

REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

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**No. 16222**

## GOVERNMENT NOTICES

### DEPARTMENT OF AGRICULTURE

**No. R. 47**

**20 January 1995**

VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982 (ACT No. 19 OF 1982)

#### REGULATIONS RELATING TO VETERINARY AND PARA-VETERINARY PROFESSIONS: AMENDMENT

The Deputy Minister of Agriculture, acting on behalf of the Minister of Agriculture has under section 43 of the Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982), made the regulations in the Schedule.

#### SCHEDULE

##### *Definition*

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. 2085 of 1 October 1982, as amended by the regulations published by Government Notices Nos. R. 1994 of 11 September 1987 (as corrected by Government Notice No. R. 2199 of 2 October 1987), R. 397 of 4 March, 1988, R. 1067 of 17 May 1991, R. 11 of 3 January 1992, R. 976 of 27 March 1992 and R. 1477 of 23 September 1994.

##### *Amendment of Table 3 of the Regulations*

Table 3 of the Regulations is hereby amended by—

- (a) the substitution for the inscription "M. Med. Vet. (Chir.) . . . Pretoria . . . Surgery: Small Animals . . . Veterinary Specialist Surgeon: Small Animals" where it appears in line 2 of the Table, of the following inscription:

48278—A

## GOEWERMENSKENNISGEWINGS

### DEPARTEMENT VAN LANDBOU

**No. R. 47**

**20 Januarie 1995**

WET OP VETERINÊRE EN PARA-VETERINÊRE BEROEPE, 1982 (WET No. 19 VAN 1982)

#### REGULASIES BETREFFENDE VETERINÊRE EN PARA-VETERINÊRE BEROEPE: WYSIGING

Die Adjunkminister van Landbou, handelende namens die Minister van Landbou het kragtens artikel 43 van die Wet op Veterinêre en Para-veterinêre Beroepe, 1982 (Wet No. 19 van 1982), die regulasies in die Bylae uitgevaardig.

#### BYLAE

##### *Woordomskrywing*

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermenskennisgewing No. R. 2085 van 1 Oktober 1982, soos gewysig deur die regulasies gepubliseer by Goewermenskennisgewing Nos. R. 1994 van 11 September 1987 (soos verbeter by Goewermenskennisgewing No. R. 2199 van 2 Oktober 1987), R. 397 van 4 Maart 1988, R. 1067 van 17 Mei 1991, R. 11 van 3 Januarie 1992, R. 976 van 27 Maart 1992 en R. 1477 van 23 September 1994.

##### *Wysiging van Tabel 3 van die Regulasies*

Tabel 3 van die Regulasies word hiermee gewysig deur—

- (a) Die inskrywing "M. Med. Vet. (Chir.) . . . Pretoria . . . Chirurgie: Kleindierte . . . Veterinêre Chirurg: Kleindierte" waar die in reël 2 van die Tabel voorkom, deur die volgende inskrywing te vervang:

16222—1

| Degree, diploma or certificate                                                                                                                                                                                                                                                                                                                                                                                                                          | University    | Speciality                             | Designations reserved                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------------------|------------------------------------------------------|
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2             | 3                                      | 4                                                    |
| M. Med. Vet (Chir.): Small animals                                                                                                                                                                                                                                                                                                                                                                                                                      | Pretoria..... | Specialist Surgery: Small animals      | Veterinary Specialist Surgeon: Small animals.        |
| (b) the deletion of the inscription "M. Med. Vet. (Chir.) . . . Pretoria . . . Surgery: Large Animals . . . Veterinary Specialist Surgeon: Large Animals" where it appears in line 3 of the Table; and<br>(c) the insertion of the following inscription after the inscription "M. Med. Vet. (Bov.) . . . Pretoria . . . Specialist Practitioner: Bovids . . . Veterinary Specialist Practitioner: Bovids" where it appears in category 8 of the Table: |               |                                        |                                                      |
| Degree, diploma or certificate                                                                                                                                                                                                                                                                                                                                                                                                                          | University    | Speciality                             | Designations reserved                                |
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2             | 3                                      | 4                                                    |
| M. Med. Vet. (Ophth.).....                                                                                                                                                                                                                                                                                                                                                                                                                              | Pretoria..... | Specialist Practitioner: Ophthalmology | Veterinary Specialist Practitioner: Ophthalmologist. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                                        |                                                      |
| Graad, diploma of sertifikaat                                                                                                                                                                                                                                                                                                                                                                                                                           | Universiteit  | Spesialiteit                           | Benamings voorbehou                                  |
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2             | 3                                      | 4                                                    |
| M. Med. Vet (Chir.): Kleindiëre .....                                                                                                                                                                                                                                                                                                                                                                                                                   | Pretoria..... | Chirurgie: Kleindiëre .....            | Veterinêre Chirurg: Kleindiëre.                      |
| (b) die inskrywing "M. Med. Vet. (Chir.) . . . Pretoria . . . Chirurgie: Grootdiëre . . . Veterinêre Chirurg: Grootdiëre" waar dit in reël 3 van die Tabel voorkom, te skrap; en<br>(c) die volgende inskrywing na die inskrywing "M. Med. Vet (Bov.) . . . Pretoria . . . Spesialispraktisyn: Beeste . . . Veterinêre Spesialispraktisyn: Beeste" waar dit in kategorie 8 van die Tabel voorkom, in te voeg:                                           |               |                                        |                                                      |
| Graad, diploma of sertifikaat                                                                                                                                                                                                                                                                                                                                                                                                                           | Universiteit  | Spesialiteit                           | Benamings voorbehou                                  |
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2             | 3                                      | 4                                                    |
| M. Med. Vet. (Ophth.).....                                                                                                                                                                                                                                                                                                                                                                                                                              | Pretoria..... | Spesialispraktisyn: Ophthalmologie     | Veterinêre Spesialispraktisyn: Ophthalmoloog.        |

