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No. 9453

GOVERNMENT NOTICES

DEPARTMENT OF MANPOWER

No. R. 2205

5 October 1984

MACHINERY AND OCCUPATIONAL SAFETY ACT,
1983

WITHDRAWAL OF REGULATIONS

The Minister of Manpower has, by virtue of the powers vested in him by section 35 of the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983), withdrawn the regulations listed in the Schedule hereto, as published under the Factories, Machinery and Building Work Act, 1941 (Act 22 of 1941), with effect from 5 October 1984.

SCHEDULE

1. Regulations A1, A2, A3, A4, A5, A7, A8, A9, A10, A11, C2, C3, C6, C7 and C9 (1), as published under Government Notice R. 929 of 28 June 1963, as amended by Government Notice R. 109 of 26 January 1973 and Government Notice R. 1336 of 21 August 1980.

2. Regulations D18 and D19, as published under Government Notice R. 1934 of 13 December 1963, as amended by Government Notice R. 109 of 26 January 1973.

3. Regulation D20, as published under Government Notice R. 109 of 26 January 1973.

4. Regulation F11A, as published under Government Notice R. 1112 of 30 May 1980.

No. R. 2206

5 October 1984

MACHINERY AND OCCUPATIONAL SAFETY ACT,
1983 (ACT 6 OF 1983)

The Minister of Manpower has, in terms of section 35 of the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983), made the regulations contained in the Schedule hereto.

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GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN MANNEKRAG

No. R. 2205

5 Oktober 1984

WET OP MASJINERIE EN BEROEPSVEILIGHEID,
1983

HERROEPING VAN REGULASIES

Die Minister van Mannekrag het kragtens die bevoegdheid hom verleen by artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet 6 van 1983), die regulasies vermeld in die Bylae hiervan, soos gepubliseer kragtens die Wet op Fabriek, Masjinerie en Bouwerk, 1941 (Wet 22 van 1941), met ingang van 5 Oktober 1984 herroep.

BYLAE

1. Regulasies A1, A2, A3, A4, A5, A7, A8, A9, A10, A11, C2, C3, C6, C7 en C9 (1), gepubliseer by Goewermentskennisgewing R. 929 van 28 Junie 1963, soos gewysig by Goewermentskennisgewing R. 109 van 26 Januarie 1973 en Goewermentskennisgewing R. 1336 van 21 Augustus 1980.

2. Regulasies D18 en D19, gepubliseer by Goewermentskennisgewing R. 1934 van 13 Desember 1963, soos gewysig by Goewermentskennisgewing R. 109 van 26 Januarie 1973.

3. Regulasie D20, gepubliseer by Goewermentskennisgewing R. 109 van 26 Januarie 1973.

4. Regulasie F11A, gepubliseer by Goewermentskennisgewing R. 1112 van 30 Mei 1980.

No. R. 2206

5 Oktober 1984

WET OP MASJINERIE EN BEROEPSVEILIGHEID,
1983 (WET 6 VAN 1983)

Die Minister van Mannekrag het kragtens artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet 6 van 1983), die regulasies vervat in die Bylae hiervan uitgevaardig.

9453—1

SCHEDULE

GENERAL ADMINISTRATIVE REGULATIONS

Definitions

1. In these regulations "the Act" means the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983), and any expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates—

"Annexure" means an annexure to these regulations;

"building work" means any work in connection with—

(a) the erection, maintenance, alteration, renovation, repair, demolition or dismantling of or addition to a building;

(b) the installation, erection or dismantling of machinery;

(c) the construction, maintenance, demolition or dismantling of any bridge, dam, canal, road, railway, street, runway, sewer or water reticulation system or work on any similar project; or

(d) the moving of earth, clearing of land or making of an excavation or work on any similar project;

"detached work" means work performed by an employee or a number of employees in the course of their employment at a workplace or workplaces other than the place where they normally report for duty;

"divisional inspector" means, in respect of—

(a) the Magisterial Districts of Barberton, Belfast, Brits, Bronkhorstspuit, Carolina, Cullinan, Groblersdal, Koster, Letaba (Tzaneen), Lydenburg, Marico (Zeerust), Messina, Middelburg (Transvaal), Nelspruit, Phalaborwa, Pietersburg, Pilgrim's Rest, Potgietersrus, Pretoria, Rustenburg, Soutpansberg, Swartruggens, Thabazimbi, Warmbaths, Waterberg, Waterval Boven, White River, Witbank and Wonderboom—the Divisional Inspector, Department of Manpower, Pretoria (P.O. Box 393);

(b) the Magisterial Districts of Delareyville, Johannesburg, Krugersdorp, Lichtenburg, Randburg, Randfontein, Roodepoort and Ventersdorp—the Divisional Inspector, Department of Manpower, Johannesburg (P.O. Box 4560);

(c) the Magisterial Districts of Alberton, Germiston and Kempton Park—the Assistant Divisional Inspector, Department of Manpower, Germiston (Private Bag X1041);

(d) the Magisterial Districts of Amersfoort, Balfour, Benoni, Bethal, Boksburg, Brakpan, Delmas, Ermelo, Heidelberg (Transvaal), Highveld Ridge, Nigel, Piet Retief, Springs, Standerton, Volksrust and Wakkerstroom—the Assistant Divisional Inspector, Department of Manpower, Benoni (Private Bag X1007);

(e) the Magisterial Districts of Bloemhof, Christiana, Heilbron, Klerksdorp, Oberholzer, Parys, Potchefstroom, Sasolburg, Schweizer-Reneke, Vanderbijlpark, Vereeniging, Vredefort and Wolmaransstad—the Assistant Divisional Inspector, Department of Manpower, Vereeniging (Private Bag X04);

(f) the Province of Natal—the Divisional Inspector, Department of Manpower, Durban (P.O. Box 940);

(g) the Magisterial Districts of Albert, Aliwal North, Barkly East, Cathcart, East London, Elliot, Fort Beaufort, Indwe, King William's Town, Komga, Lady Grey, Maclear, Molteno, Queenstown, Sterkstroom, Stockenström, Stutterheim, Tarka and Wodehouse—the Divisional Inspector, Department of Manpower, East London (P.O. Box 312);

BYLAE

ALGEMENE ADMINISTRATIEWE
REGULASIES**Woordomskrywing**

1. In hierdie regulasies beteken "die Wet" die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet 6 van 1983), en het enige uitdrukking waaraan in die Wet 'n betekenis geheg is, die betekenis aldus daaraan geheg, en tensy uit die samehang anders blyk, beteken—

"Aanhangsel" 'n aanhangsel van hierdie regulasies;

"afdelingsinspekteur" ten opsigte van—

(a) die landdrostdistrikte Barberton, Belfast, Brits, Bronkhorstspuit, Carolina, Cullinan, Groblersdal, Koster, Letaba (Tzaneen), Lydenburg, Marico (Zeerust), Messina, Middelburg (Transvaal), Nelspruit, Pelgrimsrus, Phalaborwa, Pietersburg, Potgietersrus, Pretoria, Rustenburg, Soutpansberg, Swartruggens, Thabazimbi, Warmbad, Waterberg, Waterval Boven, Witbank, Witrivier en Wonderboom—die Afdelingsinspekteur, Departement van Mannekrag, Pretoria (Posbus 393);

(b) die landdrostdistrikte Delareyville, Johannesburg, Krugersdorp, Lichtenburg, Randburg, Randfontein, Roodepoort en Ventersdorp—die Afdelingsinspekteur, Departement van Mannekrag, Johannesburg (Posbus 4560);

(c) die landdrostdistrikte Alberton, Germiston en Kempton Park—die Assistent Afdelingsinspekteur, Departement van Mannekrag, Germiston (Privaatsak X1041);

(d) die landdrostdistrikte Amersfoort, Balfour, Benoni, Bethal, Boksburg, Brakpan, Delmas, Ermelo, Heidelberg (Transvaal), Hoëveldrif, Nigel, Piet Retief, Springs, Standerton, Volksrust en Wakkerstroom—die Assistent Afdelingsinspekteur, Departement van Mannekrag, Benoni (Privaatsak X1007);

(e) die landdrostdistrikte Bloemhof, Christiana, Heilbron, Klerksdorp, Oberholzer, Parys, Potchefstroom, Sasolburg, Schweizer-Reneke, Vanderbijlpark, Vereeniging, Vredefort en Wolmaransstad—die Assistent Afdelingsinspekteur, Departement van Mannekrag, Vereeniging (Privaatsak X04);

(f) die provinsie Natal—die Afdelingsinspekteur, Departement van Mannekrag, Durban (Posbus 940);

(g) die landdrostdistrikte Albert, Aliwal-Noord, Barkly-Oos, Cathcart, Elliot, Fort Beaufort, Indwe, King William's Town, Komga, Lady Grey, Maclear, Molteno, Oos-Londen, Queenstown, Sterkstroom, Stockenström, Stutterheim, Tarka en Wodehouse—die Afdelingsinspekteur, Departement van Mannekrag, Oos-Londen (Posbus 312);

