duties determined in subregulation (1)(b) to (g) that apply to the principal contractor apply to the contractor as if he or she were the principal contractor.

(4) A contractor must take reasonable steps to ensure co-operation between all contractors appointed by the principal contractor to enable each of those contractors to comply with these Regulations.

(5) No contractor may allow or permit any employee or person to enter any site, unless that employee or person has undergone health and safety induction training pertaining to the hazards prevalent on the site at the time of entry.

(6) A contractor must ensure that all visitors to a construction site undergo health and safety induction pertaining to the hazards prevalent on the site and must ensure that such visitors have the necessary personal protective equipment.

(7) A contractor must at all times keep on his or her construction site records of the health and safety induction training contemplated in subregulation (6) and such records must be made available on request to an inspector, the client, the client's agent or the principal contractor;

(8) A contractor must ensure that all his or her employees have a valid medical certificate of fitness specific to the construction work to be performed and issued by an occupational health practitioner in the form of Annexure 3.

<p>work being done is included and available.</p> <p>(10) No principal contractor shall appoint a contractor to perform construction work unless the principal contractor is reasonably satisfied that the contractor he or she intends to appoint, has the necessary competencies and resources to perform the construction work safely.</p> <p>(11) Where a contractor appoints another contractor to perform construction work, the responsibilities as determined in subregulations (2) to (6) that apply to the principal contractor shall apply to the contractor as if he or she were the principal contractor.</p> <p>(12) No contractor shall appoint another contractor to perform construction work unless he or she is reasonably satisfied that the contractor he or she intends to appoint, has the necessary competencies and resources to perform the construction work safely.</p> <p>(13) Contractors shall co-operate with the principal contractor as far as is necessary to enable each of them to comply with the provisions of the Act.</p> <p>(14) Every contractor shall as far as is reasonably practicable, promptly provide the principal contractor with any information which might affect the health and safety of any person at work carrying out construction work or any person who might be affected by the work of such a person at work or which might justify a review of the health and safety plan.</p>		
<p><b>6. Supervision of construction work</b></p>	<p><b>8. Management and supervision of construction work</b></p>	
<p>(1) Every contractor shall appoint a full-time competent employee designated in writing as the construction supervisor, with the duty of supervising the performance of the construction work.</p> <p>(2) The contractor may in writing appoint one or</p>	<p>(1) A principal contractor must in writing appoint one full-time competent person as the construction manager with the duty of managing all the construction work on a single site, including the duty of ensuring occupational health and safety compliance, and in the absence of the construction manager an alternate must be appointed by the principal contractor.</p> <p>(2) A principal contractor must upon having considered the size of the project, in writing appoint one or more assistant construction managers for different sections</p>	



more competent employees to assist the appointed construction supervisor contemplated in subregulation (1), and every such employee shall, to the extent clearly defined by the contractor in the letter of designation, have the same duties as the construction supervisor: Provided that the designation of any such employee shall not relieve the construction supervisor contemplated in subregulation (1) of any personal accountability for failing in his supervisory duties referred to in terms of this regulation.

(3) Where the contractor has not appointed an employee as referred to subregulation (2), or, in the opinion of an inspector, not a sufficient number of such employees, that inspector may require the employer to appoint the number of employees indicated by the inspector, and the provisions of subregulation (2) shall apply in respect of those employees as if they had in the first instance been appointed under subregulation (2).

(4) No construction supervisor appointed in terms of subregulation (1) shall supervise any construction work on or in any construction site other than the site in respect of which he or she has been appointed: Provided that a sufficient number of competent employees have been appropriately designated under subregulation (2) on all the construction sites, the appointed construction supervisor may supervise more than one site.

(5) If, however, the construction supervisor appointed in terms of subregulation (1) for more than one construction site will not, in the opinion of an inspector, be able to supervise the works favourably, an inspector may require the contractor to appoint the required number of employees as contemplated in subregulation (2) to assist the appointed construction supervisor or instruct the contractor to appoint the construction supervisor who had been appointed in terms of subregulation (1) more appropriately.

(6) A contractor shall upon having considered the

thereof: Provided that the designation of any such person does not relieve the construction manager of any personal accountability for failing in his or her management duties in terms of this regulation.

(3) Where the construction manager has not appointed assistant construction managers as contemplated in subregulation (2), or, in the opinion of an inspector, a sufficient number of such assistant construction managers have not been appointed, that inspector must direct the construction manager in writing to appoint the number of assistant construction managers indicated by the inspector, and those assistant construction managers must be regarded as having been appointed under subregulation (2).

(4) No construction manager appointed under subregulation (1) may manage any construction work on or in any construction site other than the site in respect of which he or she has been appointed.

(5) A contractor must, after consultation with the client and having considered the size of the project, the degree of danger likely to be encountered or the accumulation of hazards or risks on the site, appoint a full-time or part-time construction health and safety officer in writing to assist in the control of all health and safety related aspects on the site: Provided that, where the question arises as to whether a construction health and safety officer is necessary, the decision of an inspector is decisive.

(6) No contractor may appoint a construction health and safety officer to assist in the control of health and safety related aspects on the site unless he or she is reasonably satisfied that the construction health and safety officer that he or she intends to appoint is registered with a statutory body approved by the Chief Inspector and has necessary competencies and resources to assist the contractor

(7) A construction manager must in writing appoint construction supervisors responsible for construction activities and ensuring occupational health and safety compliance on the construction site.

(8) A contractor must, upon having considered the size of the project, in writing appoint one or more competent employees for different sections thereof to assist the construction supervisor contemplated in subregulation (7), and every such employee has, to the extent clearly defined by the contractor in the letter of appointment, the same duties as the construction supervisor: Provided that the designation of any such employee does not relieve the construction supervisor of any personal accountability for failing in his or her supervisory duties in terms of this regulation.

(9) Where the contractor has not appointed an employee as contemplated in subregulation (8), or, in the opinion of an inspector, a sufficient number of such

<p>size of the project, the degree of dangers likely to be encountered or the accumulation of hazards or risks on the site, appoint a full-time or part-time construction safety officer in writing to assist in the control of all safety related aspects on the site: Provided that, where the question arises as to whether a construction safety officer is necessary, the decision of an inspector shall be decisive.</p> <p>(7) The appointed construction safety officer as contemplated in subregulation (6) shall as far as is reasonably practicable be utilised to give input at the early design stage and where not appointed at this stage, he or she shall be given the opportunity to input into the health and safety plan when wanting to do so, and a record of such shall be kept in the health and safety file contemplated in regulation 5(7).</p> <p>(8) No contractor shall appoint a construction safety officer to assist in the control of safety related aspects on the site unless he or she is reasonably satisfied that the construction safety officer he or she intends to appoint, has the necessary competencies and resources to assist the contractor.</p>	<p>employees have not been appointed, that inspector must instruct the employer to appoint the number of employees indicated by the inspector, and those employees must be regarded as having been appointed under subregulation (8).</p> <p>(10) No construction supervisor appointed under subregulation (7) may supervise any construction work on or in any construction site other than the site in respect of which he or she has been appointed: Provided that if a sufficient number of competent employees have been appropriately designated under subregulation (7) on all the relevant construction sites, the appointed construction supervisor may supervise more than one site.</p>	
<p><b>7. Risk Assessment</b></p>	<p><b>9. Risk Assessment for construction work</b></p>	
<p>(1) Every contractor performing construction work shall before the commencement of any construction work and during construction work, cause a risk assessment to be performed by a competent person appointed in writing and the risk assessment shall form part of the health and safety plan to be applied on the site and shall include at least—</p> <p>(a) the identification of the risks and hazards to which persons may be exposed to;</p> <p>(b) the analysis and evaluation of the risks and hazards identified;</p> <p>(c) a documented plan of safe work procedures</p>	<p>(1) A contractor must, before the commencement of any construction work and during such construction work, have risk assessments performed by a competent person appointed in writing, which risk assessments form part of the health and safety plan to be applied on the site, and must include—</p> <p>(a) the identification of the risks and hazards to which persons may be exposed to;</p> <p>(b) an analysis and evaluation of the risks and hazards identified based on a documented method;</p> <p>(c) a documented plan and applicable safe work procedures to mitigate, reduce or control the risks and hazards that have been identified;</p> <p>(d) a monitoring plan; and</p> <p>(e) a review plan.</p> <p>(2) A contractor must ensure that as far as is reasonably practicable, ergonomic related hazards are analyzed, evaluated and addressed in a risk assessment.</p>	

<p>to mitigate, reduce or control the risks and hazards that have been identified;</p> <p>(d) a monitoring plan; and</p> <p>(e) a review plan.</p> <p>(2) A contractor shall ensure that a copy of the risk assessment is available on site for inspection by an inspector, client, client's agent, contractor, employee, representative trade union, health and safety representative or any member of the health and safety committee.</p> <p>(3) Every contractor shall consult with the health and safety committee or, if no health and safety committee exists, with a representative group of employees, on the development, monitoring and review of the risk assessment.</p> <p>(4) A contractor shall ensure that all employees under the his or her control are informed, instructed and trained by a competent person regarding any hazard and the related work procedures before any work commences, and thereafter at such times as may be determined in the risk assessment.</p> <p>(5) A principal contractor shall ensure that all contractors are informed regarding any hazard as stipulated in the risk assessment before any work commences, and thereafter at such times as may be determined in the risk assessment.</p> <p>(6) A contractor shall ensure that as far as is reasonably practicable, ergonomic related hazards are analysed, evaluated and addressed in the risk assessment.</p> <p>(7) Notwithstanding the requirements laid down in subregulation (4), no contractor shall allow or permit any employee to enter any site, unless such person has undergone health and safety induction training pertaining to the hazards prevalent on the site at the time of entry.</p>	<p>(3) A contractor must ensure that all employees under his or her control are informed, instructed and trained by a competent person regarding any hazard and the related work procedures and or control measures before any work commences, and thereafter at the times determined in the risk assessment monitoring and review plan of the relevant site.</p> <p>(4) A principal contractor must ensure that all contractors are informed regarding any hazard that is stipulated in the risk assessment before any work commences, and thereafter at the times that may be determined in the risk assessment monitoring and review plan of the relevant site.</p> <p>(5) A contractor must consult with the health and safety committee or, if no health and safety committee exists, with a representative trade union or representative group of employees, on the monitoring and review of the risk assessments of the relevant site.</p> <p>(6) A contractor must ensure that copies of the risk assessments of the relevant site are available on site for inspection by an inspector, the client, the client's agent, any contractor, any employee, a representative trade union, a health and safety representative or any member of the health and safety committee.</p> <p>(7) A contractor must review the relevant risk assessment—</p> <ul style="list-style-type: none"> <li>(a) where changes are effected to the design and or construction that result in a change to the risk profile; or</li> <li>(b) when an incident has occurred.</li> </ul>	
--	--	--