## No. R. 52

20 January 1995

MARKETING ACT, 1968  
(ACT No. 59 OF 1968)

## WINTER CEREAL SCHEME: LEVIES AND SPECIAL LEVIES: AMENDMENT\*

I, André Isak van Niekerk, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act No. 59 of 1968), that—

- (a) the Wheat Board referred to in section 6 of the Winter Cereal Scheme published by Proclamation No. R. 162 of 1974, as amended, has under

## No. R. 52

20 Januarie 1995

BEMARKINGSWET, 1968  
(WET No. 59 VAN 1968)

## WINTERGRAANSKEMA: HEFFINGS EN SPESIALE HEFFINGS: WYSIGING\*

Ek, André Isak van Niekerk, Minister van Landbou, maak hiermee ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

- (a) die Koringraad bedoel in artikel 6 van die Wintergraanskema gepubliseer by Proklamasie No. R. 162 van 1974, soos gewysig, kragtens

section 24 of the said Scheme further amended the Schedule to Government Notice No. R. 2113 of 1 November 1993, as amended, to the extent set out in the Schedule hereto; and

- (b) the said amendment has been approved by me and shall come into operation on the date of publication hereof.

**A. I. VAN NIEKERK,**  
Minister of Agriculture.

\* To provide for portion of special levy not subject to VAT

### SCHEDULE

The Schedule to Government Notice No. R. 2113 of 1 November 1993, as amended by Government Notice No. R. 1890 of 31 October 1994, is hereby further amended by—

- (a) the substitution for the expression "5774 c/t" opposite item 2 and 3 and the expression "2126 c/t" opposite item 4 in Table 1 of the expression "5702 c/t" and the expression "2054 c/t" respectively; and
- (b) the substitution for the expression "1233 c/t" opposite item 2 in Table 2 of the expression "1143 c/t".

**No. R. 61**

**20 January 1995**

MARKETING ACT, 1968  
(ACT No. 59 OF 1968)

### TOBACCO SCHEME: AMENDMENT\*

I, André Isak van Niekerk, Minister of Agriculture, acting under section 15 of the Marketing Act, 1968 (Act No. 59 of 1968), hereby—

- (a) publish the amendment set out in the Schedule, of the Tobacco Scheme published by Proclamation No. R. 159 of 1971, as amended; and
- (b) declare that the said amendment shall come into operation on the date of publication hereof.

**A. I. VAN NIEKERK,**  
Minister of Agriculture.

\* Constitution of the Board.

### SCHEDULE

#### Definition

1. In this Schedule any word or expression to which a meaning has been assigned in the Scheme shall have that meaning and the "Scheme" shall mean the Tobacco Scheme published by Proclamation No. R. 159 of 1971, as amended by Proclamations Nos. R. 146 of 1972, R. 138 of 1978, R. 216 of 1978 and R. 151 of 1980 and Government Notices Nos. R. 2689 of 6 December 1985, R. 357 of 20 February 1987, R. 1505 of 10 July 1987, R. 2444 of 10 November 1989 and R. 2816 of 29 November 1991.