(h) die landdrostdistrikte Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Calitzdorp, Colesberg, Cradock, George, Graaff-Reinet, Hankey, Hanover, Hofmeyr, Humansdorp, Jansenville, Joubertina, Kirkwood, Knysna, Middelburg (Kaapprovinsie), Mosselbaai, Murraysburg, Noupoot, Oudtshoorn, Pearston, Port Elizabeth, Richmond (Kaapprovinsie), Riversdal, Somers-Oos, Steynsburg, Steytlerville, Uitenhage, Uniondale, Venterstad en Willowmore—die Afdelingsinspekteur, Departement van Mannekrag, Port Elizabeth (Privaatsak X3908);

(i) die landdrostdistrikte Beaufort-Wes, Bellville, Bredasdorp, Caledon, Calvinia, Carnarvon, Ceres, Clanwilliam, Die Kaap, Fraserburg, Goodwood, Heidelberg (Kaapprovinsie), Hermanus, Hopefield, Kuilsrivier, Ladismith (Kaapprovinsie), Laingsburg, Malmesbury,

(h) the Magisterial Districts of Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Calitzdorp, Colesberg, Cradock, George, Graaff-Reinet, Hankey, Hanover, Hofmeyr, Humansdorp, Jansenville, Joubertina, Kirkwood, Knysna, Middelburg (Cape), Mossel Bay, Murraysburg, Noupoot, Oudtshoorn, Pearston, Port Elizabeth, Richmond (Cape), Riversdale, Somerset East, Steynsburg, Steytlerville, Uitenhage, Uniondale, Venterstad and Willowmore—the Divisional Inspector, Department of Manpower, Port Elizabeth (Private Bag X3908);

(i) the Magisterial Districts of Beaufort West, Bellville, Bredasdorp, Caledon, Calvinia, The Cape, Carnarvon, Ceres, Clanwilliam, Fraserburg, Goodwood, Heidelberg (Cape), Hermanus, Hopefield, Kuils River, Ladismith (Cape), Laingsburg, Malmesbury, Montagu, Namaqualand, Paarl, Piketberg, Prince Albert, Robertson, Simon's Town, Somerset West, Stellenbosch, Strand, Sutherland, Swellendam, Tulbagh, Vanrhynsdorp, Victoria West, Vredenburg, Vredendal, Wellington, Williston, Worcester and Wynberg and the port and settlement of Walvis Bay—the Divisional Inspector, Department of Manpower, Cape Town (P.O. Box 872); and

(j) the Province of the Orange Free State, excluding the Magisterial Districts of Heilbron, Parys, Sasolburg and Vredefort, but including the Magisterial Districts of Barkly West, Britstown, De Aar, Gordonia, Hartswater, Hay, Herbert, Hopetown, Kenhardt, Kimberley, Kuruman, Philipstown, Postmasburg, Prieska, Vryburg and Warrenton—the Divisional Inspector, Department of Manpower, Bloemfontein (P.O. Box 522);

“factory” means any premises or part of a premises on or in which—

(a) a movable article or part of such an article is made, manufactured, produced, built, assembled, compiled, printed, processed, treated, adapted, repaired, renovated, rebuilt, altered, ornamented, painted (including spray painting), polished, finished, cleaned, dyed, washed, broken-up, disassembled, sorted, packed or put into a container, chilled, frozen or stored in cold storage;

(b) livestock (including poultry) are slaughtered;

(c) electricity is generated;

(d) photographs, films or tapes are developed or processed; or

(e) any activity is carried out which is connected with or incidental to any one or more of the activities mentioned in paragraphs (a) to (d), but does not include premises on or in which the activities mentioned in paragraphs (a) to (e) are carried out—

(i) by fewer than seven persons, except if a high-risk substance is used, processed or produced in any manner on the premises, in which case this exclusion shall not apply;

(ii) inside and secondary to a shop as defined in the Basic Conditions of Employment Act, 1983 (Act 3 of 1983), solely for the purpose of selling by retail from that shop;

(iii) on a farm by a farmer including a partnership or group of persons other than a company, solely in connection with products which he has produced on a farm operated by him, or solely in connection with his farming operations;

(iv) solely in connection with consultative professional services;

(v) in respect of facilities used solely for teaching and instruction in primary, secondary or tertiary educational institutions; and

Montagu, Namakwaland, Paarl, Piketberg, Prins Albert, Robertson, Simonstad, Somerset-Wes, Stellenbosch, Strand, Sutherland, Swellendam, Tulbagh, Vanrhynsdorp, Victoria-Wes, Vredenburg, Vredendal, Wellington, Williston, Worcester en Wynberg en die hawe en nedersetting Walvisbaai—die Afdelingsinspekteur, Departement van Mannekrag, Kaapstad (Posbus 872);

(j) die provinsie die Oranje-Vrystaat, met uitsondering van die landdrosdistrikte Heilbron, Parys, Sasolburg en Vredefort, maar insluitende die landdrosdistrikte Barkly-Wes, Britstown, De Aar, Gordonia, Hartswater, Hay, Herbert, Hopetown, Kenhardt, Kimberley, Kuruman, Philipstown, Postmasburg, Prieska, Vryburg en Warrenton—die Afdelingsinspekteur, Departement van Mannekrag, Bloemfontein (Posbus 522);

“bouwerk” enige werk in verband met—

(a) die oprigting, instandhouding, verbouing, opknapping, herstel, sloping of aftakeling van of aanbouing aan 'n gebou;

(b) die installering, oprigting of aftakeling van masjinerie;

(c) die bou, instandhouding, sloping of aftakeling van enige brug, dam, kanaal, pad, treinspoor, straat, aanloopbaan, riool of waternetwerkstelsel of werk aan enige soortgelyke projek; of

(d) die verskuiwing van grond, die skoonmaak van 'n stuk grond of die maak van 'n uitgraving of werk aan enige soortgelyke projek;

“buitewerk” werk wat deur 'n werknemer of 'n aantal werknemers in die loop van hul diens verrig word by 'n ander werkplek of werkplekke as die plek waar hulle gewoonlik vir diens aanmeld;

“fabriek” enige perseel of gedeelte van 'n perseel waarop of waarin—

(a) 'n roerende artikel of 'n gedeelte van sodanige artikel gemaak, vervaardig, geproduseer, gebou, inmeekaargesit, saamgestel, gedruk, geprosesseer of bewerk, aangepas, herstel, opgeknop, herbou, verander, geornamenteer, geverf (insluitende gespuitsverf), gepoleer, afgewerk, skoongemaak, gekleur, gewas, gesloop, uitmeekaargehaal, gesorteer, verpak of in 'n houer geplaas, verkil, gevries of in koelkamers opgeberg word;

(b) lewende hawe (insluitende pluimvee) geslag word;

(c) elektrisiteit ontwikkel word;

(d) foto's, films of bande ontwikkel of geprosesseer word; of

(e) enige bedrywigheid verrig word wat verbonde is aan of bykomend is tot enigeen of meer van die bedrywigheede genoem in paragrafe (a) tot (d), maar sluit dit nie persele in nie waarop of waarin die bedrywigheede genoem in paragrafe (a) tot (e) uitgevoer word—

(i) deur minder as sewe persone behalwe waar 'n hoë-risikostof op enige manier op die perseel gebruik, geprosesseer of geproduseer word, in welke geval hierdie uitsluiting nie van toepassing is nie;

(ii) binne en sekondêr tot 'n winkel soos omskryf in die Wet op Basiese Diensvoorwaardes, 1983 (Wet 3 van 1983), uitsluitlik vir die doel van kleinhandelverkope vanuit daardie winkel;

(iii) op 'n plaas deur 'n boer met insluiting van 'n vennootskap of 'n groep persone, uitgesonderd 'n maatskappy, uitsluitlik in verband met die produkte wat hy geproduseer het op 'n plaas deur homself bedryf, of uitsluitlik in verband met sy boerderybedrywigheede;

(iv) uitsluitlik in verband met raadplegende professionele dienste;

(v) ten opsigte van fasiliteite wat uitsluitlik aangewend word vir onderrig en opleiding in primêre, sekondêre of tersiêre opvoedkundige inrigtings; en

(vi) on a premises used temporarily and solely for carrying out building work or an activity connected therewith:

Provided that the chief inspector may, at his discretion, determine that a part of a factory shall be deemed to be a separate factory, or that two or more factories, having the same employer, shall be deemed to be a single factory;

"high-risk substance" means any substance listed in the Schedule to these regulations, and also any other substance added to the list in the Schedule by the chief inspector from time to time by notice in the *Gazette*.

Appeals

2. (1) Any person who wishes to appeal to the chief inspector in terms of section 26 (1) of the Act shall lodge such appeal in writing and in duplicate with the divisional inspector within 60 calendar days after the inspector's decision, against which the appeal is being lodged, has been given.

(2) The appeal in terms of subregulation (1) shall set out fully and clearly the grounds on which it is made together with any representations which the appellant desires to make as to why the chief inspector should set aside or vary the decision of the inspector.