<p>(8) A contractor shall ensure that all visitors to a construction site undergoes health and safety instruction pertaining to the hazards prevalent on the site and shall be provided with the necessary personal protective equipment: Provided that where visits are made only to the site office which is not in direct contact with the construction work activities, those health and safety instructions and the provision of personal protective equipment may not apply.</p> <p>(9) Every employee on site shall-</p> <p>(a) be in possession of proof of the health and safety induction training as determined in subregulation (7), issued by a competent person of the contractor prior to the commencement of construction work; and</p> <p>(c) carry the proof contemplated in paragraph (a) for the duration of that project or for the period that the employee will be on the construction site.</p>		
<b>8. Fall Protection</b>	<b>10. Fall Protection</b>	
<p>(1) A contractor shall cause—</p> <p>(a) the designation of a competent person, responsible for the preparation of a fall protection plan;</p> <p>(b) the fall protection plan contemplated in (a) to be implemented, amended where and when necessary and maintained as required;</p> <p>(c) steps to be taken in order to ensure the continued adherence to the fall protection plan.</p>	<p>(1) A contractor must—</p> <p>(a) designate a competent person to be responsible for the preparation of a fall protection plan;</p> <p>(b) ensure that the fall protection plan contemplated in paragraph (a) is implemented, amended where and when necessary and maintained as required; and</p> <p>(c) take steps to ensure continued adherence to the fall protection plan.</p> <p>(2) A fall protection plan contemplated in subregulation (1), must include—</p> <p>(a) a risk assessment of all work carried out from a fall risk position and the procedures and methods used to address all the risks identified per location;</p> <p>(b) the processes for the evaluation of the employees' medical fitness necessary to work at a fall risk position and the records thereof;</p> <p>(c) a programme for the training of employees working from a fall risk position and the records thereof;</p>	

<p>(2) The fall protection plan contemplated in subregulation (1), shall include—</p> <p>(a) a risk assessment of all work carried out from an elevated position which shall include the procedures and methods used to address all the risks identified per location;</p> <p>(b) the processes for evaluation of the employees physical and psychological fitness necessary to work at elevated positions and the records thereof;</p> <p>(c) the programme for the training of employees working from elevated positions and records thereof; and</p> <p>(d) the procedure addressing the inspection, testing and maintenance of all fall protection equipment.</p> <p>(3) A contractor shall ensure that the construction supervisor appointed in terms of regulation 6(1), is in possession of the most recently updated version of the fall protection plan.</p> <p>(4) Notwithstanding the provisions of subregulations (1) and (2), the contractor shall ensure that—</p> <p>(a) all unprotected openings in floors, edges, slabs, hatchways and stairways are adequately guarded, fenced or barricaded or that similar means are used to safeguard any person from falling through such openings;</p> <p>(b) no person works in an elevated position, unless such work is performed safely as if working from a scaffold or ladder;</p> <p>(c) notices are conspicuously placed at all openings where the possibility exists that a person might fall through such openings;</p>	<p>(d) the procedure addressing the inspection, testing and maintenance of all fall protection equipment; and</p> <p>(e) a rescue plan detailing the necessary procedure, personnel and suitable equipment required to affect a rescue of a person in the event of a fall incident to ensure that the rescue procedure is implemented immediately following the incident.</p> <p>(3) A contractor must ensure that a construction manager appointed under regulation 8(1) is in possession of the most recently updated version of the fall protection plan.</p> <p>(4) A contractor must ensure that—</p> <p>(a) all unprotected openings in floors, edges, slabs, hatchways and stairways are adequately guarded, fenced or barricaded or that similar means are used to safeguard any person from falling through such openings;</p> <p>(b) no person is required to work in a fall risk position, unless such work is performed safely as contemplated in subregulation (2);</p> <p>(c) fall prevention and fall arrest equipment are—</p> <p>(i) approved as suitable and of sufficient strength for the purpose for which they are being used, having regard to the work being carried out and the load, including any person, they are intended to bear; and</p> <p>(ii) securely attached to a structure or plant, and the structure or plant and the means of attachment thereto are suitable and of sufficient strength and stability for the purpose of safely supporting the equipment and any person who could fall; and</p> <p>(d) fall arrest equipment is used only where it is not reasonably practicable to use fall prevention equipment.</p> <p>(5) Where roof work is being performed on a construction site, the contractor must ensure that, in addition to the requirements set out in subregulations (2) and (4), it is indicated in the fall protection plan that—</p> <p>(a) the roof work has been properly planned;</p> <p>(b) the roof erectors are competent to carry out the work;</p> <p>(c) no employee is permitted to work on roofs during inclement weather conditions or if any conditions are hazardous to the health and safety of the employee;</p> <p>(d) all covers to openings and fragile material are of sufficient strength to withstand any imposed loads;</p> <p>(e) suitable and sufficient platforms, coverings or other similar means of support have been provided to be used in such a way that the weight of any person passing across or working on or from fragile material is supported; and</p>	
--	--	--

<p>(d) fall prevention and fall arrest equipment is—</p> <ul style="list-style-type: none"> <li>(i) suitable and of sufficient strength for the purpose or purposes for which it is being used having regard to the work being carried out and the load, including any person, it is intended to bear; and</li> <li>(ii) securely attached to a structure or plant and the structure or plant and the means of attachment thereto is suitable and of sufficient strength and stability for the purpose of safely supporting the equipment and any person who is liable to fall;</li> </ul> <p>e) fall arrest equipment shall only be used where it is not reasonably practicable to use fall prevention equipment; and</p> <p>(f) suitable and sufficient steps shall be taken to ensure, as far as is reasonably practicable, that in the event of a fall by any person, the fall arrest equipment or the surrounding environment does not cause injury to the person.</p> <p>(5) Where roof work is being performed on a construction site, the contractor shall ensure that in addition to the requirements set out in subregulations (2) and (4), it is furthermore indicated in the fall protection plan—</p> <ul style="list-style-type: none"> <li>(a) that the roof work has been properly planned;</li> <li>(b) that the roof erectors are competent to carry out the work;</li> <li>(c) that no employees are permitted to work on roofs during inclement weather conditions or if weather conditions are a</li> </ul>	<p>(f) suitable and sufficient guard-rails, barriers and toe-boards or other similar means of protection prevent, as far as is reasonably practicable, the fall of any person, material or equipment.</p>	
--	---	--

<p>hazard to the health and safety of the employees;</p> <p>(d) that prominent warning notices are to be placed where all covers to openings are not of sufficient strength to withstand any imposed loads and where fragile material exists;</p> <p>(e) that the areas mentioned in paragraph (d) are to be barricaded off to prevent persons from entering;</p> <p>(f) that suitable and sufficient platforms, coverings or other similar means of support have been provided to be used in such a way that the weight of any person passing across or working on or from fragile material is supported; and</p> <p>(g) that there is suitable and sufficient guard-rails or barriers and toe-boards or other similar means of protection to prevent, so far as is reasonably practicable, the fall of any person, material or equipment.</p>		
<p><b>9. Structures</b></p>	<p><b>11. Structures</b></p>	
<p>(1) A contractor shall ensure that—</p> <p>(a) all reasonably practicable steps are taken to prevent the uncontrolled collapse of any new or existing structure or any part thereof, which may become unstable or is in a temporary state of weakness or instability due to the carrying out of construction work; and</p> <p>(b) no structure or part of a structure is loaded in a manner which would render it unsafe.</p> <p>(2) The designer of a structure shall—</p> <p>a) before the contract is put out to tender, make available to the client all relevant information about the design of the relevant structure that may affect the pricing of the construction work;</p> <p>b) inform the contractor in writing of any known or anticipated dangers or hazards relating to the construction work, and make available all relevant information</p>	<p>(1) A contractor must ensure that—</p> <p>(a) all reasonably practicable steps are taken to prevent the uncontrolled collapse of any new or existing structure or any part thereof, which may become unstable or is in a temporary state of weakness or instability due to the carrying out of construction work;</p> <p>(b) no structure or part of a structure is loaded in a manner which would render it unsafe; and</p> <p>(c) all drawings pertaining to the design of the relevant structure are kept on site and are available on request to an inspector, other contractors, the client and the client's agent or employee.</p> <p>(2) An owner of a structure must ensure that—</p> <p>(a) inspections of that structure are carried out periodically by competent persons in order to render the structure safe for continued use;</p> <p>(b) that the inspections contemplated in paragraph (a) are carried out at least once every six months for the first two years and thereafter yearly;</p> <p>(c) the structure is maintained in such a manner that it remains safe for continued use;</p> <p>(d) the records of inspections and maintenance are kept and made available on request to an inspector.</p>	

- required for the safe execution of the work upon being designed or when the design is subsequently altered;
- c) subject to the provisions of paragraph (a) and (b) ensure that the following information is included in a report and made available to the contractor—
    - (i) a geo-science technical report where appropriate;
    - (ii) the loading the structure is designed to withstand; and
    - (iii) the methods and sequence of construction.
  
  - d) not include anything in the design of the structure necessitating the use of dangerous procedures or materials hazardous to the health and safety of persons, which could be avoided by modifying the design or by substituting materials;
  
  - (e) take into account the hazards relating to any subsequent maintenance of the relevant structure and should make provision in the design for that work to be performed to minimise the risk;
  
  - (f) carry out sufficient inspections at appropriate times of the construction work involving the design of the relevant structure in order to ensure compliance with the design and a record of those inspections is to be kept on site;
  
  - (g) stop any contractor from executing any construction work which is not in accordance with the relevant design;
  
  - h) conduct a final inspection of the completed structure prior to its commissioning in order to render it safe for use and issue a completion certificate to the contractor; and



<p>i) ensure that when preparing the design, cognisance is taken of ergonomic design principles in order to minimise ergonomic related hazards in all phases of the life cycle of a structure.</p> <p>(3) A contractor shall ensure that all drawings pertaining to the design of the relevant structure are kept on site and are available on request by an inspector, contractors, client, client's agent or employee.</p> <p>(4) Any owner of a structure shall ensure that inspections of that structure upon completion are carried out periodically by competent persons in order to render the structure safe for continued use: Provided that the inspections are carried out at least once every six months for the first two years and thereafter yearly and records of such inspections are kept and made available to an inspector upon request.</p> <p>(5) Any owner of a structure shall ensure that the structure upon completion is maintained in such a manner that the structure remains safe for continued use and such maintenance records shall be kept and made available to an inspector upon request.</p>		
<p><b>10 Form work and support work</b></p>	<p><b>12 Temporary Works</b></p>	<p>A change from 'form work and support work' to 'Temporary Works.'</p>
<p>A contractor shall ensure that—</p> <p>(a) all formwork and support work operations are carried out under the supervision of a competent person who has been appointed in writing for that purpose;</p> <p>(b) all formwork and support work structures are adequately designed, erected, supported, braced and maintained so that they will be capable of supporting all anticipated vertical and lateral loads that may be applied to them and also that no loads are imposed onto the structure that the structure is not designed to</p>	<p>(1) A contractor must appoint a temporary works designer in writing to design, inspect and approve the erected temporary works on site before use.</p> <p>(2) A contractor must ensure that all temporary works operations are carried out under the supervision of a competent person who has been appointed in writing for that purpose.</p> <p>(3) A contractor must ensure that—</p> <p>(a) all temporary works structures are adequately erected, supported, braced and maintained by a competent person so that they are capable of supporting all anticipated vertical and lateral loads that may be applied to them, and that no loads are imposed onto the structure that the structure is not designed to withstand;</p> <p>(b) all temporary works structures are done with close reference to the structural design drawings, and where any uncertainty exists the</p>	