#### Substitution of section 7 of the Scheme

2. The following section is hereby substituted for section 7 of the Scheme:

#### "Constitution of the Board

7. (1) The Board shall consist of nine members of whom—

- (a) five shall be the representatives of producers of tobacco of whom one shall be the representative of the developing agricultural sector;

artikel 24 van genoemde Skema die Bylae by Goewermentskennisgewing No. R. 2113 van 1 November 1993, soos gewysig, verder gewysig het in die mate in die Bylae hierby uiteengesit; en

- (b) genoemde wysiging deur my goedgekeur is en op datum van publikasie in werking tree.

**A. I. VAN NIEKERK,**  
Minister van Landbou.

\* Om voorsiening te maak vir gedeelte van spesiale heffing wat nie aan BTW onderhewig is nie.

### BYLAE

Die Bylae by Goewermentskennisgewing No. R. 2113 van 1 November 1993, soos gewysig deur Goewermentskennisgewing No. R. 1890 van 31 Oktober 1994, word hiermee verder gewysig deur—

- (a) die uitdrukking "5774 c/t" teenoor items 2 en 3 en die uitdrukking "2126 c/t" teenoor item 4 in Tabel 1 deur die uitdrukking "5702 c/t" en die uitdrukking "2054 c/t" onderskeidelik te vervang; en
- (b) die uitdrukking "1233 c/t" teenoor item 2 in Tabel 2 deur die uitdrukking "1143 c/t" te vervang.

**No. R. 61**

**20 Januarie 1995**

BEMARKINGSWET, 1968  
(WET No. 59 VAN 1968)

### TABAKSKEMA: WYSIGINGS\*

Ek, André Isak van Niekerk, Minister van Landbou, handelende kragtens artikel 15 van die Bemerkingswet, 1968 (Wet No. 59 van 1968)—

- (a) publiseer hierby die wysiging in die Bylae uiteengesit van die Tabakskema gepubliseer by Proklamasie No. R. 159 van 1971, soos gewysig; en
- (b) verklaar hierby dat genoemde wysiging op die datum van publikasie hiervan in werking tree.

**A. I. VAN NIEKERK,**  
Minister van Landbou.

\* Samestelling van die Raad.

### BYLAE

#### Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken "die Skema" die Tabakskema gepubliseer by Proklamasie No. R. 159 van 1971, soos gewysig by Proklamasie Nos. R. 146 van 1972, R. 138 van 1978, R. 216 van 1978 en R. 151 van 1980 en Goewermentskennisgewing Nos. R. 2689 van 6 Desember 1985, R. 357 van 20 Februarie 1987, R. 1505 van 10 Julie 1987, R. 2444 van 10 November 1989 en R. 2816 van 29 November 1991.

#### Vervanging van artikel 7 van die Skema

2. Artikel 7 van die Skema word hierby deur die volgende artikel vervang:

#### "Samestelling van die Raad

7. (1) Die Raad bestaan uit nege lede van wie—

- (a) vyf die verteenwoordigers moet wees van produsente van tabak waarvan een die verteenwoordiger van die ontwikkelende landbousektor moet wees;

- (b) two shall be the representatives of processors of tobacco who manufacture cigarettes;
- (c) one shall be the representative of processors of tobacco who manufacture pipe tobacco products; and
- (d) one shall be the representative of processors of tobacco who manufacture snuff products.
- (2) The Board may with the approval of the Minister co-opt one advisory member of the Board for a specific purpose."

- (b) twee die verteenwoordigers moet wees van verwerkers van tabak wat sigarette vervaardig;
- (c) een die verteenwoordiger moet wees van verwerkers van tabak wat pyptabakprodukte vervaardig; en
- (d) een die verteenwoordiger moet wees van verwerkers van tabak wat snuifprodukte vervaardig.
- (2) Die Raad kan met die Minister se goedkeuring een persoon as 'n adviserende lid van die Raad koöpteer vir 'n bepaalde doel."

**DEPARTMENT OF FINANCE****No. R. 35****20 January 1995****CUSTOMS AND EXCISE ACT, 1964****AMENDMENT OF SCHEDULE No. 4 (No. 4/166)**

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 4 to the said Act is hereby amended to the extent set out in the Schedule hereto.