(3) Any person who wishes to appeal to the Industrial Court against a decision of the chief inspector taken under section 19 (2) (b) or 26 (1) of the Act, shall lodge such appeal with the Registrar of the Industrial Court in accordance with the rules of procedure of the Industrial Court within 60 calendar days after the chief inspector's decision, against which the appeal is being lodged, has been given.

Exemptions

3. A certificate of exemption issued in terms of section 32 (3) (a) of the Act shall be signed by the divisional inspector, or by an officer acting in his stead: Provided that in the case of an exemption granted from any safety standard or part of a safety standard, the certificate of exemption shall also be signed by the chief inspector or by an officer acting in his stead.

Delegated duties

4. (1) An employer who is a corporate body, and every other employer who is not personally involved in the day to day running of his undertaking, shall designate in writing one of his full-time employees and shall charge such employee with the duty of ensuring that the employer complies with the provisions of the Act.

(2) The employee contemplated in subregulation (1) shall be the employee who is responsible for the management and control of the undertaking of the employer and he shall be vested by the employer with overall authority in matters to which the Act relates.

(3) The designation of an employee in terms of subregulation (1) shall not, subject to the provisions of section 30 of the Act, relieve an employer of any responsibility or any liability under the Act.

General duties of employers and users of machinery

5. Without derogating from any specific duty imposed on employers or users of machinery by the Act or these regulations, every employer or user of machinery, as the case may be, shall—

(a) have a copy of the Act and the regulations readily available at the workplace for perusal by persons in his employ;

(b) take all reasonable measures to ensure that the requirements of the Act and the regulations are observed by every person in his employ or on premises where machinery is used;

(vi) op 'n perseel wat tydelik en uitsluitlik gebruik word vir die uitvoering van bouwerk of 'n bedrywigheid in verband met bouwerk:

Met dien verstande dat die hoofinspekteur na goeddunke kan bepaal dat 'n gedeelte van 'n fabriek geag word 'n afsonderlike fabriek te wees, of dat twee of meer fabriek met dieselfde werkgever, geag word 'n enkele fabriek te wees;

"hoërisikostof" 'n stof wat in die Bylae van hierdie regulasies gelys is, en ook enige ander stof wat van tyd tot tyd deur die hoofinspekteur by kennisgewing in die *Staatskoerant* tot die lys in die Bylae bygevoeg word.

Appèlle

2. (1) Enigiemand wat ingevolge artikel 26 (1) van die Wet by die hoofinspekteur appèl wil aanteken, moet sodanige appèl in duplikaat skriftelik by die afdelingsinspekteur indien binne 60 kalenderdae nadat die beslissing van die inspekteur waarteen geappelleer word, gegee is.

(2) Die appèl ingevolge subregulasie (1) moet die gronde waarop appèl aangeteken word, volledig en duidelik uiteensit tesame met enige verdoë wat die appellant wil rig waarom die hoofinspekteur die beslissing van die inspekteur ter syde moet stel of wysig.

(3) Enigiemand wat by die Nywerheidshof appèl wil aanteken teen 'n beslissing van die hoofinspekteur ingevolge artikel 19 (2) (b) of 26 (1) van die Wet, moet sodanige appèl by die Griffier van die Nywerheidshof indien ooreenkomstig die prosedurereëls van die Nywerheidshof en binne 60 kalenderdae nadat die hoofinspekteur se beslissing waarteen geappelleer word, gegee is.

Vrystellings

3. 'n Vrystellingsertifikaat uitgereik ingevolge artikel 32 (3) (a) van die Wet moet deur die afdelingsinspekteur, of deur 'n beampte wat namens hom optree, onderteken word: Met dien verstande dat, in die geval van 'n vrystelling wat ten opsigte van enige veiligheidsstandaard of gedeelte van 'n veiligheidsstandaard verleen word, die vrystellingsertifikaat ook deur die hoofinspekteur, of deur 'n beampte wat namens hom optree, onderteken moet word.

Gedelegeerde pligte

4. (1) 'n Werkgever wat 'n regs persoonlikheid is, en elke ander werkgever wat nie persoonlik betrokke is by die daaglikse bedryf van sy onderneming nie, moet skriftelik een van sy voltydse werknemers aanwys en sodanige werknemer belas met die plig om te verseker dat die werkgever die bepalings van die Wet nakom.

(2) Die in subregulasie (1) bedoelde werknemer is die werknemer wat verantwoordelik is vir die bestuur van en beheer oor die onderneming van die werkgever en hy moet deur die werkgever beklee word met algehele gesag in sake waarop die Wet betrekking het.

(3) Die aanwysing van 'n werknemer ingevolge subregulasie (1) onthef nie 'n werkgever, onderworpe aan die bepalings van artikel 30 van die Wet, van enige verantwoordelikheid of aanspreeklikheid ingevolge die Wet nie.

Algemene pligte van werkgevers en gebruikers van masjinerie

5. Sonder om afbreuk te doen aan enige bepaalde plig wat werkgevers of gebruikers van masjinerie deur die Wet of hierdie regulasies opgelê word, moet elke werkgever of gebruiker van masjinerie, na gelang van die geval—

(a) 'n afskrif van die Wet en die regulasies geredelik beskikbaar hê ter insae van persone in sy diens;

(b) alle redelike stappe doen om te verseker dat die bepalings van die Wet en die regulasies nagekom word deur elke persoon in sy diens of op persele waar masjinerie gebruik word;

(c) in the interests of safety, enforce discipline at the workplace, or on premises where machinery is used;

(d) ensure that work is performed or machinery is used under the general supervision of a person who has the knowledge and experience necessary to assess the hazards associated with the performance of such work or the use of such machinery;

(e) cause all employees to be instructed regarding the scope of their authority as contemplated in section 30 (1) (c) of the Act;

(f) establish, as far as is reasonable, what dangers to the safety of persons are attached to any work that is performed, any article which is processed, used, handled, stored or transported and any machinery which is used in his business and, further, he shall establish what precautionary measures should be taken with respect to such work, article or machinery in order to protect the safety of persons and he shall provide the necessary means for, and apply such precautionary measures;

(g) take such steps as may be necessary to remove any threat or potential threat to the safety of persons as far as is practicable;

(h) as far as is reasonable, cause every employee to be made conversant with the dangers to his safety attached to any work he has to perform, any article he has to process, use, handle, store or transport and any machinery he is required or permitted to use, and also with the precautionary measures which should be taken and observed with respect to those dangers; and

(i) as far as is reasonable, not permit any employee to do any work or to process, use, handle, store or transport any article or to operate any machinery unless the precautionary measures established in terms of paragraphs (f) and (g), or any other precautionary measures which may be prescribed, are complied with.

General duties of employees

6. Subject to the provisions of section 28 (1) (m), (n) and (o) of the Act, and without derogating from any other specific duty imposed on an employee by the Act or the regulations, every employee shall—

(a) carry out any lawful order given to him and shall obey the safety rules and procedures laid down by his employer or by anyone authorised thereto by his employer, in accordance with or for the proper observance of the provisions of the Act or the regulations or in the interest of safety; and

(b) where a situation which is unsafe at or near his workplace comes to his attention, as soon as possible report such situation to a safety representative or to his employer.

Safety representatives

7. (1) In determining the number of employees with respect to whom a safety representative or safety representatives shall be designated in terms of section 9 (2) of the Act, those employees who perform detached work from such a workplace shall be included in such determination.

(2) An employer shall—

(a) in consultation with a safety representative determine the time during normal working hours when such safety representative shall inspect the workplace or section of the workplace as provided for in section 10 (1) of the Act;

(b) release a safety representative from his normal duties for the purpose of carrying out such inspection;

(c) discipline in belang van veiligheid by die werkplek of op persele waar masjinerie gebruik word, afdwing;

(d) toesien dat werk verrig word of masjinerie gebruik word onder die algemene toesig van 'n persoon wat oor die kennis en ervaring beskik wat nodig is om die gevare verbonde aan die verrigting van sodanige werk of die gebruik van sodanige masjinerie uit te ken;

(e) alle werknemers laat onderrig aangaande die omvang van hul bevoegdheid soos beoog by artikel 30 (1) (c) van die Wet;

(f) vasstel, vir sover dit redelik is, watter gevare vir die veiligheid van persone verbonde is aan enige werk wat verrig word, enige artikel wat geprosesseer, gebruik, gehanteer, opgeberg of vervoer word en enige masjinerie wat in sy onderneming gebruik word en, verder, moet hy vasstel watter voorsorgmaatreëls getref moet word ten opsigte van sodanige werk, artikel of masjinerie ten einde die veiligheid van persone te beskerm en moet hy die nodige middele voorsien vir sodanige voorsorgmaatreëls en hulle toepas;

(g) sodanige stappe doen as wat nodig is om enige gevaar of potensiele gevaar vir die veiligheid van persone, sover as doenlik, te verwyder;

(h) vir sover dit redelik is, elke werknemer op die hoogte laat bring van die gevare vir sy veiligheid verbonde aan enige werk wat hy moet verrig, enige artikel wat hy moet prosesseer, gebruik, hanteer, opberg of vervoer en enige masjinerie wat hy moet gebruik of toegelaat word om te gebruik, asook van die voorsorgmaatreëls wat getref en nagekom moet word ten opsigte van daardie gevare; en

(i) vir sover dit redelik is, nie toelaat dat 'n werknemer enige werk doen of enige artikel prosesseer, gebruik, hanteer, opberg of vervoer of enige masjinerie bedien nie tensy die voorsorgmaatreëls vasgestel ingevolge paragrafe (f) en (g) of enige ander voorsorgmaatreëls wat voorgeskryf word, nagekom word.