<p>withstand;</p> <p>(c) the designs of formwork and support work structures are done upon close reference to the structural design drawings and where any uncertainty exists, the structural designer should be consulted;</p> <p>(d) all drawings pertaining to the design of formwork or support work structures are kept on the site and are available on request by an inspector, contractor, client, client's agent or employee;</p> <p>(e) all equipment used in the formwork or support work structure are carefully examined and checked for suitability by a competent person, before being used;</p> <p>(f) all formwork and support work structures are inspected by a competent person immediately before, during and after the placement of concrete or any other imposed load and thereafter on a daily basis until the formwork and support work structure has been removed and the results have been recorded in a register and made available on site;</p> <p>(g) if, after erection, any formwork and support work structure is found to be damaged or weakened to such a degree that its integrity is affected, it shall be safely removed or reinforced immediately;</p> <p>(h) adequate precautionary measures are taken in order to—</p> <p>(i) secure any deck panels against displacement; and</p> <p>(ii) prevent any person from slipping on support work or formwork due to</p>	<p>structural designer should be consulted;</p> <p>(c) detailed activity specific drawings pertaining to the design of temporary works structures are kept on the site and are available on request to an inspector, other contractors, the client, the client's agent or any employee;</p> <p>(d) all persons required to erect, move or dismantle temporary works structures are provided with adequate training and instruction to perform those operations safely;</p> <p>(e) all equipment used in temporary works structure are carefully examined and checked for suitability by a competent person, before being used;</p> <p>(f) all temporary works structures are inspected by a competent person immediately before, during and after the placement of concrete, after inclement weather or any other imposed load and at least on a daily basis until the temporary works structure has been removed and the results have been recorded in a register and made available on site;</p> <p>(g) no person may cast concrete, until authorization in writing has been given by the competent person contemplated in paragraph (a);</p> <p>(h) if, after erection, any temporary works structure is found to be damaged or weakened to such a degree that its integrity is affected, it is safely removed or reinforced immediately;</p> <p>(i) adequate precautionary measures are taken in order to—</p> <p>(i) secure any deck panels against displacement; and</p> <p>(ii) prevent any person from slipping on temporary works due to the application of release agents;</p> <p>(j) as far as is reasonably practicable, the health of any person is not affected through the use of solvents or oils or any other similar substances;</p> <p>(k) upon casting concrete, the temporary works structure is left in place until the concrete has acquired sufficient strength to safely support its own weight and any imposed load, and is not removed until authorization in writing has been given by the competent person contemplated in paragraph (a);</p> <p>(l) the foundation conditions are suitable to withstand the loads caused by the temporary works structure and any imposed load in accordance with the temporary works design.</p> <p>(m) provision is made for safe access by means of secured ladders or staircases for all work to be carried out above the foundation bearing level;</p> <p>(n) a temporary works drawing or any other relevant document includes construction sequences and methods statements;</p> <p>(o) the temporary works designer has been issued with the latest revision of any relevant structural design drawing;</p> <p>(p) a temporary works design and drawing is used only for its intended purpose and for a specific portion of a construction site; and</p> <p>(q) the temporary works drawings are approved by the temporary works designer before the erection of any temporary works.</p>	
---	---	--

<p>the application of formwork or support work release agents;</p> <p>(i) as far as is reasonably practicable, the health of any person is not affected through the use of solvents or oils or any other similar substances;</p> <p>(j) upon casting concrete, the support work or formwork structure should be left in place until the concrete has acquired sufficient strength to support safely, not only its own weight, but also any imposed loads and not removed until authorisation has been given by the competent person contemplated in paragraph (a);</p> <p>(k) provision is made for safe access by means of secured ladders or staircases for all work to be carried out above the foundation bearing level;</p> <p>(l) all employees required to erect, move or dismantle formwork and support work structures are provided with adequate training and instruction to perform these operations safely; and</p> <p>(m) the foundation conditions are suitable to withstand the weight caused by the formwork and support work structure and any imposed loads such that the formwork and support work structure is stable.</p>	<p>(4) No contractor may use a temporary works design and drawing for any work other than its intended purpose.</p>	
<p><b>11. Excavation Work</b></p>	<p><b>13. Excavation</b></p>	
<p>1) A contractor shall ensure that all excavation work is carried out under the supervision of a competent person who has been appointed in writing.</p> <p>(2) A contractor shall evaluate, as far as is reasonably practicable, the stability of the ground before excavation work begins.</p>	<p>(1) A contractor must—</p> <p>(a) ensure that all excavation work is carried out under the supervision of a competent person who has been appointed in writing for that purpose; and</p> <p>(b) evaluate, as far as is reasonably practicable, the stability of the ground before excavation work begins.</p> <p>(2) A contractor who performs excavation work—</p> <p>(a) must take reasonable and sufficient steps in order to prevent, as far</p>	

(3) Every contractor who performs excavation work shall—

(a) take suitable and sufficient steps in order to prevent, as far as is reasonably practicable, any person from being buried or trapped by a fall or dislodgement of material in an excavation;

(b) not require or permit any person to work in an excavation which has not been adequately shored or braced: Provided that shoring and bracing may not be necessary where—

(i) the sides of the excavation are sloped to at least the maximum angle of repose measured relative to the horizontal plane; or

(ii) such an excavation is in stable material: Provided that—

(aa) permission being given in writing by the appointed competent person contemplated in subregulation (1) upon evaluation by him or her of the site conditions; and

(bb) where any uncertainty pertaining to the stability of the soil still exists, the decision from a professional engineer or a professional technologist competent in excavations shall be decisive and such a decision shall be noted in writing and signed by both the competent person contemplated in subregulation (1) and the professional engineer or technologist, as the case may be;

(c) take steps to ensure that the shoring or bracing contemplated in paragraph (b) is designed and constructed in such a manner

as is reasonably practicable, any person from being buried or trapped by a fall or dislodgement of material in an excavation; may not require or permit any person to work in an excavation which has not been adequately shored or braced: Provided that shoring and bracing may not be necessary where—

(b)

(i) the sides of the excavation are sloped to at least the maximum angle of repose measured relative to the horizontal plane; or

(ii) such an excavation is in stable material: Provided that—  
(aa) permission has been given in writing by the appointed competent person contemplated in subregulation (1) upon evaluation by him or her of the site conditions; and

(bb) where any uncertainty pertaining to the stability of the soil still exists, the decision from a professional engineer or a professional technologist competent in excavations is decisive and such a decision must be noted in writing and signed by both the competent person contemplated in subregulation (1) and the professional engineer or technologist, as the case may be;

(c) must take steps to ensure that the shoring or bracing contemplated in paragraph (b) is designed and constructed in a manner that renders it strong enough to support the sides of the excavation in question;

(d) must ensure that no load, material, plant or equipment is placed or moved near the edge of any excavation where it may cause its collapse and consequently endangers the safety of any person, unless precautions such as the provision of sufficient and suitable shoring or bracing are taken to prevent the sides from collapsing;

(e) must ensure that where the stability of an adjoining building, structure or road is likely to be affected by the making of an excavation, steps are taken to ensure the stability of such building, structure or road and the safety of persons;

(f) must cause convenient and safe means of access to be provided to every excavation in which persons are required to work, and such access may not be further than six meters from the point where any worker within the excavation is working;

(g) must ascertain, as far as is reasonably practicable, the location and nature of electricity, water, gas or other similar services which may in any way be affected by the work to be performed, and must before the commencement of excavation work that may affect any such service, take the steps that are necessary to render the circumstances safe for all persons involved;

<p>rendering it strong enough to support the sides of the excavation in question;</p> <p>(d) ensure that no load, material, plant or equipment is placed or moved near the edge of any excavation where it is likely to cause its collapse and thereby endangering the safety of, any person, unless precautions such as the provision of sufficient and suitable shoring or bracing are taken to prevent the sides from collapsing;</p> <p>(e) ensure that where the stability of an adjoining building, structure or road is likely to be affected by the making of an excavation, the steps are taken that may be necessary to ensure the stability of such building, structure or road and the safety of persons;</p> <p>(f) cause convenient and safe means of access to be provided to every excavation in which persons are required to work and such access shall not be further than 6m from the point where any worker within the excavation is working;</p> <p>(g) ascertain as far as is reasonably practicable the location and nature of electricity, water, gas or other similar services which may in any way be affected by the work to be performed, and shall before the commencement of excavation work that may affect any such service, take the steps that may be necessary to render the circumstances safe for all persons involved;</p> <p>(h) cause every excavation, including all bracing and shoring, to be inspected—</p> <p>(i) daily, prior to each shift;</p> <p>(ii) after every blasting operation;</p> <p>(iii) after an unexpected fall of ground;</p> <p>(iv) after substantial damage to supports; and</p>	<p>(h) must ensure that every excavation, including all bracing and shoring, is inspected—</p> <p>(i) daily, prior to the commencement of each shift;</p> <p>(ii) after every blasting operation;</p> <p>(iii) after an unexpected fall of ground;</p> <p>(iv) after damage to supports; and</p> <p>(v) after rain,</p> <p>by the competent person contemplated in subregulation (1), in order to ensure the safety of the excavation and of persons, and those results must be recorded in a register kept on site and made available on request to an inspector, the client, the client's agent, any other contractor or any employee;</p> <p>(i) must cause every excavation which is accessible to the public or which is adjacent to public roads or thoroughfares, or whereby the safety of persons may be endangered, to be—</p> <p>(i) adequately protected by a barrier or fence of at least one metre in height and as close to the excavation as is practicable; and</p> <p>(ii) provided with warning illuminants or any other clearly visible boundary indicators at night or when visibility is poor,</p> <p>or have resort to any other suitable and sufficient precautionary measure where subparagraphs (i) and (ii) are not practicable;</p> <p>(j) must ensure that all precautionary measures stipulated for confined spaces as determined in the General Safety Regulations, 2003, are complied with by any person entering any excavation;</p> <p>(k) must, where the excavation work involves the use of explosives, appoint a competent person in the use of explosives for excavation, and must ensure that a method statement is developed by that person in accordance with the applicable explosives legislation; and</p> <p>(l) must cause warning signs to be positioned next to an excavation within which or where persons are working or carrying out inspections or tests.</p>	
--	--	--

<p>(v) after rain,</p> <p>by the competent person contemplated in subregulation (1), in order to pronounce the safety of the excavation to ensure the safety of persons, and those results are to be recorded in a register kept on site and made available to an inspector, client, client's agent, contractor or employee upon request;</p> <p>(i) cause every excavation which is accessible to the public or which is adjacent to public roads or thoroughfares, or whereby the safety of persons may be endangered, to be—</p> <p>(i) adequately protected by a barrier or fence of at least one metre in height and as close to the excavation as is practicable; and</p> <p>(ii) provided with warning illuminants or any other clearly visible boundary indicators at night or when visibility is poor;</p> <p>(j) ensure that all precautionary measures as stipulated for confined spaces as determined in the General Safety Regulations promulgated by Government Notice No.R.1031 of 30 May 1986, as amended, are complied with when entering any excavation;</p> <p>(k) ensure that, where the excavation work involves the use of explosives, a method statement is developed in accordance with the applicable explosives legislation, by an appointed person who is competent in the use of explosives for excavation work and that the procedures therein are followed; and</p> <p>(l) cause warning signs to be positioned next to an excavation within which persons are working or carrying out inspections or tests.</p>		
<p><b>12. Demolition work</b></p>	<p><b>14. Demolition Work</b></p>	
<p>(1) A contractor shall appoint a competent person in writing to supervise and control all demolition</p>	<p>(1) A contractor must appoint a competent person in writing to supervise and control all demolition work on site.</p>	

work on site.

(2) A contractor shall ensure that prior to any demolition work being carried out, and in order also to ascertain the method of demolition to be used, a detailed structural engineering survey of the structure to be demolished is carried out by a competent person and that a method statement on the procedure to be followed in demolishing the structure is developed.

(3) During the demolition, a competent person shall check the structural integrity of the structure at intervals determined in the method statement contemplated in subregulation (2), in order to avoid any premature collapses.

(4) Every contractor who performs demolition work shall—

- (a) with regard to a structure being demolished, take steps to ensure that—
  - (i) no floor, roof or other part of the structure is overloaded with debris or material in a manner which would render it unsafe;
  - (ii) all reasonably practicable precautions are taken to avoid the danger of the structure collapsing when any part of the framing of a framed or partly framed building is removed, or when reinforced concrete is cut; and
  - (iii) precautions are taken in the form of adequate shoring or such other means as may be necessary to prevent the accidental collapse of any part of the structure or adjoining structure;
- (b) not require or permit any person to work under unsupported overhanging material, which has not been adequately supported, shored or braced;
- (c) take steps to ensure that any support, shoring or bracing contemplated in paragraph (b), is designed and constructed

(2) A contractor must ensure that before any demolition work is carried out, and in order to ascertain the method of demolition to be used, a detailed structural engineering survey of the structure to be demolished is carried out by a competent person and that a method statement on the procedure to be followed in demolishing the structure is developed by that person.