**C. F. LIEBENBERG,**  
Minister of Finance.

**DEPARTEMENT VAN FINANSIES****No. R. 35****20 Januarie 1995****DOEANE- EN AKSYNSWET, 1964****WYSIGING VAN BYLAE No. 4 (No. 4/166)**

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 4 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

**C. F. LIEBENBERG,**  
Minister van Finansies.

**SCHEDULE**

| I<br>Rebate<br>Item | II                |                |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | III<br>Extent of<br>Rebate | Anno-<br>tations |
|---------------------|-------------------|----------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|------------------|
|                     | Tariff<br>Heading | Rebate<br>Code | C.<br>D. | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                            |                  |
| 407.00              |                   |                |          | By the substitution of Note 3 of the following:<br>"3. (a) The rebate of duty specified in item 407.02 shall only be allowed once per person during a period of 30 days and shall not apply to goods imported by persons returning after an absence of less than 48 hours.<br>(b) The rebate of duty specified in item 407.02 may, with the exception of that in respect of tobacco and alcoholic products, be claimed by children under 18 years of age, whether or not they are accompanied by their parents or guardians, provided the goods are for use by the children themselves." |                            |                  |

**BYLAE**

| I<br>Korting-<br>item | II             |                  |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | III<br>Mate van<br>Korting | Annota-<br>sies |
|-----------------------|----------------|------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|-----------------|
|                       | Tarief-<br>pos | Korting-<br>kode | T.<br>S. | Beskrywing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                            |                 |
| 407.00                |                |                  |          | Deur Opmerking 3 deur die volgende te vervang:<br>"3. (a) Die korting op reg in item 407.02 vermeld, mag slegs een keer per persoon gedurende 'n tydperk van 30 dae toegestaan word, en is nie van toepassing op goedere ingevoer deur persone wat terugkeer na 'n afwesigheid van minder as 48 uur nie.<br>(b) Die korting op reg in item 407.02 vermeld mag, met die uitsondering van dié ten opsigte van tabak en alkoholiese produkte, opgeëis word deur kinders onder die ouderdom van 18 jaar, hetsy deur hul ouers of voogde vergesel al dan nie mits die goedere vir die kinders self bedoel is." |                            |                 |

**No. R. 53****20 January 1995**

The form is amended to incorporate note (b) to importers:

**No. R. 53****20 Januarie 1995**

Die vorm word gewysig deur nota (b) aan die invoerders in te voeg:

**229 (e)**

# DECLARATION OF ORIGIN—FOR THE EXPORT OF GOODS TO THE REPUBLIC OF SOUTH AFRICA

DA 59

**NOTE TO IMPORTERS:**

*This declaration, properly completed by the supplier, must be furnished in support of the relative bill of entry (a) where goods qualify for and are entered at a rate of duty lower than the general rate; or (b) for such purposes as the Commissioner may deem expedient.*

**SUPPLIER (Name, address, country)**

CONSIGNEE (Name, address, country)

### Particulars of transport

[illegible]

i, (name and capacity).....duly authorised by the supplier of  
the goods enumerated above hereby declare that—

1. the goods enumerated opposite item(s).....in in column 1 above have been wholly produced or manufactured in the country stated in column 5 in respect of such goods from raw materials produced in that country;
2. the goods enumerated opposite item(s).....in column 1 above have been wholly or partly manufactured from imported materials in the country specified in column 5 in respect of such goods; and
  - 2.1 the final process of manufacture has taken place in the said country;
  - 2.2 the cost to the manufacturer of the materials wholly produced or manufactured in the said country plus the cost of labour directly employed in the manufacture of such goods is not less than ..... per cent of the total production cost of such goods;
  - 2.3 in calculating the production cost of such goods only the cost to the manufacturer of all materials plus manufacturing wages and salaries, direct manufacturing expenses, overhead factory expenses, cost of inside containers and other expenses incidental to manufacturing, used or expended in the manufacture of such goods have been included. Profits and administrative, distribution and selling overhead expenses have been excluded.

.....  
*Place*

.....  
Date

Signature of Deponent

(This form must be printed in BLACK on WHITE paper and the dimensions thereof must be 297mm X 210mm)

## DA 59

**NOTA AAN INVOERDERS:**

Hierdie verklaring, behoorlik voltooi deur die verskaffer, moet voorgelê word ter stawing van die betrokke klaringsbrief (a) waar goedere in aanmerking kom vir en geklaar is teen 'n skaal van reg laer as die algemene skaal; of (b) vir sodanige doeleindes wat die Kommissaris dienstig ag.