Algemene pligte van werknemers

6. Behoudens die bepalings van artikel 28 (1) (m), (n) en (o) van die Wet, en sonder om afbreuk te doen aan enige ander bepaalde plig wat 'n werknemer deur die Wet of die regulasies opgelê word, moet elke werknemer—

(a) 'n wettige opdrag nakom wat aan hom gegee is, en moet hy die veiligheidsreëls en -prosedures wat deur sy werkgever voorgeskryf is of deur enigenen daartoe gemagtig deur sy werkgever, gehoorsaam ooreenkomstig, of vir die behoorlike nakoming van, die bepalings van die Wet of die regulasies of in die belang van veiligheid; en

(b) waar 'n toestand wat onveilig is by of naby sy werkplek, onder sy aandag kom, so spoedig moontlik sodanige toestand by 'n veiligheidsverteenwoordiger of by sy werkgever aanmeld.

Veiligheidsverteenwoordigers

7. (1) By die bepaling van die getal werknemers ten opsigte van wie 'n veiligheidsverteenwoordiger of veiligheidsverteenwoordigers ingevolge artikel 9 (2) van die Wet aangewys moet word, moet die werknemers wat buite-werk verrig, ook by sodanige bepaling ingesluit word.

(2) 'n Werkgever moet—

(a) in oorleg met 'n veiligheidsverteenwoordiger die tyd gedurende normale werksure bepaal wanneer sodanige veiligheidsverteenwoordiger die werkplek of afdeling van die werkplek ooreenkomstig artikel 10 (1) van die Wet moet inspekteer;

(b) 'n veiligheidsverteenwoordiger van sy normale pligte onthef ten einde hom in staat te stel om sodanige inspeksie uit te voer;

(c) after consultation with a safety representative, determine when such safety representative shall inspect workplaces where detached work is in progress;

(d) ensure that every safety representative reports to him, or to a person or persons designated by him for that purpose, as soon as practicable after every such inspection;

(e) keep a record, which shall be open for inspection by an inspector, at the workplace or section of the workplace in question, into which he shall cause a written record of the inspection contemplated in section 10 (1) of the Act, signed by the safety representative, to be entered after each inspection; and

(f) endorse such record, or cause it to be endorsed by a person designated by him for that purpose, to the effect that it had been seen and he or such designated person shall indicate in writing whether or not he or such designated person is in agreement with the findings of the safety representative.

(3) An employer shall retain the record of every inspection as contemplated in subregulation (2) (e) in safekeeping for a period of at least three years.

Safety committees

8. (1) Where a safety committee has been established in terms of section 11 of the Act, an employer shall—

(a) ensure that the current inspection record contemplated in regulation 7 (2) (e) is submitted to the safety committee at each of its meetings; and

(b) ensure that the chairman of the safety committee endorses the record to the effect that it has been seen.

(2) An employer shall—

(a) make a suitable meeting-place available to a safety committee;

(b) arrange for the release of the members of a safety committee from their normal duties for the purpose of attending meetings of the committee;

(c) cause a safety committee to keep minutes of its meetings, and such minutes shall be open for inspection by an inspector;

(d) ensure that the chairman of a safety committee submits the minutes of the meeting of the safety committee to him, or to a person designated by him for that purpose, after every meeting of the committee;

(e) endorse such minutes, or cause them to be endorsed by a person designated by him, to effect that they have been seen and he or such person shall write or cause to be written in the minutes whether any, and if so which, steps had been taken to implement any recommendations which the safety committee may have made regarding any matter affecting the safety of persons at the workplace or section of the workplace for which the committee was established; and

(f) retain such minutes in safekeeping for a period of at least three years.

Reporting of incidents

9. (1) An employer or a user of machinery, as the case may be, shall within three days of any incident referred to in section 17 of the Act, give notice thereof to the divisional inspector in the form of Annexure 1: Provided that where a person in consequence of such an incident dies, becomes unconscious, suffers the loss of a limb or part of a limb or is otherwise injured or becomes ill to such a degree that he is likely either to die or to suffer a permanent physical defect, such incident shall forthwith also be reported to the divisional inspector by telephone, telegram or similar means of communication.

(c) na oorlegpleging met 'n veiligheidsverteenwoordiger bepaal wanneer sodanige veiligheidsverteenwoordiger werkplekke moet inspekteer waar buitewerk aan die gang is;

(d) toesien dat elke veiligheidsverteenwoordiger so spoedig doenlik na elke sodanige inspeksie aan hom rapporteer of aan 'n persoon of persone deur hom vir daardie doel aangewys;

(e) 'n rekord, wat ter insae van 'n inspekteur beskikbaar moet wees, hou by die werkplek of afdeling van die betrokke werkplek waarin hy 'n geskrewe verslag, onderteken deur die veiligheidsverteenwoordiger, van die inspeksie in artikel 10 (1) beoog, na elke inspeksie laat aanteken; en

(f) sodanige verslag endosseer, of dit deur 'n persoon laat endosseer wat deur hom vir daardie doel aangewys is, te dien effekte dat dit gesien is en hy of sodanige aangewese persoon moet skriftelik aandui of hy of sodanige aangewese persoon saamstem met die bevindinge van die veiligheidsverteenwoordiger of nie.

(3) 'n Werkgewer moet elke in subregulasie (2) (e) beoogde verslag in veilige bewaring hou vir 'n tydperk van minstens drie jaar.

Veiligheidskomitees

8. (1) Waar 'n veiligheidskomitee ingevolge artikel 11 van die Wet ingestel is, moet 'n werkgewer—

(a) toesien dat die lopende in regulasie 7 (2) (e) beoogde inspeksieverslag aan die veiligheidskomitee voorgelê word by elk van sy vergaderings; en

(b) toesien dat die voorsitter van die veiligheidskomitee die verslag endosseer te dien effekte dat dit gesien is.

(2) 'n Werkgewer moet—

(a) 'n geskikte vergaderplek beskikbaar stel vir 'n veiligheidskomitee;

(b) reëlings tref vir die ontheffing van lede van 'n veiligheidskomitee van hul normale pligte ten einde hulle in staat te stel om vergaderings van die komitee by te woon;

(c) 'n veiligheidskomitee notule van sy vergaderings laat hou, en sodanige notule moet ter insae van 'n inspekteur beskikbaar wees;

(d) toesien dat die voorsitter van 'n veiligheidskomitee die notule van die vergadering van die veiligheidskomitee aan hom, of aan 'n persoon deur hom vir daardie doel aangewys, voorlê na elke vergadering van die komitee;

(e) sodanige notule endosseer, of dit laat endosseer deur 'n persoon deur hom aangewys, te dien effekte dat dit gesien is en hy of sodanige persoon moet in die notule inskryf of laat inskryf, of enige, en indien wel watter, stappe gedoen is om enige aanbevelings te implementeer wat die veiligheidskomitee gedoen het insake enige aangeleentheid rakende die veiligheid van persone by die werkplek of afdeling van die werkplek ten opsigte waarvan die komitee ingestel is; en

(f) sodanige notule in veilige bewaring hou vir 'n tydperk van minstens drie jaar.

Aanmelding van voorvalle

9. (1) 'n Werkgewer of 'n gebruiker van masjinerie, na gelang van die geval, moet binne drie dae na 'n voorval bedoel in artikel 17 van die Wet aan die afdelingsinspekteur daarvan kennis gee in die vorm van Aanhangsel 1: Met dien verstande dat waar 'n persoon as gevolg van so 'n voorval beswyk, bewusteloos raak, 'n ledemaat of deel van 'n ledemaat verloor of dermate andersins beseer of siek word dat hy waarskynlik of sal sterf of aan 'n permanente liggaamsgebrek sal ly, sodanige voorval ook onverwyld per telefoon of telegram of op soortgelyke wyse van kommunikasie by die afdelingsinspekteur aangemeld moet word.

(2) When an injured person dies after notice of the incident in which he was injured had been given in terms of subregulation (1), the employer or user of machinery shall forthwith notify the divisional inspector of his death.

(3) In the event of an incident in which a person died, or was injured to such an extent that he is likely to die, or suffered the loss of a limb or part of a limb, no person shall disturb the site at which the incident occurred or remove any article involved in the incident before the arrival of an inspector, or without his consent: Provided that such action may be taken as may be necessary to prevent a further incident, to remove the injured or dead, or to rescue persons from danger.

Recording and investigation of incidents

10. (1) Every employer shall keep at a workplace or section of a workplace, as the case may be, a record in the form of Annexure 2, which shall be open for inspection by an inspector, of all incidents which he is required to report in terms of section 17 of the Act and also of any other incident which resulted in the person concerned having had to receive medical treatment other than first-aid.