(3) During a demolition, the competent person contemplated in subregulation (1) must check the structural integrity of the structure at intervals determined in the method statement contemplated in subregulation (2), in order to avoid any premature collapses.

(4) A contractor who performs demolition work must—

- (a) with regard to a structure being demolished, take steps to ensure that—
  - (i) no floor, roof or other part of the structure is overloaded with debris or material in a manner which would render it unsafe;
  - (ii) all reasonably practicable precautions are taken to avoid the danger of the structure collapsing when any part of the framing of a framed or partly framed building is removed, or when reinforced concrete is cut; and
  - (iii) precautions are taken in the form of adequate shoring or other means that may be necessary to prevent the accidental collapse of any part of the structure or adjoining structure;
- (b) ensure that no person works under overhanging material or a structure which has not been adequately supported, shored or braced;
- (c) ensure that any support, shoring or bracing contemplated in paragraph (b), is designed and constructed so that it is strong enough to support the overhanging material;
- (d) where the stability of an adjoining building, structure or road is likely to be affected by demolition work on a structure, take steps to ensure the stability of such structure or road and the safety of persons;
- (e) ascertain as far as is reasonably practicable the location and nature of electricity, water, gas or other similar services which may in any way be affected by the work to be performed, and must before the commencement of demolition work that may affect any such service, take the steps that are necessary to render circumstances safe for all persons involved;
- (f) cause every stairwell used and every floor where work is being performed in a building being demolished, to be adequately illuminated by either natural or artificial means;
- (g) cause convenient and safe means of access to be provided to every part of the demolition site in which persons are required to work; and
- (h) erect a catch platform or net above an entrance or passageway or above a place where persons work or pass under, or fence off the

<p>so that it is strong enough to support the overhanging material;</p> <p>(d) where the stability of an adjoining building, structure or road is likely to be affected by demolition work on a structure, take such steps as may be necessary to ensure the stability of such structure or road and the safety of persons;</p> <p>(e) ascertain as far as is reasonably practicable the location and nature of electricity, water, gas or other similar services which may in anyway, be affected by the work to be performed, and shall before the commencement of demolition work that may affect any such service, take the steps that may be necessary to render circumstances safe for all persons involved;</p> <p>(f) cause every stairwell used and every floor where work is being performed in a building being demolished, to be adequately illuminated by either natural or artificial means;</p> <p>(g) cause convenient and safe means of access to be provided to every part of the demolition site in which persons are required to work; and</p> <p>(h) erect a catch platform or net above an entrance or passageway or above a place where persons work or pass under, or fence off the danger area if work is being performed above such entrance, passageway, or place so as to ensure that all persons are kept safe where there is a danger or possibility of persons being struck by falling objects.</p> <p>(5) A contractor shall ensure that no material is dropped to any point, which falls outside the exterior walls of the structure, unless the area is effectively protected.</p> <p>(6) Waste and debris shall not be disposed from a high place by a chute unless the chute—</p> <p>(a) is adequately constructed and rigidly fastened;</p>	<p>danger area if work is being performed above such entrance, passageway, or place so as to ensure that all persons are kept safe where there is a danger or possibility of persons being struck by falling objects.</p> <p>(5) A contractor must ensure that no material is dropped to any point, which falls outside the exterior walls of the structure, unless the area is effectively protected.</p> <p>(6) No person may dispose of waste and debris from a high place by a chute unless the chute—</p> <p>(a) is adequately constructed and rigidly fastened;</p> <p>(b) if inclined at an angle of more than 45 degrees to the horizontal, is enclosed on its four sides;</p> <p>(c) if of the open type, is inclined at an angle of less than 45 degrees to the horizontal;</p> <p>(d) where necessary, is fitted with a gate at the bottom end to control the flow of material; and</p> <p>(e) discharges into a container or an enclosed area surrounded by barriers.</p> <p>(7) A contractor must ensure that every chute used to dispose of rubble is designed in such a manner that rubble does not free-fall and that the chute is strong enough to withstand the force of the debris travelling along the chute.</p> <p>(8) A contractor must ensure that no equipment is used on floors or working surfaces, unless such floors or surfaces are of sufficient strength to support the imposed loads.</p> <p>(9) Where a risk assessment indicates the presence of asbestos, a contractor must ensure that all asbestos related work is conducted in accordance with the Asbestos Regulations, 2001, promulgated by Government Notice No. R. 155 of 10 February 2002.</p> <p>(10) Where a risk assessment indicates the presence of lead, a contractor must ensure that all lead related work is conducted in accordance with the Lead Regulations, 2001, promulgated by Government Notice No. R.236 of 28 February 2002.</p> <p>(11) Where the demolition work involves the use of explosives, a method statement must be developed in accordance with the applicable explosives legislation, by an appointed person who is competent in the use of explosives for demolition work and all persons involved in the demolition works must adhere to demolition procedures issued by the appointed person.</p>	
--	--	--



(b) if inclined at an angle of more than 45 degrees to the horizontal, is enclosed on its four sides;

(c) if of the open type, is inclined at an angle of less than 45 degrees to the horizontal;

(d) where necessary, is fitted with a gate at the bottom end to control the flow of material; and

(e) is discharged into a container or an enclosed area surrounded by barriers.

(7) A contractor shall ensure that every chute used to dispose of rubble is designed in such a manner that rubble does not free-fall and that the chute is strong enough to withstand the force of the debris travelling along the chute.

(8) A contractor shall ensure that equipment is not used on floors or working surfaces, unless such floors or surfaces are of sufficient strength to support the imposed loads.

(9) Where the risk assessment indicates the presence of asbestos, a contractor shall ensure that all asbestos related work is conducted in accordance with the provisions of the, Asbestos Regulations promulgated by Government Notice No.R.155 of 10 February 2002, as amended.

(10) Where the risk assessment indicates the presence of lead, a contractor shall ensure that all lead related work is conducted in accordance with the provisions of the, Lead Regulations promulgated by Government Notice No.R.236 of 28 February 2002, as amended.

(11) Where the demolition work involves the use of explosives, a method statement is to be developed in accordance with the applicable explosives legislation, by an appointed person who is competent in the use of explosives for demolition work and the procedures therein are adhered to.

(12) A contractor shall ensure that all waste and debris is as soon as reasonably practicable removed and disposed of from the site in accordance with the applicable legislation.

(12) A contractor must ensure that all waste and debris are as soon as reasonably practicable removed and disposed of from the site in accordance with the applicable legislation.

<b>13. Tunnelling</b>	<b>15. Tunnelling</b>	
<p>(1) Any contractor performing tunneling activities or works, shall comply with such requirements as published under the Mine Health and Safety Act, 1996 (Act No.29 of 1996), as amended.</p> <p>(2) Notwithstanding the provisions of subregulation (1), no person shall enter a tunnel, which has a height dimension less than 800mm.</p>	<p>No person may enter a tunnel, which has a height dimension of less than 800 millimetres.</p>	
<b>14. Scaffolding</b>	<b>16. Scaffolding</b>	
<p>(1) Every contractor using access scaffolding, shall ensure that such scaffolding, when used, complies with the safety standards incorporated for this purpose into these Regulations under section 44 of the Act.</p> <p>(2) A contractor shall ensure that all scaffolding work operations are carried out under the supervision of a competent person who has been appointed in writing and that all scaffold erectors, team leaders and inspectors are competent to carry out their work.</p>	<p>(1) A contractor must appoint a competent person in writing who must ensure that all scaffolding work operations are carried out under his or her supervision and that all scaffold erectors, team leaders and inspectors are competent to carry out their work.</p> <p>(2) A contractor using access scaffolding must ensure that such scaffolding, when in use, complies with the safety standards incorporated for this purpose into these Regulations under section 44 of the Act.</p>	
	<b>17. Suspended Platforms</b>	
	<p>(1) A contractor must appoint a competent person in writing who must ensure that all suspended platforms work operations are carried out under his or her supervision and that all suspended platform erectors, operators and inspectors are competent to carry out their work..</p> <p>(2) No contractor may use or permit the use of a suspended platform, unless—</p> <ul style="list-style-type: none"> <li>(a) the design, stability and construction thereof comply with the safety standards incorporated for this purpose into these Regulations under section 44 of the Act;</li> <li>(b) he or she is in possession of a certificate of system design issued by a professional engineer, certificated engineer or a professional technologist for the use of the suspended platform system; and</li> <li>(c) he or she is, before the commencement of the work, in possession of an operational compliance plan developed by a competent person based on the certificate of system design contemplated in subparagraph (b) and applicable to the environment in which the system is being used, which operational compliance plan must include proof of the— <ul style="list-style-type: none"> <li>(i) appointment of the competent person contemplated in subregulation (1);</li> </ul> </li> </ul>	

- (ii) competency of erectors, operators and inspectors;
- (iii) operational design calculations, which must comply with the requirements of the system design certificate;
- (iv) performance test results;
- (v) sketches indicating the completed system with the operational loading capacity of the platform;
- (vi) procedures for and records of inspections having been carried out; and
- (vii) procedures for and records of maintenance work having been carried out.

(3) A contractor making use of a suspended platform system must submit a copy of the certificate of system design contemplated in subregulation (2)(b), including a copy of the operational design calculations contemplated in subregulation 2(c)(iii), sketches and test results, to the provincial director before commencement of the use of the system and must further indicate the intended type of work that the system will be used for.

(4) A contractor must submit a copy of the certificate of system design in the manner contemplated in subregulation (3) for every new project.

(5) A contractor must ensure that the outriggers of each suspended platform—

- (a) are constructed of material of adequate strength and have a safety factor of at least four in relation to the load it is to carry; and
- (b) have suspension points provided with stop devices or other effective devices at the outer ends to prevent the displacement of ropes.

(6) A contractor must ensure that—

- (a) the parts of the building or structure on which the outriggers of a suspended platform are supported, are checked by means of calculations to ensure that the required safety factor is adhered to without risk of damage to the building or structure;
- (b) the suspension wire rope and the safety wire rope are separately connected to the outrigger;
- (c) each person on a suspended platform is provided with and wears a body harness as a fall prevention device, which must at all times be attached to the suspended platform;
- (d) the hand or power driven machinery to be used for the lifting or lowering of the working platform of a suspended platform is constructed and maintained in such a manner that an uncontrolled movement of the working platform cannot occur;
- (e) the machinery referred to in paragraph (d) is so situated that it is easily accessible for inspection;
- (f) the rope connections to the outriggers are vertically above the connections to the working platform; and

(g) when the working platform is suspended by two ropes only, the connections of the ropes to the working platform are of a height above the level of the working platform to ensure the stability of the working platform.

- (7) A contractor must ensure that a suspended platform—
- (a) is suspended as near as possible to the structure to which work is being done to prevent as far as is reasonably practicable horizontal movement away from the face of the structure;
  - (b) is fitted with anchorage points to which workers must attach the lanyard of the safety harness worn and used by the worker, and such anchorage connections must have sufficient strength to withstand any potential load applied to it; and
  - (c) is fitted with a conspicuous notice easily understandable by all workers working with the suspended platform, showing—
    - (i) the maximum mass load;
    - (ii) the maximum number of persons; and
    - (iii) the maximum total mass load, including load and persons, which the suspended platform can carry.

