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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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GOVERNMENT NOTICE

DEPARTMENT OF MINERALS AND ENERGY

No. R. 959

12 July 2002

REGULATIONS UNDER THE MINE HEALTH AND SAFETY ACT, 1996 (ACT No. 29 OF 1996)

In terms of section 98 (1) (n) of the Mine Health and Safety Act, 1996 (Act No. 29 of 1996), I Phumzile Mlambo-Ngcuka, Minister of Minerals and Energy, hereby make the Regulations in the Schedule.

The Regulations in the Schedule shall come into effect on 1 January 2003.

Ms P. MLAMBO-NGCUKA

Minister of Minerals and Energy

SCHEDULE**CHAPTER 14****FALL OF GROUND REGULATIONS****Entering of working places**

14.1 At every underground *mine* where a *risk* of rock bursts, rock falls or roof falls exists, and at every other *mine* where a significant *risk* of rock bursts, rock falls or roof falls exists, the *employer* –

14.1(1) may not permit any person, other than those persons examining and making safe, to enter any of the following areas at the *mine* until such areas are declared safe by competent persons:

- (a) the area between the face and the nearest line of permanent support; and
- (b) access ways, travelling ways or places where persons need to travel or work;

14.1(2) must ensure that the examinations for purposes of *regulation* 14.1(1) are carried out as often as may be required, in terms of the *mine's risk* assessment, to maintain a safe working environment;

14.1(3) must ensure that a record of declarations contemplated in regulations 14.1(1) and 14.1(5) is kept for a period of at least three months;

14.1(4) must ensure that where areas contemplated in regulation 14.1(1) have not been examined, made and declared safe, persons are prevented from inadvertently entering such areas;

14.1(5) must ensure, if at any time a *working place* or part thereof becomes unsafe during a shift, that all persons, other than those examining and making safe, are removed from such unsafe area and are not permitted to return thereto until declared safe by a competent person.

14.1(6) must ensure that a quality assurance system is in place, which ensures that the support units used at the *mine* provide the required performance characteristics for the loading conditions expected;

14.1(7) must ensure that only competent persons install, maintain and remove any support unit;

- 14,1(8) must ensure that the input of a competent person is properly and timeously considered and integrated into *mine* design, planning and operations.
- 14.2 No person, other than those persons examining and making safe, may enter any of the areas contemplated in *regulation* 14.1(1) until such areas have been declared safe as contemplated in *regulations* 14.1(1) and 14.1(5).
- 14.3 The following regulations made under the Minerals Act, 1991 (Act 50 of 1991) in force in terms of Schedule 4 of the Mine Health and Safety Act, 1996 (Act 29 of 1996) are hereby repealed

7.1	8.4.2(a), (b) and (d)
7.2.2	8.4.3
7.4.5	8.4.4.1
8.1.1	8.4.4.2
8.1.2	8.4.4.3
8.1.3	8.4.5
8.1.5	8.8
8.1.6	8.9.1, 8.9.2
8.2	8.9.6
8.3.1	8.10.11
8.3.2	

CHAPTER 22

SCHEDULE

- 22.14.1(1) For purposes of Regulations 14.1(1) and 14.1(5) competent person means a person who has been assessed and found competent to examine and make safe
- 22.14.1(7) For purposes of Regulation 14.1(7) competent person means a person who has been assessed and found competent to install, maintain, and remove any support unit.
- 22.14.1(8) For purposes of Regulation 14.1(8) competent person means a person who is at least in possession of either the Chamber of Mines Certificate in Rock Mechanics (Metalliferous Mines), or the Chamber of Mines Certificate in Rock Mechanics (Coal Mines), whichever is appropriate for the type of mine concerned.
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