GEADRESSEERDE (Naam, adres, land)

### Besonderhede van vervoer

[illegible]

Ek, (naam en hoedanigheid).....behoorlik gemagtig deur die verskaffer  
van die goedere hierbo genoem, verklaar hierby dat—

1. die goedere genoem teenoor item(s).....in kolom 1 hierbo, geheel en al geproduseer of vervaardig is in die land wat in kolom 5 ten opsigte van sulke goedere aangetoon is en dat die goedere vervaardig of geproduseer is van grondstowwe wat in daardie land geproduseer is;
2. die goedere genoem teenoor item(s).....in kolom 1 hierbo geheel en al of gedeeltelik van ingevoerde stowwe vervaardig is, in die land wat in kolom 5 ten opsigte van sulke goedere aangetoon is en dat—
  - 2.1 die finale vervaardigingsproses in die bedoelde land plaasgevind het;
  - 2.2 die koste vir die vervaardiger van die stowwe geheel en al geproduseer of vervaardig in bedoelde land plus die koste van die arbeid regstreeks gebruik by die vervaardiging van sodanige goedere nie minder is as .....persent van die totale produksiekoste van sulke goedere nie;
  - 2.3 by berekening van die produksiekoste van sodanige goedere, slegs die koste vir die vervaardiger van alle stowwe plus vervaardigingslone en -salarisse, regstreekse vervaardigingskoste, indirekte fabrieksonkoste, koste van binnehouers en ander onkoste verbonde aan vervaardiging, gebruik by of bestee aan die vervaardiging van sulke goedere, ingesluit is. Winste en administratiewe-, verspreidings-, en indirekte verkoopsonkoste is nie ingesluit nie.

Handtekening van Deponent

## DEPARTMENT OF POSTS AND TELECOMMUNICATIONS

No. R. 62

20 January 1995

RADIO ACT, 1952

### AMENDMENT OF RADIO REGULATIONS

The Minister for Posts, Telecommunications and Broadcasting has, under section 18 of the Radio Act, 1952 (Act No. 3 of 1952), made the regulations in the Schedule.

### SCHEDULE

#### Definition

1. In these regulations, unless the context indicates otherwise, "the Regulations" means the Radio Regulations published by Government Notice No. R. 2862 of 28 December 1979, as amended by Government Notices Nos. R. 148 of 25 January 1980, R. 2661 of 4 December 1981, R. 366 of 26 February 1982, R. 855 of 30 April 1982, R. 1945 of 10 September 1982, R. 181 of 31 January 1986, R. 587 of 27 March 1986, R. 624 of 4 April 1986, R. 2633 of 12 December 1986, R. 1145 of 29 May 1987, R. 712 of 15 April 1988, R. 1349 of 30 June 1989, R. 1356 of 22 June 1990, R. 1814 and R. 1826 of 3 August 1990, R. 114 and R. 115 of 25 January 1991, R. 367 of 1 March 1991, R. 1666 of 19 July 1991, R. 2133 of 31 July 1992, R. 3302 of 4 December 1992, R. 1898 of 1 October 1993, R. 2412 of 17 December 1993, R. 2557 of 31 December 1993, R. 334 of 18 February 1994, R. 1546 of 9 September 1994 and R. 19 of 6 January 1995.

#### Amendment of regulation B1 of the Regulations

2. Regulation B1 of the Regulations is hereby amended by the substitution for paragraph (i) of subregulation (2) of the following paragraph:

"(i) is 12 years or older;"

#### Amendment of regulation E1 of the Regulations

3. Regulation E1 of the Regulations is hereby amended—

(a) by the insertion after item (b) of paragraph (i) of subregulation 6.1 of the following items:

"(c) B terminal ..... 360,00

(d) M terminal ..... 360,00";

(b) by the insertion after item (b) of paragraph (ii) of subregulation 6.1 of the following items:

"(c) B terminal ..... 360,00

(d) M terminal ..... 360,00".

#### Amendment of regulation E2 of the Regulations

4. Regulation E2 of the Regulations is hereby amended by the substitution for paragraph (i) of the following paragraph:

"(i) Issue of Amateur Radio Operator's Certificate: Prerequisite for Amateur Radio Station Licence ..... 25,00".

## DEPARTEMENT VAN POS- EN TELEKOMMUNIKASIEWESE

No. R. 62

20 Januarie 1995

RADIOWET, 1952

### WYSIGING VAN RADIOREGULASIES

Die Minister vir Pos-, Telekommunikasie- en Uitsaaiwese het kragtens artikel 18 van die Radiowet, 1952 (Wet No. 3 van 1952), die regulasies in die Bylae uitgevaardig.