- (8) A contractor must cause—
- (a) the whole installation and all working parts of a suspended platform to be thoroughly examined by a competent person in accordance with the manufacturer's specification;
  - (b) the whole installation to be subjected to a performance test as determined by the standard to which the suspended platform was manufactured;
  - (c) the performance test contemplated in paragraph (b) to be done by a competent person appointed in writing, with the knowledge and experience of erection and maintenance of suspended platforms or similar machinery, and who must determine the serviceability of the structures, ropes, machinery and safety devices before they are used, every time suspended platforms are erected; and
  - (d) the performance test contemplated in paragraph (b) of the whole installation of the suspended platform to be subjected to a load equal to that prescribed by the manufacturer or, in the absence of such load, to a load of 110 per cent of the rated mass load, at intervals not exceeding 12 months and in such a manner that every part of the installation is stressed accordingly.

(9) A contractor must, in addition to subregulation (8), cause every hoisting rope, hook or other load-attaching device which forms part of the suspended platform to be thoroughly examined in accordance with the manufacturer's specification by the competent person contemplated in subregulation (8) before they are used every time they are assembled, and, in cases of continuous use, at intervals not exceeding

three months.

(10) A contractor must ensure that the suspended platform supervisor contemplated in subregulation (1), or the suspended platform inspector contemplated in subregulation (8)(c), carries out a daily inspection of all the equipment prior to use, including establishing whether—

- (a) all connection bolts are secure;
- (b) all safety devices are functioning;
- (c) all safety devices are not tampered with or vandalized;
- (d) the total maximum mass load of the platform is not exceeded;
- (e) the occupants in the suspended platform are using body harnesses which have been properly attached;
- (f) there are no visible signs of damage to the equipment; and
- (g) all reported operating problems have been attended to.

(11) A contractor must ensure that all inspection and performance test records are kept on the construction site at all times and made available to an inspector, the client, the client's agent or any employee upon request.

(12) A contractor must ensure that all employees required to work or to be supported on a suspended platform are—

- (a) medically fit to work safely in a fall risk position or such similar environment by being in possession of a medical certificate of fitness;
- (b) competent in conducting work related to suspended platforms safely;
- (c) trained or received training, which includes at least—
  - (i) how to access and egress the suspended platform safely;
  - (ii) how to correctly operate the controls and safety devices of the equipment;
  - (iii) information on the dangers related to the misuse of safety devices; and
  - (iv) information on the procedures to be followed in the case of—
    - (v) an emergency;
    - (vi) the malfunctioning of equipment; and
    - (vii) the discovery of a suspected defect in the equipment; and
    - (viii) instructions on the proper use of body harnesses.

(13) A contractor must ensure that where the outriggers of a suspended platform are to be moved, only persons trained and under the supervision of the competent person effect such move, within the limitation stipulated in the operational compliance plan contemplated in subregulation (2)(c), and that the supervisor must carry out an inspection and record the result thereof prior to re-use of the suspended platform.

(14) A contractor must ensure that the suspended platform is properly isolated

	after use at the end of each working day in such a manner that no part of the suspended platform presents a danger to any person thereafter.	
<b>16. Boatswains Chair</b>	<b>18. Rope Access</b>	Change from Boatswains Chair to Rope Access
<p>(1) A contractor shall ensure that every boatswain's chair or similar device is securely suspended and is constructed in such a manner so as to prevent any occupant from falling therefrom.</p> <p>(2) The contractor shall ensure that an inspection is carried out prior and a performance test immediately after, the boatswain chair has been erected and thereafter a visual inspection should be carried out on a daily basis prior to use.</p>	<p>(1) A contractor must—</p> <p>(a) appoint a competent person in writing as a rope access supervisor with the duty of supervising all rope access work on the site, including the duty of ensuring occupational health and safety compliance in relation to rope access work: Provided that the appointment of any such person does not relieve the construction manager of any personal accountability for failing in his management duties in terms of this regulation;</p> <p>(b) ensure that all rope access work on the construction site is carried out under the supervision of a competent person; and</p> <p>(c) ensure that all rope access operators are competent and licensed to carry out their work.</p> <p>(2) No contractor may use or allow the use of rope access work unless—</p> <p>(a) the design, selection and use of the equipment and anchors comply with the safety standards incorporated for this purpose into these Regulations under section 44 of the Act; and</p> <p>(b) he or she is in possession of a site specific fall protection plan developed by a competent person applicable to the specific work and environment prior to the commencement of the work, including records of maintenance and inspections of all the equipment used for the work operations.</p> <p>(3) A contractor must ensure that adequate measures are in place to allow rescue procedures to commence immediately in the event of a fall incident taking place.</p>	
<b>17. Material Hoists</b>	<b>19. Material Hoists</b>	
<p>(1) A contractor shall ensure that every material hoist and its tower have been constructed of sound material in accordance with the generally accepted technical standards and are strong enough and free from defects.</p> <p>(2) A contractor shall cause the tower of every material hoist to be—</p> <p>(a) erected on firm foundations and secured to the structure or braced by</p>	<p>(1) A contractor must ensure that every material hoist and its tower have been constructed in accordance with the generally accepted technical standards and are strong enough and free from defects.</p> <p>(2) A contractor must ensure that the tower of every material hoist is—</p> <p>(a) erected on firm foundations and secured to the structure or braced by steel wire guy ropes, and extends to a distance above the highest landing to allow a clear and unobstructed space of at least 900 millimetres for over travel;</p> <p>(b) enclosed on all sides at the bottom, and at all floors where persons are at risk of being struck by moving parts of the hoist, except on the side or sides giving access to the material hoist, with walls or other effective means to a</p>	

<p>steel wire guy ropes and to extend to such a distance above the highest landing as to allow a clear and unobstructed space of at least 900 mm for overtravel;</p> <p>(b) enclosed on all sides at the bottom, and at all floors where persons are at risk of being struck by moving parts of the hoist, except on the side or sides giving access to the material hoist, with walls or other effective means to a height of at least 2100 mm from the ground or floor level; and</p> <p>(c) provided with a door or gate at least 2100 mm in height at each landing and such door or gate shall be kept closed, except when the platform is at rest at such a landing.</p> <p>(3) A contractor shall cause—</p> <p>(a) the platform of every material hoist to be designed in such a manner that it shall safely contain the loads being conveyed and that the combined weight of the platform and the load does not exceed the designed lifting capacity of the hoist;</p> <p>(b) the hoisting rope of every material hoist which has a remote winch to be effectively protected from damage by any external cause to the portion of the hoisting rope between the winch and the tower of the hoist; and</p> <p>(c) every material hoist to be provided with an efficient brake capable of holding the platform with its maximum load in any position when the power is not being supplied to the hoisting machinery.</p> <p>(4) No contractor shall require or permit trucks,</p>	<p>height of at least 2100 millimetres from the ground or floor level; and</p> <p>(c) provided with a door or gate at least 2100 millimetres in height at each landing, and that door or gate must be kept closed except when the platform is at rest at such a landing.</p> <p>(3) A contractor must cause—</p> <p>(a) the platform of every material hoist to be designed in a manner that it safely contains the loads being conveyed and that the combined mass of the platform and the load does not exceed the designed lifting capacity of the hoist;</p> <p>(b) the hoisting rope of every material hoist which has a remote winch to be effectively protected from damage by any external cause to the portion of the hoisting rope between the winch and the tower of the hoist; and</p> <p>(c) every material hoist to be provided with an efficient brake capable of holding the platform with its maximum load in any position when power is not being supplied to the hoisting machinery.</p> <p>(4) No contractor may require or permit trucks, barrows or material to be conveyed on the platform of a material hoist and no person may so convey trucks, barrows or material unless those articles are secured or contained in a manner that displacement thereof cannot take place during movement.</p> <p>(5) A contractor must cause a notice, indicating the maximum mass load which may be carried at any one time and the prohibition of persons from riding on the platform of the material hoist, to be affixed around the base of the tower and at each landing.</p> <p>(6) A contractor of a material hoist may not require or permit any person to operate a hoist, unless the person is competent in the operation of that hoist.</p> <p>(7) No contractor may require or permit any person to ride on a material hoist.</p> <p>(8) A contractor must ensure that every material hoist—</p> <p>(a) is inspected on daily basis by a competent person appointed in writing by the contractor and such competent person must have the experience pertaining to the erection and maintenance of material hoists or similar machinery;</p> <p>(b) inspection contemplated in paragraph (a), includes the determination of the serviceability of the entire material hoist, including guides, ropes and their connections, drums, sheaves or pulleys and all safety devices;</p> <p>(c) inspection results are entered and signed in a record book by a competent person, which book must be kept on the premises for that purpose;</p> <p>(d) is properly maintained and the maintenance records in this regard are kept on site.</p>	
--	--	--

barrows or material to be conveyed on the platform of a material hoist and no person shall so convey trucks, barrows or material unless such articles are so secured or contained in such a manner that displacement thereof cannot take place during movement.

(5) A contractor shall cause a notice, indicating the maximum mass load which may be carried at any one time and the prohibition of persons from riding on the platform of the material hoist, to be affixed around the base of the tower and at each landing.

(6) A contractor of a material hoist shall not require or permit any person to operate such a hoist, unless the person is competent in the operation thereof.

(7) No contractor shall require or permit any person to ride on a material hoist.

- (8) A contractor shall cause every material hoist—
- (a) to be inspected on a daily basis by a competent person who has been appointed in writing and has the experience pertaining to the erection and maintenance of material hoists or similar machinery.
  - (b) inspection contemplated in paragraph (a), to include the determination of the serviceability of the entire material hoist including guides, ropes and their connections, drums, sheaves or pulleys and all safety devices.
  - (c) inspection result to be entered and signed in a record book which shall be kept on the premises for that purpose.
  - (d) to be properly maintained and that the maintenance records in this regard are kept on site.



18. Batch Plants	20. Bulk Mixing Plants	A change in terminology from batch plant to bulk mixing plant
<p>(1) A contractor shall ensure that all batch plants are operated and supervised by a competent person who has been appointed in writing.</p> <p>(2) A contractor shall ensure that the placement and erection of a batch plant complies with the requirements set out by the manufacturer and that such plant is erected as designed.</p> <p>(3) A contractor shall ensure that all devices to start and stop a batch plant are provided and that these devices are—</p> <p style="padding-left: 40px;">(a) placed in an easily accessible position; and</p> <p style="padding-left: 40px;">(b) constructed in such a manner as to prevent accidental starting.</p> <p>(4) The contractor shall ensure that the machinery and plant selected is suitable for the task and that all dangerous moving parts of a mixer are placed beyond the reach of persons by means of doors, covers or other similar means.</p> <p>(5) No person shall be permitted to remove or modify any guard or safety equipment relating to a batch plant, unless authorised to do so by the appointed person as contemplated in subregulation (1).</p> <p>(6) A contractor shall ensure that all persons authorised to operate the batch plant are fully—</p> <p style="padding-left: 40px;">(a) aware of all the dangers involved in the operation thereof; and</p> <p style="padding-left: 40px;">(b) conversant with the precautionary measures to be taken in the interest of health and safety.</p> <p>(7) No person supervising or operating a batch plant shall authorise any other person to operate the plant, unless such person is competent to</p>	<p>(1) A contractor must ensure that the operation of a bulk mixing plant is supervised by a competent person who has been appointed in writing and is—</p> <p style="padding-left: 40px;">(a) aware of all the dangers involved in the operation thereof; and</p> <p style="padding-left: 40px;">(b) conversant with the precautionary measures to be taken in the interest of health and safety.</p> <p>(2) No person supervising or operating a bulk mixing plant may authorize any other person to operate the plant, unless that person is competent to operate a bulk mixing plant.</p> <p>(3) A contractor must ensure that the placement and erection of a bulk mixing plant complies with the requirements set out by the manufacturer and that such plant is erected as designed.</p> <p>(4) A contractor must ensure that all devices to start and stop a bulk mixing plant are provided and that those devices are—</p> <p style="padding-left: 40px;">(a) placed in an easily accessible position; and</p> <p style="padding-left: 40px;">(b) constructed in a manner to prevent accidental starting.</p> <p>(5) A contractor must ensure that the machinery and plant selected is suitable for the mixing task and that all dangerous moving parts of a mixer are placed beyond the reach of persons by means of doors, covers or other similar means.</p> <p>(6) No person may remove or modify any guard or safety equipment relating to a bulk mixing plant, unless authorized to do so by the appointed person contemplated in subregulation (1).</p> <p>(7) A contractor must ensure that all precautionary measures stipulated for confined spaces as determined in the General Safety Regulations, 2003, are complied with when entering any silo.</p> <p>(8) A contractor must ensure that a record is kept of all repairs or maintenance to a bulk mixing plant and that the record is available on site to an inspector, the client, the client's agent or any employee.</p>	