(2) An employer shall cause every incident which must be recorded in terms of subregulation (1) to be investigated by a person designated by him or by a safety representative or a member of a safety committee, and the employer shall cause the findings of such a person to be entered in such record.

(3) An employer shall cause such record to be examined by the safety committee for that workplace or section of the workplace at its next meeting and shall ensure that the chairman of the safety committee endorses the record to the effect that it has been seen and dealt with.

Witnesses at an inquiry

11. (1) When an inspector decides to hold an inquiry into an incident in terms of section 24 (1) of the Act he shall notify the employer or user of machinery concerned, as the case may be, of the date, time and place of such inquiry and such employer or user of machinery shall forthwith advise those persons who witnessed the incident and any other person specified by the inspector, of such date, time and place, and that their presence shall be required at the inquiry.

(2) The employer or user of machinery concerned, as the case may be, shall ascertain which of the persons he has advised in terms of subregulation (1) are likely to refuse to attend the inquiry, and shall forthwith advise the inspector of the names and addresses of such persons in order that they may be summoned by the inspector.

(3) The notice of summons issued in terms of section 24 (2) of the Act shall be in the form of Annexure 3: Provided that when a notice of summons is served personally on a person, the service of such notice may be effected by any person authorised thereto by the inspector who has signed it.

Intoxication

12. (1) An employer or a user of machinery, as the case may be, shall not permit any person who is or who appears to be drunk or under the influence of drugs, to enter or remain at a workplace or on premises where machinery is used if such a person's presence constitutes a threat to the safety of himself or other persons at such workplace or on such premises.

(2) Wanneer 'n beseerde persoon beswyk nadat kennis van die voorval waarin hy beseer is, ingevolge subregulasie (1) gegee is, moet die werkgewer of die gebruiker van masjinerie onverwyld die afdelingsinspekteur van sodanige persoon se dood in kennis stel.

(3) In die geval van 'n voorval waarin 'n persoon gedood is of dermate beseer is dat hy waarskynlik sal sterf, of 'n ledemaat of deel van 'n ledemaat verloor het, mag niemand die plek waar die voorval plaasgevind het, versteur of enige artikel betrokke by die voorval verwyder voordat 'n inspekteur opdaag nie of sonder sy toestemming nie: Met dien verstande dat sodanige stappe gedoen kan word as wat nodig is om 'n verdere voorval te voorkom, om die beseerdes of dooies te verwyder of om persone uit gevaar te red.

Opteken en ondersoek van voorvalle

10. (1) Iedere werkgewer moet by 'n werkplek of 'n afdeling van 'n werkplek, na gelang van die geval, in die vorm van Aanhangsel 2, 'n verslag hou, wat ter insae van 'n inspekteur beskikbaar moet wees, van alle voorvalle wat hy ingevolge artikel 17 van die Wet verplig is om aan te meld asook van enige ander voorval wat daartoe gelei het dat die betrokke persoon ander mediese behandeling as noodhulp moes ontvang.

(2) 'n Werkgewer moet elke voorval wat ingevolge subregulasie (1) aangeteken moet word, laat ondersoek deur 'n persoon deur hom aangewys, of deur 'n veiligheidsverteenvoerder of 'n lid van 'n veiligheidskomitee, en die werkgewer moet die bevindinge van so 'n persoon in genoemde verslag laat aanteken.

(3) 'n Werkgewer moet sodanige verslag deur die veiligheidskomitee vir daardie werkplek of afdeling van die werkplek by sy volgende vergadering laat oorweeg en moet toesien dat die voorsitter van die veiligheidskomitee die verslag endosseer te dien effekte dat dit gesien en afgehandel is.

Getuiens by 'n ondersoek

11. (1) Wanneer 'n inspekteur besluit om 'n ondersoek na 'n voorval in te stel kragtens artikel 24 (1) van die Wet, moet hy die betrokke werkgewer of gebruiker van masjinerie, na gelang van die geval, van die datum, tyd en plek van sodanige ondersoek in kennis stel en sodanige werkgewer of gebruiker van masjinerie moet onverwyld die persone wat die voorval gesien het en enige ander persoon aangewys deur die inspekteur, van sodanige datum, tyd en plek in kennis stel en dat hulle teenwoordigheid by die ondersoek vereis word.

(2) Die betrokke werkgewer of gebruiker van masjinerie, na gelang van die geval, moet vasstel welke van die persone wat hy ingevolge subregulasie (1) in kennis gestel het, waarskynlik sal weier om die ondersoek by te woon en moet onverwyld die inspekteur van die name en adresse van sodanige persone voorsien sodat hulle deur die inspekteur gedagvaar kan word.

(3) Die dagvaarding uitgereik kragtens artikel 24 (2) van die Wet moet in die vorm van Aanhangsel 3 wees: Met dien verstande dat wanneer 'n dagvaarding persoonlik op 'n persoon beteken word, die betekening van sodanige dagvaarding gedoen kan word deur enige persoon daartoe gemagtig deur die inspekteur wat dit onderteken het.

Dronkenskap

12. (1) 'n Werkgewer of 'n gebruiker van masjinerie, na gelang van die geval, mag nie 'n persoon wat dronk of onder die invloed van dwelmmiddels of verdowingsmiddels is of skyn te wees, toelaat om 'n werkplek of 'n perseel waar masjinerie gebruik word, binne te gaan of daar te vertoef nie indien so 'n persoon se teenwoordigheid 'n bedreiging inhou vir sy eie veiligheid of dié van ander persone by sodanige werkplek of op sodanige perseel.

(2) At a workplace or on premises where machinery is used, no person shall have in his possession or partake of or offer any other person intoxicating liquor or drugs, except with the express permission of the employer or user of machinery, as the case may be: Provided that such permission with respect to the medicines listed in Schedules 5, 6, 7 and 9 of the Medicines and Related Substances Control Act, 1965 (Act 101 of 1965), may only be granted if such medicines were supplied to the person concerned on prescription by a registered medical practitioner.

Admittance of persons

13. (1) An employer or a user of machinery, as the case may be, shall not permit a person to enter a workplace or premises where machinery is used and where the safety of such person is likely to be placed at risk, unless such person enters such workplace or premises with the express or implied permission of and subject to the conditions laid down by such employer or user of machinery: Provided that this subregulation shall not apply in respect of a person entitled by law to enter such workplace or premises.

(2) An employer or a user of machinery, as the case may be, shall if he deems it necessary in the interests of safety, post up a notice at every entrance to a workplace or premises where machinery is used, prohibiting the entry of unauthorised persons to such workplace or premises, and no person shall enter such workplace or premises without the permission of the employer or user of machinery, as the case may be.

Returns

14. An employer or a user of machinery, as the case may be, shall on demand furnish the divisional inspector with such returns as may be required for the purpose of the administration of the Act.

Registration of factories

15. (1) An employer shall not require or permit any person to work in or in connection with a factory unless such employer is the holder of a valid factory registration certificate issued in terms of these regulations in respect of that factory: Provided that for a period of six months from the date of commencement of these regulations, this regulation shall not apply in respect of premises which were registered as a factory in terms of section 13 of the Factories, Machinery and Building Work Act, 1941 (Act 22 of 1941).

(2) Application for a factory registration certificate shall be made in duplicate to the divisional inspector in the form of Annexure 4 by or on behalf of the employer or person who uses, or who intends to use, a premises or part of a premises as factory and such application shall be accompanied by such additional information as the divisional inspector may require.

(3) The divisional inspector shall issue the factory registration certificate as soon as is practicable and, where the applicant enquires regarding the standards which will be applied by any inspector in the exercise of any discretionary power vested in him by the regulations, the divisional inspector shall furnish the applicant with such information.

(4) The holder of a factory registration certificate shall—

(a) cause the registration certificate issued in terms of subregulation (3) to be prominently displayed in a conspicuous place on the premises for which it was issued; and

(2) Niemand mag by 'n werkplek of op 'n perseel waar masjinerie gebruik word sterk drank of dwelmmiddels in sy besit hê of inneem of aan 'n ander persoon aanbied nie behalwe met die uitdruklike toestemming van die werkgewer of gebruiker van masjinerie, na gelang van die geval: Met dien verstande dat sodanige toestemming ten opsigte van die medisyne gelys in Bylaes 5, 6, 7 en 9 van die Wet op die Beheer van Medisyne en Verwante Stowwe, 1965 (Wet 101 van 1965), slegs verleen kan word indien sodanige medisyne aan die betrokke persoon verskaf is op voorskrif van 'n geregistreerde mediese praktisyn.

Toegang vir persone

13. (1) 'n Werkgewer of 'n gebruiker van masjinerie, na gelang van die geval, mag nie 'n persoon toelaat om 'n werkplek of 'n perseel waar masjinerie gebruik word en waar die veiligheid van sodanige persoon waarskynlik in gevaar gestel sal word, binne te gaan nie, tensy sodanige persoon sodanige werkplek of perseel binnegaan met die uitdruklike of stilswyende toestemming van en onderworpe aan die voorwaardes neergelê deur sodanige werkgewer of gebruiker van masjinerie: Met dien verstande dat hierdie subregulasie nie van toepassing is nie op 'n persoon wat regtens gemagtig is om sodanige werkplek of perseel binne te gaan.