<p>operate such machinery.</p> <p>(8) A contractor shall ensure that all precautionary measures as stipulated for confined spaces in the General Safety Regulations promulgated by Government Notice No.R.1031 dated 30 May 1986, as amended, are adhered to when entering any silo.</p> <p>(9) A contractor shall ensure that a record is kept of any repairs or maintenance to a batch plant and that it is made available, on site, to an inspector, client, client's agent or employee upon request.</p> <p>(10) A contractor shall ensure that all lifting machines and lifting tackle used in the operation of a batch plant complies with the requirements of the Driven Machinery Regulations promulgated by Government Notice No.R.295 dated 26 February 1988, as amended;</p> <p>(11) A contractor shall ensure that all precautionary measures are adhered to regarding the usage of electrical equipment in explosive atmospheres, when entering a silo, as contemplated in the Electrical Installation Regulations promulgated by Government Notice No.R. 2920 dated 23 October 1992, as amended.</p>		
<p><b>19. Explosive powered tools</b></p>	<p><b>21. Explosive actuated fastening devices</b></p>	
<p>(1) No contractor shall use or permit any person to use an explosive powered tool, unless—</p> <ul style="list-style-type: none"> <li>(a) it is provided with a protective guard around the muzzle end, which effectively confines any flying fragments or particles; and</li> <li>(b) the firing mechanism is so designed that the explosive powered tool will not function unless— <ul style="list-style-type: none"> <li>(i) it is held against the surface with a force of at least twice its weight; and</li> <li>(ii) the angle of inclination of the barrel to the work surface is not</li> </ul> </li> </ul>	<p>(1) No contractor may use or permit any person to use an explosive actuated fastening device, unless—</p> <ul style="list-style-type: none"> <li>(a) the user is provided with and uses suitable protective equipment;</li> <li>(b) the user is trained in the operation, maintenance and use of such a device;</li> <li>(c) the explosive actuated fastening device is provided with a protective guard around the muzzle end, which effectively confines any flying fragments or particles; and</li> <li>(d) the firing mechanism is so designed that the explosive actuated fastening device, will not function unless— <ul style="list-style-type: none"> <li>(i) it is held against the surface with a force of at least twice its weight; and</li> <li>(ii) the angle of inclination of the barrel to the work surface is not more than 15 degrees from a right angle.</li> </ul> </li> </ul> <p>(2) A contractor must ensure that—</p> <ul style="list-style-type: none"> <li>(a) only cartridges suited for the relevant explosive actuated fastening device, and the work to be performed, are used;</li> </ul>	

more than 15 degrees from a right angle:

Provided that the provisions of this subregulation shall not apply to explosive powered tools in which the energy of the cartridge is transmitted to the bolts, nails or similar relevant objects by means of an intermediate piston which has a limited distance of travel.

(2) A contractor shall ensure that—

- (a) only cartridges suited for the explosive powered tool and the work to be performed are used;
- (b) the explosive powered tool is cleaned and examined daily before use and as often as may be necessary for its safe operation by a competent person who has been appointed;
- (c) that the safety devices are in proper working order prior to use;
- (d) when not in use, the explosive powered tool and the cartridges are locked up in a safe place, which is inaccessible to unauthorised persons;
- (e) the explosive powered tool is not stored in a loaded condition;
- (f) a warning notice is displayed in a conspicuous manner wherever the explosive powered tool is used;
- (g) the issuing and collection of cartridges and nails or studs is—
  - \_\_\_\_ (i) controlled and done in writing by a person having been appointed in writing; and
  - \_\_\_\_ (ii) recorded in a register and that the recipient has accordingly signed for the receipt thereof as well as the

- (b) an explosive actuated fastening device is cleaned and examined daily before use and as often as may be necessary for its safe operation by a competent person who has been appointed for that purpose;
- (c) the safety devices of an explosive actuated fastening device are in good working order prior to use;
- (d) when not in use, an explosive actuated fastening device and its cartridges are locked up in a safe place, which is inaccessible to unauthorized persons;
- (e) an explosive actuated fastening device is not stored in a loaded condition;
- (f) a warning notice is displayed in a conspicuous manner in the immediate vicinity wherever an explosive actuated fastening device is used; and
- (g) the issuing and collection of cartridges and nails or studs of an explosive actuated fastening device are—
  - (i) controlled and done in writing by a person having been appointed in writing for that purpose; and
  - (ii) recorded in a register by a competent person and that the recipient has accordingly signed for the receipt thereof as well as the returning of any spent and unspent cartridges.

<p>returning of any spent and unspent cartridges;</p> <p>(3) No contractor shall permit or require any person to use an explosive powered tool unless such person has been—</p> <p>(a) provided with and uses suitable protective equipment; and</p> <p>(b) trained in the operation, maintenance and use of such a tool.</p>		
<p><b>20. Cranes</b></p>	<p><b>22. Cranes</b></p>	
<p>Notwithstanding the provisions of the Driven Machinery Regulations promulgated by Government Notice No.R.295 of 26 February 1988, as amended, a contractor shall ensure that where tower cranes are used—</p> <p>(a) account is taken of the effects of wind forces on the structure;</p> <p>(b) account is taken of the bearing capacity of the ground on which the tower crane is to stand;</p> <p>(c) the bases for the tower cranes and tracks for rail-mounted tower cranes are firm and level;</p> <p>(d) the tower cranes are erected at a safe distance from excavations;</p> <p>(e) there is sufficient clear space available for erection, operation and dismantling;</p> <p>(f) the tower crane operators are competent to carry out the work safely; and</p> <p>(g) the tower crane operators are physically and psychologically fit to work in such an</p>	<p>A contractor must, in addition to compliance with the Driven Machinery Regulations, 1988 ensure that where tower cranes are used—</p> <p>(a) they are designed and erected under the supervision of a competent person;</p> <p>(b) a relevant risk assessment and method statement are developed and applied;</p> <p>(c) the effects of wind forces on the crane are taken into consideration and that a wind speed device is fitted that provides the operator with an audible warning when the wind speed exceeds the design engineer’s specification;</p> <p>(d) the bases for the tower cranes and tracks for rail-mounted tower cranes are firm, level and secured;</p> <p>(e) the tower crane operators are competent to carry out the work safely; and</p> <p>(f) the tower crane operators have a medical certificate of fitness to work in such an environment, issued by an occupational health practitioner in the form of Annexure 3.</p>	

<p>environment by being in possession of a medical certificate of fitness.</p>		
<p><b>21. Construction vehicles and mobile plant</b></p>	<p><b>23. Construction vehicles and mobile plant</b></p>	
<p>(1) A contractor shall ensure that all construction vehicles and mobile plants—</p> <ul style="list-style-type: none"> <li>(a) are of an acceptable design and construction;</li> <li>(b) are maintained in a good working order;</li> <li>(c) are used in accordance with their design and the intention for which they were designed, having due regard to safety and health;</li> <li>(d) are operated by workers who— <ul style="list-style-type: none"> <li>(i) have received appropriate training and been certified competent and been authorised to operate such machinery; and</li> <li>(ii) are physically and psychologically fit to operate such construction vehicles and mobile plant by being in possession of a medical certificate of fitness;</li> </ul> </li> <li>(e) have safe and suitable means of access;</li> <li>(f) are properly organised and controlled in any work situation by providing adequate signaling or other control arrangements to guard against the dangers relating to the movement of vehicles and plant, in order to ensure their continued safe operation;</li> <li>(g) are prevented from falling into excavations, water or any other</li> </ul>	<p>(1) A contractor must ensure that all construction vehicles and mobile plant—</p> <ul style="list-style-type: none"> <li>(a) are of an acceptable design and construction;</li> <li>(b) are maintained in a good working order;</li> <li>(c) are used in accordance with their design and the intention for which they were designed, having due regard to safety and health;</li> <li>(d) are operated by a person who— <ul style="list-style-type: none"> <li>(i) has received appropriate training, is certified competent and in possession of proof of competency and is authorised in writing to operate those construction vehicles and mobile plant;</li> <li>(ii) has a medical certificate of fitness to operate those construction vehicles and mobile plant, issued by an occupational health practitioner in the form of Annexure 3.;</li> </ul> </li> <li>(e) have safe and suitable means of access and egress;</li> <li>(f) are properly organized and controlled in any work situation by providing adequate signalling or other control arrangements to guard against the dangers relating to the movement of vehicles and plant, in order to ensure their continued safe operation;</li> <li>(g) are prevented from falling into excavations, water or any other area lower than the working surface by installing adequate edge protection, which may include guardrails and crash barriers;</li> <li>(h) are fitted with structures designed to protect the operator from falling material or from being crushed should the vehicle or mobile plant overturn;</li> <li>(i) are equipped with an acoustic warning device which can be activated by the operator;</li> <li>(j) are equipped with an automatic acoustic reversing alarm; and</li> <li>(k) are inspected by the authorised operator or driver on a daily basis using a relevant checklist prior to use and that the findings of such inspection are recorded in a register kept in the construction vehicle or mobile plant.</li> </ul> <p>(2) A contractor must ensure that—</p> <ul style="list-style-type: none"> <li>(a) no person rides or is required or permitted to ride on a construction vehicle or mobile plant otherwise than in a safe place provided thereon for that purpose;</li> <li>(b) every construction site is organized in such a way that, as far as is reasonably practicable, pedestrians and vehicles can move safely and without risks to health;</li> <li>(c) the traffic routes are suitable for the persons, construction vehicles or mobile plant using them, are sufficient in number, in</li> </ul>	

<p>area lower than the working surface by installing adequate edge protection, which may include guardrails and crash barriers;</p> <p>(h) where appropriate, are fitted with structures designed to protect the operator from falling material or from being crushed should the vehicle or mobile plant overturn;</p> <p>(i) are equipped with an electrically operated acoustic signaling device and a reversing alarm; and</p> <p>(j) are on a daily basis inspected prior to use, by a competent person who has been appointed in writing and the findings of such inspection is recorded in a register.</p> <p>(2) A Contractor shall furthermore ensure that—</p> <p>(a) no person rides or be required or permitted to ride on any construction vehicle or mobile plant otherwise than in a safe place provided thereon for that purpose;</p> <p>(b) every construction site is organised in such a way that, as far as is reasonably practicable, pedestrians and vehicles can move safely and without risks to health;</p> <p>(c) the traffic routes are suitable for the persons using them, sufficient in number, in suitable positions and of sufficient size;</p> <p>(d) every traffic route is, where necessary indicated by suitable</p>	<p>(d) suitable positions and of sufficient size;</p> <p>(e) every traffic route is, where necessary, indicated by suitable signs;</p> <p>(f) all construction vehicles and mobile plant left unattended at night, adjacent to a public road in normal use or adjacent to construction areas where work is in progress, have appropriate lights or reflectors, or barricades equipped with appropriate lights or reflectors, in order to identify the location of the vehicles or plant;</p> <p>(g) all construction vehicles or mobile plant when not in use, have buckets, booms or similar appendages, fully lowered or blocked, controls in a neutral position, motors stopped, wheels chocked, brakes set and ignition secured;</p> <p>(h) whenever visibility conditions warrant additional lighting, all mobile plant are equipped with at least two headlights and two taillights when in operation;</p> <p>(i) tools, material and equipment are secured and separated by means of a physical barrier in order to prevent movement when transported in the same compartment with employees;</p> <p>(j) vehicles used to transport employees have seats firmly secured and adequate for the number of employees to be carried; and</p> <p>all construction vehicles or mobile plant traveling, working or operating on public roads comply with the requirements of the National Road Traffic Act, 1996.</p>	
---	--	--