(2) 'n Werkgewer of 'n gebruiker van masjinerie, na gelang van die geval, moet, indien hy dit in die belang van veiligheid nodig ag, by elke ingang tot 'n werkplek of perseel waar masjinerie gebruik word, 'n kennisgewing aangebring wat toegang deur ongemagtigde persone tot sodanige werkplek of perseel verbied, en niemand mag sodanige werkplek of perseel sonder die toestemming van die werkgewer of gebruiker van masjinerie, na gelang van die geval, binnegaan nie.

Opgawes

14. 'n Werkgewer of 'n gebruiker van masjinerie, na gelang van die geval, moet op aanvraag die afdelingsinspekteur voorsien van sodanige opgawes as wat nodig is vir die doel van die administrasie van die Wet.

Registrasie van fabriek

15. (1) Geen werkgewer mag vereis of toelaat dat enige persoon in of in verband met 'n fabriek werk nie tensy sodanige werkgewer die houer is van 'n geldige fabrieksregistrasiesertifikaat uitgereik ingevolge hierdie regulasies ten opsigte van daardie fabriek: Met dien verstande dat vir 'n tydperk van ses maande vanaf die datum van inwerkingtreding van hierdie regulasies, hierdie regulasie nie van toepassing is nie ten opsigte van 'n perseel wat as 'n fabriek geregistreer is kragtens artikel 13 van die Wet op Fabriek, Masjinerie en Bouwerk, 1941 (Wet 22 van 1941).

(2) Aansoek om 'n fabrieksregistrasiesertifikaat moet in duplikaat gedoen word by die afdelingsinspekteur in die vorm van Aanhangsel 4 deur of ten behoeve van die werkgewer of persoon wat 'n perseel of gedeelte van 'n perseel as 'n fabriek gebruik of wil gebruik en sodanige aansoek moet vergesel gaan van sodanige bykomende inligting as wat die afdelingsinspekteur vereis.

(3) Die afdelingsinspekteur moet die fabrieksregistrasiesertifikaat so spoedig doenlik uitreik en, waar die aansoeker navraag doen na die standaard wat deur 'n inspekteur toegepas sal word in die uitvoering van enige diskresionêre bevoegdheid aan hom verleen by die regulasies, moet die afdelingsinspekteur die aansoeker van sodanige inligting voorsien.

(4) Die houer van 'n fabrieksregistrasiesertifikaat moet—

(a) die registrasiesertifikaat wat ingevolge subregulasie

(3) uitgereik is prominent ten toon laat stel op 'n opvallende plek op die perseel waarvoor dit uitgereik is; en

(b) within seven calendar days of discovering the loss, defacement or destruction of a valid registration certificate, apply in writing to the divisional inspector for the issue of a duplicate registration certificate and pay an amount of R5 therefor.

(5) Every holder of a valid registration certificate shall, at least 14 calendar days prior to discontinuing factory activities, notify the divisional inspector in writing of his intention of doing so.

Offences and penalties

16. Any person who—

(a) contravenes or fails to comply with any provision of regulation 4 (1), 5, 6, 7 (2), 7 (3), 8, 9, 10, 11 (2), 12, 13, 15 (1), 15 (4), or 15 (5); or

(b) fails to furnish a return required in terms of regulation 14,

shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding six months and, in the case of a continuous offence, to an additional fine of R5 for each day on which the offence continues or to additional imprisonment of one day for each day on which the offence continues: Provided that the period of such additional imprisonment shall in no case exceed 90 days.

Short title

17. These regulations shall be called the General Administrative Regulations.

SCHEDULE

List of high-risk substances

1. All types of asbestos.
2. Lead and its compounds.
3. Mercury and its compounds.
4. Chromium and its compounds.
5. Arsenic and its compounds.
6. Cadmium and its compounds.
7. All types of crystalline silica (dust).
8. Acrylonitrile (skin absorption).
9. Coal tar pitch volatiles.
10. Nickel sulphide (fumes and dust).
11. Vinyl chloride.
12. Bis (chloromethyl) ether.
13. 4-Aminodiphenyl (p-xenylamine).
14. Benzidine.
15. Chloromethyl methylether.
16. Betanaphthylamine.
17. 4-Nitrodiphenyl.
18. Amitrol.
19. Antimony trioxide.
20. Benzene.
21. Benzo(a)pyrene.
22. Beryllium.
23. Carbon tetrachloride.
24. Chloroform.
25. Chrysene.
26. 3,3'-Dichloro benzidine (skin absorption).
27. Dimethylcarbonyl chloride.
28. 1,1-Dimethyl hydrazine (skin absorption).
29. Dimethyl sulphate (skin absorption).
30. Ethylene dibromide (skin absorption).
31. Ethylene oxide.

(b) binne sewe kalenderdae nadat die verlies, beskadiging of vernietiging van 'n geldige registrasiesertifikaat ontdek is, skriftelik by die afdelingsinspekteur aansoek doen om die uitreiking van 'n duplikaatregistrasiesertifikaat en 'n bedrag van R5 daarvoor betaal.

(5) Elke houër van 'n geldige registrasiesertifikaat moet ten minste 14 kalenderdae voordat hy fabrieksbedrywighede staak, die afdelingsinspekteur skriftelik van sy voorneme om dit te doen, in kennis stel.

Misdrywe en strawwe

16. Enigiemand wat—

(a) 'n bepaling van regulasie 4 (1), 5, 6, 7 (2), 7 (3), 8, 9, 10, 11 (2), 12, 13, 15 (1), 15 (4) of 15 (5) oortree of versuim om aan 'n bepaling daarvan te voldoen; of

(b) versuim om 'n opgawe wat ingevolge regulasie 14 van hom vereis word, te verstrek,

begaan 'n misdryf en is by skuldigebevinding strafbaar met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk wat nie ses maande te bowe gaan nie en, in die geval van 'n aanhoudende misdryf, met 'n bykomende boete van R5 vir elke dag waarop die misdryf voortduur of met bykomende gevangenisstraf van een dag vir elke dag waarop die misdryf voortduur: Met dien verstande dat die tydperk van sodanige bykomende gevangenisstraf in geen geval 90 dae te bowe mag gaan nie.

Kort titel

17. Hierdie regulasies heet die Algemene Administratiewe Regulasies.

BYLAE

Lys van hoërisikostowwe

1. Alle tipes asbes.
2. Lood en sy verbindings.
3. Kwik en sy verbindings.
4. Chroom en sy verbindings.
5. Arseen en sy verbindings.
6. Kadmium en sy verbindings.
7. Alle tipes kristallyne silika (stof).
8. Akrilonitriël (vel-absorpsie).
9. Koolteerpikvlugstowwe.
10. Nikkelsulfied (dampe en stof).
11. Vinielchloried.
12. Bis (chloormetiel) eter.
13. 4-aminodifeniel (p-xenielamien).
14. Bensidien.
15. Chloormetielmetieleter.
16. Betanaftielamien.
17. 4-nitrodifeniel.
18. Amitrol.
19. Antimoontrioksied.
20. Benseen.
21. Benso(a)pireen.
22. Berillium.
23. Koolstofetetrachloried.
24. Chloroform.
25. Chriseen.
26. 3,3'-dichloorbensidien (vel-absorpsie).
27. Dimetielkarbamielchloried.
28. 1,1-dimetielhidrasien (vel-absorpsie).
29. Dimetielsulfaat (vel-absorpsie).
30. Etileendibromied (vel-absorpsie).
31. Etileenoksied.

32. Formaldehyde.
33. Hexachlorobutadiene.
34. Hexamethyl phosphoramidate (skin absorption).
35. Hydrazine (skin absorption).
36. 4,4'-Methylene bis (2-chloroaniline) (skin absorption).
37. Methyl hydrazine (skin absorption).
38. Methyl iodide (skin absorption).
39. 2-Nitropropane.
40. N-Nitrosodimethylamine (skin absorption).
41. N-Phenyl-beta-naphthylamine.
42. Phenylhydrazine (skin absorption).
43. Propane sultone.
44. beta-Propiolactone.
45. Propylene imine (skin absorption).
46. o-Tolidine.
47. o-Toluidine (skin absorption).
48. Vinyl bromide.
49. Vinyl cyclohexene dioxide.

32. Formaldehyd.
33. Heksachloorbutadien.
34. Heksametielfosforamied (vel-absorpsie).
35. Hidrasien (vel-absorpsie).
36. 4,4'-metileenbis (2-chlooranilien) (vel-absorpsie).
37. Metielhidrasien (vel-absorpsie).
38. Metieljodied (vel-absorpsie).
39. 2-nitropropan.
40. N-nitrosodimetielamien (vel-absorpsie).
41. N-fenielbetanaftielamien.
42. Feniellhidrasien (vel-absorpsie).
43. Propaansultoon.
44. Betapropiolaktoon.
45. Propileenimien (vel-absorpsie).
46. o-tolidien.
47. o-toluidien (vel-absorpsie).
48. Vinielbromied.
49. Vinielsiklohekseendioksied.

ANNEXURE 1

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983
REGULATION 9 OF THE GENERAL ADMINISTRATIVE REGULATIONS
REPORTING OF INCIDENTS

(Front of Annexure 1)
FOR OFFICIAL USE ONLY

DATA CODES

THE DIVISIONAL INSPECTOR
DEPARTMENT OF MANPOWER

Diary number

Incident Serial Number

Contravention

Inquiry

Industry

Instrumental cause

Personal cause

1. Name of employer/user of machinery
2. Telephone No.
3. Postal address
4. Address where incident occurred
5. Main or principal activity of employer
6. Date of incident
7. Time of incident
8. Number of persons involved
9. Nature of work performed
10. Machine/process involved in incident
11. Short description of incident
12. Cause of incident

N.B.—COMPLETE A SEPARATE FORM IN RESPECT OF EACH PERSON AFFECTED
(MAKE A CROSS IN THE APPROPRIATE SQUARE)

13. Name of affected person
14. Population group

1 White	2 Coloured	3 Indian	4 Black
------------	---------------	-------------	------------

 → ☐
15. Sex

1 Male	2 Female
-----------	-------------

 → ☐
16. Length of time employed (in months)

1 0-3	2 >3-6	3 >6-12	4 >12-24	5 More
----------	-----------	------------	-------------	-----------

 → ☐
17. Length of experience in work performed (in months)

1 0-3	2 >3-6	3 >6-12	4 >12-24	5 More
----------	-----------	------------	-------------	-----------

 → ☐

18. Part of body affected

11 Head or neck	12 Eye	13 Trunk	14 Finger	15 Hand
16 Arm	17 Foot	18 Leg	19 Internal	20 Multiple

--	--

19. Effect on person

11 Strains or sprains	12 Contusions or wounds	13 Fractures	14 Burns	15 Amputation
16 Electrical shock	17 Asphyxiation	18 Unconsciousness	19 Poisoning	20 Multiple

--	--

20. Expected period of disablement

1 0-2 weeks	2 >2-4 weeks	3 >4-16 weeks
4 >16-52 weeks	5 >52 weeks or permanent disablement	6 Killed

--

.....
Signature of employer/user.....
*Date***FOR OFFICIAL USE ONLY**

(Reverse side of Annexure 1)

1. Date of investigation:

2. In the presence of:

3. Circumstances which led to the incident:

4. Inspector's remarks:

5. Action taken by inspector:

.....
Date.....
Inspector

ANNEXURE 2

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983

REGULATION 10 OF THE GENERAL ADMINISTRATIVE REGULATIONS

RECORDING AND INVESTIGATION OF INCIDENTS

A. RECORDING OF INCIDENT

1. Name of affected person
2. Date of incident 3. Time of incident

4. Part of body affected*	Head or neck	Eye	Trunk	Finger	Hand
	Arm	Foot	Leg	Internal	Multiple

5. Effect on person*	Sprains or strains	Contusion or wounds	Fractures	Burns	Amputation
	Electric shock	Asphyxiation	Unconsciousness	Poisoning	Multiple

6. Expected period of disablement*	0-2 weeks	>2-4 weeks	>4-16 weeks	>16-52 weeks	>52 weeks or permanent disablement	Killed
--	-----------	------------	-------------	--------------	------------------------------------	--------

7. Machine/process involved/type of work performed

8. Was incident reported to Workmen's Compensation Commissioner?*

Yes	No
Yes	No
9. Was incident reported to Divisional Inspector?*

Yes	No
Yes	No

* Make a cross in the appropriate square

B. INVESTIGATION OF THE ABOVE INCIDENT

1. Name of investigator 2. Date of investigation

3. Designation of investigator

4. Short description of incident

5. Suspected cause of incident

6. Recommended steps to prevent a recurrence

Signature of investigator

Date

C. ACTION TAKEN BY EMPLOYER

Signature of employer

Date

D. EXAMINATION OF RECORD BY SAFETY COMMITTEE

Remarks

Signature of chairman of safety committee

Date

ANNEXURE 3

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983
 REGULATION 11 OF THE GENERAL ADMINISTRATIVE REGULATIONS
 SUMMONS TO ATTEND INQUIRY

To
 (Name and address of witness)

In terms of section 24 (2) of the Machinery and Occupational Safety Act, 1983, you are hereby summoned to appear before me in person at
 (address)
 on (date) at the hour of (time) to give evidence regarding

and to bring with you and there and then produce to me those books, writings and/or things specified hereunder:

1.
2.
3.
4.

Given under my Hand at this day of 19.....

.....
Signature of inspector

Office date stamp

Warning: Failure to obey this summons renders you liable to prosecution.

ANNEXURE 4

(Front of Annexure 4)

MACHINERY AND OCCUPATION SAFETY ACT, 1983
 REGULATION 15 OF THE GENERAL ADMINISTRATIVE REGULATIONS
 REGISTRATION OF FACTORIES

IN DUPLICATE

A. APPLICATION FOR REGISTRATION OF A FACTORY

The Divisional Inspector, Department of Manpower

I hereby apply for registration of a factory, the particulars of which are reflected in part B hereunder, and declare that I have taken cognisance of the provisions of the regulations and the directions of the inspector in terms thereof.

.....
Signature of applicant

.....
Date

Capacity of applicant

B. PARTICULARS OF FACTORY

1. Full name of employer
2. Name of factory
3. Address of factory premises
4. Postal address
- Postal code Telephone number
5. Main activities carried out on the premises
6. The high-risk substances indicated on the reverse of this form are used, processed or produced on the premises.
7. Maximum power demand of machinery in use on the premises kW
8. Maximum number of persons, including employer, who work on the premises at any one time:

Sex	1 st shift	2 nd shift	3 rd shift	4 th shift
Male				
Female				

C. FACTORY REGISTRATION CERTIFICATE

The factory of which the particulars appear in part B above, has this day been registered.

Office stamp

Divisional Inspector

D. FOR OFFICIAL USE

Fee for the issue of a duplicate factory registration certificate R5,00.

Receipt No.

Date

Signature

LIST OF HIGH-RISK SUBSTANCES USED, PROCESSED OR PRODUCED ON THE PREMISES

(Reverse side of Annexure 4)

(Indicate with a cross. Describe where necessary.)

1. All types of asbestos
2. Lead and its compounds
3. Mercury and its compounds
4. Chromium and its compounds
5. Arsenic and its compounds
6. Cadmium and its compounds
7. All types of crystalline silica (dust)
8. Acrylonitrile (skin absorption)
9. Coal tar pitch volatiles
10. Nickel sulphide (fumes and dust)
11. Vinyl chloride
12. Bis (chloromethyl) ether
13. 4-Aminodiphenyl (p-xenylamine)
14. Benzidine
15. Chloromethyl methylether
16. Betanaphthylamine
17. 4-Nitrodiphenyl
18. Amitrol
19. Antimony Trioxide
20. Benzene
21. Benzo(a)pyrene
22. Beryllium
23. Carbon tetrachloride
24. Chloroform
25. Chrysene

26. 3,3'-Dichloro benzidine (skin absorption)
27. Dimethylcarbamil chloride
28. 1,1-Dimethyl hydrazine (skin absorption)
29. Dimethyl sulphate (skin absorption)
30. Ethylene dibromide (skin absorption)
31. Ethylene oxide
32. Formaldehyde
33. Hexachlorobutadiene
34. Hexamethyl phosphoramidate (skin absorption)
35. Hydrazine (skin absorption)
36. 4,4'-Methylene bis (2-chloroaniline) (skin absorption)
37. Methyl hydrazine (skin absorption)
38. Methyl iodide (skin absorption)
39. 2-Nitropropane
40. N-Nitrosodimethylamine (skin absorption)
41. N-Phenyl-beta-naphthylamine
42. Phenylhydrazine (skin absorption)
43. Propane sultone
44. beta-Propiolactone
45. Propylene imine (skin absorption)
46. o-Tolidine
47. o-Toluidine (skin absorption)
48. Vinyl bromide
49. Vinyl cyclohexene dioxide

AANHANGSEL 1

WET OP MASJNERIE EN BEROEPSVEILIGHEID, 1983

REGULASIE 9 VAN DIE ALGEMENE ADMINISTRATIEWE REGULASIES

AANMELDING VAN VOORVALLE

(Voor kant van Aanhangsel 1)

**ALLEEN VIR AMPTE-
LIKE GEBRUIK****DATAKODES**DIE AFDELINGSINSPEKTEUR
DEPARTEMENT VAN MANNEKRAG

Dagboeknommer.....

Voorval serienommer

--	--	--	--	--

1. Naam van werkgewer/gebruiker van masjinerie

Oortreding

--	--	--	--	--

3. Posadres 2. Telefoonnommer.....

Kode.....