<p>signs for reasons of health or safety;</p> <p>(e) all construction vehicles and mobile plant left unattended at night, adjacent to a freeway in normal use or adjacent to construction areas where work is in progress, shall have appropriate lights or reflectors, or barricades equipped with appropriate lights or reflectors, in order to identify the location of the vehicles or plant;</p> <p>(f) bulldozers, scrapers, loaders, and other similar mobile plant are, when being repaired or when not in use, fully lowered or blocked with controls in a neutral position, motors stopped and brakes set;</p> <p>(g) whenever visibility conditions warrant additional lighting, all mobile plant are equipped with at least two headlights and two taillights when in operation;</p> <p>(h) tools and material are secured in order to prevent movement when transported in the same compartment with employees;</p> <p>(i) vehicles used to transport employees have seats firmly secured and adequate for the number of employees to be carried; and</p> <p>(j) when workers are working on or adjacent to public roads, reflective indicators are provided and worn by the workers.</p>		
<p><b>22. Electrical installations and machinery on construction sites</b></p>	<p><b>24. Electrical installations and machinery on construction sites</b></p>	
<p>Notwithstanding the provisions contained in the Electrical Installation Regulations promulgated by Government Notice No.R.2920 of 23 October 1992 and the Electrical Machinery Regulations</p>	<p>A contractor must, in addition to compliance with the Electrical Installation Regulations, 2009, and the Electrical Machinery Regulations, 1988, promulgated by Government Notice No. R. 1593 of 12 August 1988, ensure that— (a) before construction commences and during the progress thereof,</p>	

promulgated by Government Notice No. R.1593 of 12 August 1988, respectively, as amended, a contractor shall ensure that—

- (a) before construction commences and during the progress thereof, adequate steps are taken to ascertain the presence of and guard against danger to workers from any electrical cable or apparatus which is under, over or on the site;
- (b) all parts of electrical installations and machinery are of adequate strength to withstand the working conditions on construction sites;
- (c) in working areas where the exact location of underground electric power lines is unknown, employees using jackhammers, shovels or other hand tools which may make contact with a power line, are provided with insulated protective gloves or otherwise that the handle of the tool being used is insulated;
- (d) all temporary electrical installations are inspected at least once a week and electrical machinery on a daily basis before use on a construction site by competent persons and the records of these inspections are recorded in a register to be kept on site; and
- (e) the control of all temporary electrical installations on the construction site is designated

adequate steps are taken to ascertain the presence of and guard against danger to workers from any electrical cable or apparatus which is under, over or on the site;

- (b) all parts of electrical installations and machinery are of adequate strength to withstand the working conditions on construction sites;
- (c) the control of all temporary electrical installations on the construction site is designated to a competent person who has been appointed in writing for that purpose;
- (d) all temporary electrical installations used by the contractor are inspected at least once a week by a competent person and the inspection findings are recorded in a register kept on the construction site; and
- (e) all electrical machinery is inspected by the authorized operator or user on a daily basis using a relevant checklist prior to use and the inspection findings are recorded in a register kept on the construction site.



<p>to a competent person who has been appointed in writing.</p>		
<p><b>23. Use and temporary storage of flammable liquids on construction sites</b></p>	<p><b>25. Use and temporary storage of flammable liquids on construction sites</b></p>	
<p>Notwithstanding the provisions for the use and storage of flammable liquids as determined in the General Safety Regulations promulgated by Government Notice No.R1031 dated 30 May 1986, as amended, a contractor shall ensure that—</p> <p>(a) where flammable liquids are being used, applied or stored at the workplace concerned, this is done in such a manner which would cause no fire or explosion hazard, and that the workplace is effectively ventilated: Provided that where the workplace cannot effectively be ventilated-</p> <p>(i) every employee involved is provided with a respirator, mask or breathing apparatus of a type approved by the chief inspector, and</p> <p>(ii) steps are taken to ensure that every such employee, while using or applying flammable liquid, uses the apparatus supplied to him or her;</p> <p>(b) no person smokes in any place in which flammable liquid is used or stored, and such contractor shall affix a suitable and conspicuous notice at all entrances to any such areas prohibiting such smoking;</p> <p>(c) flammable liquids on a construction site is stored in a well ventilated reasonably fire resistant</p>	<p>A contractor must, in addition to compliance with the provisions for the use and storage of flammable liquids in the General Safety Regulations, 2003, ensure that—</p> <p>(a) where flammable liquids are being used, applied or stored at the workplace concerned, it is done in a manner that does not cause a fire or explosion hazard, and that the workplace is effectively ventilated;</p> <p>(b) no person smokes in any place in which flammable liquid is used or stored, and the contractor must affix a suitable and conspicuous notice at all entrances to any such areas prohibiting such smoking;</p> <p>(c) an adequate amount of efficient fire-fighting equipment is installed in suitable locations around the flammable liquids store with the recognized symbolic signs;</p> <p>(d) only the quantity of flammable liquid needed for work on one day is taken out of the store for use;</p> <p>(e) all containers holding flammable liquids are kept tightly closed when not in actual use and, after their contents have been used up, are removed from the construction site and safely disposed of;</p> <p>(f) where flammable liquids are decanted, the metal containers are bonded and earthed; and</p> <p>(g) no flammable material, including cotton waste, paper, cleaning rags or similar material is stored together with flammable liquids.</p>	

<p>container, cage or room and kept locked with proper access control measures in place;</p> <p>(d) an adequate amount of efficient fire-fighting equipment is installed in suitable locations around the flammable liquids store with the recognised symbolic signs;</p> <p>(e) only the quantity of flammable liquid needed for work on one day is to be taken out of the store for use;</p> <p>(f) all containers holding flammable liquids are kept tightly closed when not in actual use and, after their contents have been used up, to be removed from the construction site and safely disposed of;</p> <p>(g) where flammable liquids are decanted, the metal containers are bonded or earthed; and</p> <p>(h) no flammable material such as cotton waste, paper, cleaning rags or similar material is stored together with flammable liquids.</p>		
<b>24. Water Environments</b>	<b>26. Water Environments</b>	
<p>(1) A contractor shall ensure that where construction work is done over or in close proximity to water, provision is made for—</p> <p style="padding-left: 40px;">(a) preventing workers from falling into water; and</p> <p style="padding-left: 40px;">(b) the rescuing of workers in danger of drowning.</p> <p>2) A contractor shall ensure that where a worker is exposed to the risk of drowning by falling into the</p>	<p>(1) A contractor must ensure that where construction work is done over or in close proximity to water, provision is made for—</p> <p style="padding-left: 40px;">(a) preventing persons from falling into water; and</p> <p style="padding-left: 40px;">(b) the rescuing of persons in danger of drowning.</p> <p>(2) A contractor must ensure that where a person is exposed to the risk of drowning by falling into the water, the person is provided with and wears a lifejacket.</p>	

<p>water, a lifejacket is provided to and worn by the worker.</p>		
<p><b>25. Housekeeping on construction sites</b></p>	<p><b>27. Housekeeping and general safeguarding on construction sites</b></p>	
<p>Notwithstanding the provisions of the Environmental Regulations for Workplaces promulgated by Government Notice No.R 2281 dated 16 October 1987, as amended, a contractor shall ensure that—</p> <ul style="list-style-type: none"> <li>(a) suitable housekeeping is continuously implemented on each construction site, including provisions for the— <ul style="list-style-type: none"> <li>(i) proper storage of materials and equipment; and</li> <li>(ii) removal of scrap, waste and debris at appropriate intervals;</li> </ul> </li> <li>(b) loose materials required for use, are not placed or allowed to accumulate on the site so as to obstruct means of access to and egress from workplaces and passageways;</li> <li>(c) waste and debris are not disposed of from a high place with a chute, unless the chute complies with the requirements set out regulation 12(6); and</li> <li>(d) construction sites in built-up areas, adjacent to a public way are suitably and sufficiently fenced off and provided with controlled access points to prevent the entry of unauthorised persons.</li> <li>(e) a catch platform or net is erected above an entrance or passageway or above a place where persons work or pass under, or fence off the danger area if work is being performed above such entrance, passageway, or place so as to ensure that all persons are kept safe</li> </ul>	<p>A contractor must, in addition to compliance with the Environmental Regulations for Workplaces, 1987, promulgated by Government Notice No. R. 2281 of 16 October 1987, ensure that suitable housekeeping is continuously implemented on each construction site, including—</p> <ul style="list-style-type: none"> <li>(a) the proper storage of materials and equipment;</li> <li>(b) the removal of scrap, waste and debris at appropriate intervals;</li> <li>(c) ensuring that materials required for use, are not placed on the site so as to obstruct means of access to and egress from workplaces and passageways;</li> <li>(d) ensuring that materials which are no longer required for use, do not accumulate on and are removed from the site at appropriate intervals;</li> <li>(e) ensuring that waste and debris are not disposed of from a high place with a chute, unless the chute complies with the requirements set out in regulation 14(6);</li> <li>(f) ensuring that construction sites in built-up areas adjacent to a public way are suitably and sufficiently fenced off and provided with controlled access points to prevent the entry of unauthorized persons; and</li> <li>(g) ensuring that a catch platform or net is erected above an entrance or passageway or above a place where persons work or pass under, or fencing off the danger area if work is being performed above such entrance, passageway, or place so as to ensure that all persons are kept safe in the case of danger or possibility of persons being struck by falling objects.</li> </ul>	

<p>where there is a danger or possibility of persons being struck by falling objects.</p>		
<p><b>26. Stacking and storage on construction sites</b></p>	<p><b>28. Stacking and storage on construction sites</b></p>	
<p>Notwithstanding the provisions for the stacking of articles contained in the General Safety Regulations promulgated by Government Notice No.R1031 dated 30 May 1986, as amended, a contractor shall ensure that—</p> <ul style="list-style-type: none"> <li>(a) a competent person is appointed in writing with the duty of supervising all stacking and storage on a construction site;</li> <li>(b) adequate storage areas are provided;</li> <li>(c) there are demarcated storage areas; and</li> <li>(d) storage areas are kept neat and under control.</li> </ul>	<p>A contractor must, in addition to compliance with the provisions for the stacking of articles in the General Safety Regulations, 2003, ensure that—</p> <ul style="list-style-type: none"> <li>(a) a competent person is appointed in writing with the duty of supervising all stacking and storage on a construction site;</li> <li>(b) adequate storage areas are provided;</li> <li>(c) there are demarcated storage areas; and</li> <li>(d) storage areas are kept neat and under control.</li> </ul>	
<p><b>27. Fire precautions on construction sites</b></p>	<p><b>29. Fire precautions on construction sites</b></p>	
<p>Subject to the provisions of the Environmental Regulations for Workplaces promulgated by Government Notice No.R.2281 of 16 October 1987, as amended, every contractor shall ensure that—</p> <ul style="list-style-type: none"> <li>(a) all appropriate measures are taken to avoid the risk of fire;</li> <li>(b) sufficient and suitable storage is provided for flammable liquids, solids and gases;</li> <li>(c) smoking is prohibited and notices in this regard are prominently displayed in all places containing readily combustible or flammable materials;</li> <li>(d) in confined spaces and other places in which flammable gases, vapours or</li> </ul>	<p>A contractor must, in addition to compliance with the Environmental Regulations for Workplaces, 1987, ensure that—</p> <ul style="list-style-type: none"> <li>(a) all appropriate measures are taken to avoid the risk of fire;</li> <li>(b) sufficient and suitable storage is provided for flammable liquids, solids and gases;</li> <li>(c) smoking is prohibited and notices in this regard are prominently displayed in all places containing readily combustible or flammable materials;</li> <li>(d) in confined spaces and other places in which flammable gases, vapours or dust can cause danger— <ul style="list-style-type: none"> <li>(i) only suitably protected electrical installations and equipment, including portable lights, are used;</li> <li>(ii) there are no flames or similar means of ignition;</li> <li>(iii) there are conspicuous notices prohibiting smoking;</li> <li>(iv) oily rags, waste and other substances liable to ignite are without delay removed to a safe place; and</li> <li>(v) adequate ventilation is provided;</li> </ul> </li> <li>(e) combustible materials do not accumulate on the construction site;</li> </ul>	

<p>dust can cause danger—</p> <ul style="list-style-type: none"> <li>(i) only suitably protected electrical installations and equipment, including portable lights, are used;</li> <li>(ii) there are no flames or similar means of ignition;</li> <li>(iii) there are conspicuous notices prohibiting smoking;</li> <li>(iv) oily rags, waste and other substances liable to ignite are without delay removed to a safe place; and</li> <li>(v) adequate ventilation is provided;</li> </ul> <p>(e) combustible materials do not accumulate on the construction site;</p> <p>(f) welding, flame cutting and other hot work are done only after the appropriate precautions as required have been taken to reduce the risk of fire;</p> <p>(g) suitable and sufficient fire-extinguishing equipment is placed at strategic locations or as may be recommended by the Fire Chief or local authority concerned, and that such equipment is maintained in a good working order;</p> <p>(h) the fire equipment contemplated in paragraph (g) is inspected by a competent person, who has been appointed in writing, in the manner indicated by the manufacturer thereof;</p>	<ul style="list-style-type: none"> <li>(f) welding, flame cutting and other hot work are done only after appropriate precautions have been taken to reduce the risk of fire;</li> <li>(g) suitable and sufficient fire-extinguishing equipment is placed at strategic locations or as may be recommended by the Fire Chief or local authority concerned, and that such equipment is maintained in a good working order;</li> <li>(h) the fire equipment contemplated in paragraph (g) is inspected by a competent person, who has been appointed in writing for that purpose, in the manner indicated by the manufacturer thereof;</li> <li>(i) a sufficient number of workers are trained in the use of fire-extinguishing equipment;</li> <li>(j) where appropriate, suitable visual signs are provided to clearly indicate the escape routes in the case of a fire;</li> <li>(k) the means of escape is kept clear at all times;</li> <li>(l) there is an effective evacuation plan providing for all— <ul style="list-style-type: none"> <li>(i) persons to be evacuated speedily without panic;</li> <li>(ii) persons to be accounted for; and</li> <li>(iii) plant and processes to be shut down; and</li> </ul> </li> <li>(m) a siren is installed and sounded in the event of a fire.</li> </ul>	
--	--	--

<ul style="list-style-type: none"> <li>(i) a sufficient number of workers are trained in the use of fire-extinguishing equipment;</li> <li>(j) where appropriate, suitable visual signs are provided to clearly indicate the escape routes in the case of a fire;</li> <li>(k) the means of escape is kept clear at all times;</li> <li>(l) there is an effective evacuation plan providing for all— <ul style="list-style-type: none"> <li>(i) persons to be evacuated speedily without panic;</li> <li>(ii) persons to be accounted for, and</li> <li>(iii) plant and processes to be shut down; and</li> </ul> </li> <li>(m) a siren is installed and sounded in the event of a fire.</li> </ul>		
<b>28. Construction welfare facilities</b>	<b>30. Construction employees' facilities</b>	
<p>(1) Notwithstanding the construction site provisions contained in the Facilities Regulations promulgated by Government Notice No.R. 2362 of 5 October 1990, as amended, a contractor shall, depending on the number of workers and the duration of the work, provide at or within reasonable access of every construction site, the following clean and maintained facilities:—</p> <ul style="list-style-type: none"> <li>(a) at least one shower facility for every 15 workers;</li> <li>(b) at least one sanitary facility for every 30 workers;</li> <li>(c) changing facilities for each sex; and</li> <li>(d) _____ sheltered eating areas.</li> </ul>	<p>(1) A contractor must, in addition to the construction site provisions in the Facilities Regulations, 2004, promulgated by Government Notice No. R. 924 of 3 August 2004, provide at or within reasonable access of every construction site, the following clean, hygienic and maintained facilities:</p> <ul style="list-style-type: none"> <li>(a) Shower facilities after consultation with the employees or employees representatives, or at least one shower facility for every 15 persons;</li> <li>(b) at least one sanitary facility for each sex and for every 30 workers;</li> <li>(c) changing facilities for each sex; and</li> <li>(d) sheltered eating areas.</li> </ul> <p>(2) A contractor must provide reasonable and suitable living accommodation for the workers at construction sites who are far removed from their homes and where adequate transportation between the site and their homes, or other suitable living accommodation, is not available.</p>	

<p>(2) A contractor shall provide reasonable and suitable living accommodation for the workers at construction sites which are remote from their homes and where adequate transportation between the site and their homes, or other suitable living accommodation, is not available.</p>		
	<p><b>31. Construction health and safety technical committee</b></p>	<p>New</p>
	<p>(1) The chief inspector must establish a construction health and safety technical committee which must consist of—</p> <ul style="list-style-type: none"> <li>(a) a person who is to be the chairperson;</li> <li>(b) two persons designated by the Chief Inspector from the employees of the Department of Labour;</li> <li>(c) two persons to represent the Department of Public Works, one each designated by the Built Environmental Council and the Construction Industry Development Board;</li> <li>(d) one person to represent Higher Education in the field of construction and related studies designated by the Director General of the Department of Higher Education;</li> <li>(e) one person designated by the South African Property Owners Association;</li> <li>(f) two persons designated by employer’s organizations to represent employers who are directly involved in the construction industry;</li> <li>(g) two persons designated by employees organizations to represent the unions who are directly involved in the construction industry;</li> <li>(h) one person to represent consultants who are directly involved in the construction industry: and</li> <li>(i) persons who are competent in respect of the matters to be dealt with by the construction health and safety technical committee who have been co-opted by the committee with the authorization of the chief inspector.</li> </ul> <p>(2) The chief inspector must appoint the members of the Construction Health and Safety Technical Committee for the period that he or she may determine at the time of appointment: Provided that the chief inspector may after having afforded a member a reasonable opportunity to respond, discharge him or her at any time, for reasons that are fair and just, and appoint a new member in his or her place.</p> <p>(3) The Construction Health and Safety Technical Committee must—</p> <ul style="list-style-type: none"> <li>(a) advise the chief inspector on construction related codes, standards and training requirements: Provided that any accredited or approved training must be in accordance with South African Qualifications Authority standards;</li> <li>(b) designate persons in writing to examine safety systems and safety records of companies who have high incident rates and provide recommendations to the chief inspector of occupational health</li> </ul>	

	<p>and safety on the findings;</p> <p>(c) make recommendations and submit reports to the chief inspector of occupational health and safety regarding any matter to which these Regulations relate;</p> <p>(d) advise the chief inspector of occupational health and safety regarding any matter referred to the Construction Regulations Technical Committee by the chief inspector of occupational health and safety;</p> <p>(e) perform any other function for the administration of a provision of these Regulations that may be requested by the chief inspector of occupational health and safety;</p> <p>(f) conduct its work in accordance with the instructions and rules of conduct framed by the chief inspector of occupational health and safety; and</p> <p>(g) refer appeals against decisions of the Construction Regulations Technical Committee to the chief inspector of occupational health and safety.</p> <p>(4) Any person affected by any decision of the Construction Health and Safety Technical Committee may appeal against such decision to the chief inspector within 60 days of such decision becoming known and the chief inspector shall, after having considered the grounds of the appeal and the Construction Health and Safety Technical Committee's reasons for the decision, confirm, set aside or vary the decision or substitute for such decision any other decision which the Construction Health and Safety Technical Committee's in the chief inspector's opinion ought to have taken.</p> <p>(5) Any person aggrieved by a decision taken by the chief inspector under subregulation (4) may, within 60 days after the chief inspector's decision was given appeal against such decision to the Labour court.</p>	
<b>29. Approved Inspection Authorities</b>	<b>32. Approved Inspection Authorities</b>	
<p>(1) The Chief Inspector may approve as an Inspection Authority any organisation that has been accredited in terms of the provision of the Act and these regulations.</p> <p>(2) The Chief Inspector may at any time withdraw any approval of an approved inspection authority, subject to section 35 of the Act.</p>	<p>(1) The chief inspector may approve as an Inspection Authority any organisation that has been accredited in terms of the provision of the Act and these Regulations.</p> <p>(2) The Approved Inspection Authority will perform its functions as prescribed by the guidance document issued by the Department of Labour for Approved Inspection Authorities.</p> <p>(3) The chief inspector may at any time withdraw any approval granted to an approved inspection authority, subject to section 35 of the Act.</p>	
<b>30. Offences and Penalties</b>	<b>33. Offences and Penalties</b>	
Any person who contravenes or fails to comply with	Any person who contravenes or fails to comply with any provision of regulations 3, 4,	



<p>any of the provisions of regulations 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, shall be guilty of an offence and liable upon conviction to a fine or to imprisonment for a maximum of 12 months and, in the case of a continuous offence, to an additional fine of R200 for each day on which the offence continues or additional imprisonment of one day for each day on which the offence continues: Provided that the period of such additional imprisonment shall not exceed 90 days.</p>	<p>5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30, is guilty of an offence and liable upon conviction to a fine or to imprisonment for a maximum of 12 months and, in the case of a continuous offence, not exceeding an additional fine of R200 or additional imprisonment of one day for each day on which the offence continues: Provided that the period of such additional imprisonment will not exceed 90 days.</p>	
<p><b>31. Repeal of regulations and commencement</b></p>	<p><b>34. Repeal of regulations and commencement</b></p>	
<p>The following regulations are herewith repealed:</p> <p>(a) Regulations 11, 12, 13, 13C, 13D, 13E, 13F and 13G of the, General Safety Regulations promulgated by Government Notice No.R.1031 of 30 May 1986;</p> <p>(b) Regulations 19 and 20 of the, Driven Machinery Regulations promulgated by Government Notice No.R.295 of 26 February 1988; and</p> <p>(c) Regulations 14 of the, General Administrative Regulations promulgated by Government Notice No.R.1449 of 6 September 1996.</p>	<p>(1) The Construction Regulations, 2003, promulgated by Government Notice No. R. 1010 of 18 July 2003, are hereby repealed.</p> <p>(2) Regulation 3 and 5 (7)(b) will come into effect 18 months after the commencement of these Regulations.</p>	
<p>32. Short Title</p>	<p>35. Short Title</p>	
<p>These regulations shall be known as the Construction Regulations, 2003.</p>	<p>These Regulations are called the Construction Regulations, 2014.</p>	