4. Adres waar voorval plaasgevind het

Ondersoek

--

5. Hoof- of vernaamste bedrywigheid van werkgewer

Bedryf/Nywerheid

--	--	--	--	--

6. Datum van voorval 7. Tyd van vooval.....

8. Aantal persone betrokke

Werktuiglike oorsaak

--	--	--

9. Aard van werk verrig

10. Masjien/proses betrokke by voorval

Persoonlike oorsaak

--	--

11. Kort beskrywing van voorval

12. Oorsaak van voorval

N.B.—'N APARTE VORM MOET TEN OPSIGTE VAN ELKE BETROKKE PERSOON INGEVUL WORD
(MAAK 'N KRUIS IN DIE TOEPASLIKE BLOKKIE)

13. Naam van betrokke persoon.....

14. Bevolkingsgroep.....

1 Blank	2 Kleurling	3 Indiër	4 Swart
------------	----------------	-------------	------------

→ ☐

15. Geslag.....

1 Manlik	2 Vroulik
-------------	--------------

→ ☐

16. Tydperk in diens (in maande).....

1 0-3	2 >3-6	3 >6-12	4 >12-24	5 Meer
----------	-----------	------------	-------------	-----------

→ ☐

17. Tydperk van ondervinding in werk verrig (in maande).....

1 0-3	2 >3-6	3 >6-12	4 >12-24	5 Meer
----------	-----------	------------	-------------	-----------

→ ☐

18. Gedeelte van liggaam betrokke.....

11 Kop of nek	12 Oog	13 Romp	14 Vinger	15 Hand
16 Arm	17 Voet	18 Been	19 Inwendig	20 Veelvuldig

→ ☐

19. Uitwerking op persoon.....

11 Verreking of verstuiting	12 Kneusing of wonde	13 Frakture	14 Brandwonde	15 Amputasie
16 Elektriese skok	17 Versmoring	18 Bewuste-loosheid	19 Vergiftiging	20 Veelvuldig

→ ☐

20. Verwagte periode van ongeskiktheid

1 0-2 weke	2 >2-4 weke	3 >4-16 weke
4 >16-52 weke	5 >52 weke of permanente ongeskiktheid	6 Noodlottig

→ ☐

.....
Handtekening van werkgewer/gebruiker

.....
Datum

ALLEEN VIR AMPTELIK GEBRUIK

(Rugkant van Aanhangsel 1)

1. Datum van ondersoek:
2. In teenwoordigheid van:
3. Omstandighede wat tot die voorval gelei het:

4. Opmerkings van inspekteur:

5. Stappe gedoen deur inspekteur:

.....
Datum

.....
Inspekteur

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983
REGULASIE 10 VAN DIE ALGEMENE ADMINISTRATIEWE REGULASIES
OPTEKEN EN ONDERSOEK VAN VOORVALLE

1. Naam van betrokke persoon	3. Tyd van voorval				
2. Datum van voorval	Kop of nek	Oog	Romp	Vinger	Hand
4. Gedeelte van liggaam betrokke*	Arm	Voet	Been	Inwendig	Veelvuldig
5. Uitwerking op persoon*	Verrekking of verstuiting	Kneusing of wonde	Frakture	Brandwonde	Amputasies
	Elektriese skok	Versmoring	Bewusteloosheid	Vergiftiging	Veelvuldig
6. Verwagte periode van ongeskiktheid*	0-2 weke	>2-4 weke	>4-16 weke	>16-52 weke	>52 weke of permanente ongeskiktheid
7. Masjien/proses betrokke/tipe werk verrig					
8. Is voorval by Ongevallekommissaris aangemeld?*	Ja	Nee			
9. Is voorval by Afdelingsinspekteur aangemeld?*	Ja	Nee			

* Maak 'n kruis in die toepaslike blokkie

1. Naam van onderzoeker

2. Datum van ondersoek

3. Hoedanigheid van onderzoeker

4. Kort beskrywing van voorval

5. Vermeende oorsaak van voorval

6. Stappe aanbeveel om 'n herhaling te voorkom

Handtekening van onderzoeker

Datum

Handtekening van werkgewer

Opmerkingen.....

.....

.....

Handtekening van voorzitter van veiligheidscomité Datum

AANHANGSEL 3

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983
REGULASIE 11 VAN DIE ALGEMENE ADMINISTRATIEWE REGULASIES
DAGVAARDING OM ONDERSOEK BY TE WOON

Aan..... (Naam en adres van getuie)

Kragtens artikel 24 (2) van die Wet op Masjinerie en Beroepsveiligheid, 1983, word u hierby gedagvaar om persoonlik voor my te verskyn te (adres)

op..... (datum) om..... (tyd) om getuienis af te lê in verband met.....

en om die hieronder gespesifiseerde boeke, geskrifte en/of sake saam met u te bring en daar en dan aan my voor te lê:

1.

2.

3.

4.

Gegee onder my Hand te..... op hede die..... dag van..... 19.....

*Handtekening van inspekteur**Kantoorstempel*

Waarskuwing: Versuim om aan hierdie dagvaarding te voldoen, stel u bloot aan vervolging.

(Voorkant van Aanhangsel 4)

AANHANGSEL 4

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983
REGULASIE 15 VAN DIE ALGEMENE ADMINISTRATIEWE REGULASIES

IN DUPLIKAAT**REGISTRASIE VAN FABRIEKE****A. AANSOEK OM REGISTRASIE VAN 'N FABRIEK**

Die Afdelingsinspekteur, Departement van Mannekrag.....

Hierby doen ek aansoek om die registrasie van 'n fabriek, waarvan die besonderhede in deel B hieronder verskyn, en verklaar dat ek kennis geneem het van die bepalinge van die regulasies en die inspekteur se voorskrifte daarkragtens.

*Handtekening van aansoeker**Datum*

Hoedanigheid van aansoeker.....

B. BESONDERHEDE VAN FABRIEK

1. Volle name van werkgever.....
2. Naam van fabriek.....
3. Adres van die fabriekperseel.....
4. Posadres.....
- Poskode..... Telefoonnommer.....
5. Hoofbedrywighe wat op die perseel uitgevoer word.....
6. Die hoërisikostowwe wat op die rugkant van hierdie vorm aangedui word, word op die perseel gebruik, geprosesseer of geproduseer.
7. Maksimum kragaanvraag van masjinerie wat op die perseel gebruik word..... kW
8. Maksimum aantal persone, insluitende werkgever, wat op 'n bepaalde tydperk op die perseel werk:

Geslag	1 ^{ste} skof	2 ^{de} skof	3 ^{de} skof	4 ^{de} skof
Manlik				
Vroulik				

C. FABRIEKREGISTRASIESERTIFIKAAT

Die fabriek waarvan die besonderhede in deel B hierbo verskyn, is vandag geregistreer.

Kantoorstempel

Afdelingsinspekteur

D. VIR AMPTELIKE GEBRUIK

Gelde vir die uitreiking van 'n duplikaatfabrieksregistrasiesertifikaat R5,00.

Kwitansienommer

.....
Datum

.....
Handtekening

LYS VAN HOËRISIKOSTOWWE OP DIE PERSEEL GEBRUIK, GEPROSESSEER OF GEPRODUSEER

(Rugkant van Aanhangsel 4)

(Dui met 'n kruisie aan. Beskryf waar nodig.)

1. Alle tipes asbes
2. Lood en sy verbindings
3. Kwik en sy verbindings
4. Chroom en sy verbindings
5. Arseen en sy verbindings
6. Kadmium en sy verbindings
7. Alle tipes kristallyne silika (stof)
8. Akrilonitriël (vel-absorpsie)
9. Koolteerpikvlugstowwe
10. Nikkelsulfied (dampe en stof)
11. Vinielchloried
12. Bischloormetieleter
13. 4-aminodifeniel (p-xenielamien)
14. Bensidien
15. Chloormetielmetieleter
16. Betanaftielamien
17. 4-nitrodifeniel
18. Amitrol
19. Antimoontrioksied
20. Benseen
21. Benso(a)pireen
22. Berillium
23. Koolstoftetrachloried
24. Chloroform
25. Chriseen
26. 3,3'-dichloorbensidien (vel-absorpsie)
27. Dimetielkarbamielchloried
28. 1,1-dimetielhidrasien (vel-absorpsie)
29. Dimetielsulfaat (vel-absorpsie)
30. Etileendibromied (vel-absorpsie)
31. Etileenoksied
32. Formaldehyd
33. Heksachloorbutadien

34.	Heksametielfosforamied (vel-absorpsie)
35.	Hidrasien (vel-absorpsie)
36.	4,4'-metileen-bis (2-chlooranilien) (vel-absorpsie)
37.	Metielhidrasien (vel-absorpsie)
38.	Metieljodied (vel-absorpsie)
39.	2-nitropropaan
40.	N-nitrosodimetielamien (vel-absorpsie)
41.	N-fenielbetanaftielamien
42.	Fenielhidrasien (vel-absorpsie)
43.	Propaansultoon
44.	Betapropiolaktoon
45.	Propileenimien (vel-absorpsie)
46.	o-tolidien
47.	o-toluidien (vel-absorpsie)
48.	Vinielbromied
49.	Vinielsiklohekseendioksied

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