### BYLAE

#### Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken "die Regulasies" die Radioregulasies afgekondig by Goewermentskennisgewing No. R. 2862 van 28 Desember 1979, soos gewysig deur Goewermentskennisgewings Nos. R. 148 van 25 Januarie 1980, R. 2661 van 4 Desember 1981, R. 366 van 26 Februarie 1982, R. 855 van 30 April 1982, R. 1945 van 10 September 1982, R. 181 van 31 Januarie 1986, R. 587 van 27 Maart 1986, R. 624 van 4 April 1986, R. 2633 van 12 Desember 1986, R. 1145 van 29 Mei 1987, R. 712 van 15 April 1988, R. 1349 van 30 Junie 1989, R. 1356 van 22 Junie 1990, R. 1814 en R. 1826 van 3 Augustus 1990, R. 114 en R. 115 van 25 Januarie 1991, R. 367 van 1 Maart 1991, R. 1666 van 19 Julie 1991, R. 2133 van 31 Julie 1992, R. 3302 van 4 Desember 1992, R. 1898 van 1 Oktober 1993, R. 2412 van 17 Desember 1993, R. 2557 van 31 Desember 1993, R. 334 van 18 Februarie 1994, R. 1546 van 9 September 1994 en R. 19 van 6 Januarie 1995.

#### Wysiging van regulasie B1 van die Regulasies

2. Regulasie B1 van die Regulasies word hierby gewysig deur paragraaf (i) van subregulasie (2) deur die volgende paragraaf te vervang:

"(i) 12 jaar of ouer is;"

#### Wysiging van regulasie E1 van die Regulasies

3. Regulasie E1 van die regulasies word hierby gewysig—

(a) deur die volgende items na item (b) van paragraaf (i) van subregulasie 6.1 in te voeg:

"(c) B-terminaal ..... 360,00

(d) M-terminaal ..... 360,00";

(b) deur die volgende items na item (b) van paragraaf (ii) van subregulasie 6.1 in te voeg:

"(c) B-terminaal ..... 360,00

(d) M-terminaal ..... 360,00".

#### Wysiging van regulasie E2 van die Regulasies

4. Regulasie E2 van die regulasies word hierby gewysig deur paragraaf (i) deur die volgende paragraaf te vervang:

"(i) Uitreiking van Amateurradio-operateur-sertifikaat: voorvereiste vir amateur-radiostasielisensie ..... 25,00".

**DEPARTMENT OF TRANSPORT****No. R. 44****20 January 1995**

MERCHANT SHIPPING ACT, 1951

**AMENDMENT OF THE SAFETY OF NAVIGATION  
REGULATIONS, 1968**

The Minister of Transport has under section 356 (1) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), made the regulations contained in the Schedule hereto.

**SCHEDULE****Definition**

1. In this Schedule, unless the context otherwise indicates, the expression "the Regulations" means the Safety of Navigation Regulations, 1968, promulgated under Government Notice No. R. 651 of 19 April 1968, as amended by Government Notices Nos. R. 35 of 9 January 1970, R. 659 of 28 April 1972, R. 2204 of 21 November 1975, R. 2483 of 15 December 1978 and R. 1024 of 30 May 1986.

**Amendment of regulation 15 of the Regulations**

2. The following regulation is hereby substituted for regulation 15 of the Regulations:

**"15. Charts**

The owner and master of every Chapter III ship shall carry on board adequate and up to date charts for the voyage, and shall ensure that they are updated regularly according to the information contained in the relevant Notices to Mariners."

**DEPARTMENT OF LABOUR****No. R. 60****20 January 1995**MANPOWER TRAINING ACT, 1981  
(ACT No. 56 OF 1981)**TRAINING SCHEME FOR THE FORWARDING AND  
CLEARING SECTOR OF THE MARITIME INDUSTRY**

The Registrar of Manpower Training has received a request to submit to the Minister of Labour the Scheme appearing in the Schedule hereto for the consideration of the declaring binding thereof in terms of section 39 (5) of the Manpower Training Act, 1981, upon all employers and employees who are engaged or employed in the Forwarding and Clearing Sector of the Maritime Industry in the Republic of South Africa.

Interested persons wishing to comment on the above-mentioned Scheme are requested to submit such comments in writing to the Director-General: Labour, Private Bag X117, Pretoria, 0001, within 30 days from the date of publication of this notice.

**G. D. HAASBROEK,**

Registrar of Manpower Training.

**DEPARTEMENT VAN VERVOER****No. R. 44****20 Januarie 1995**

HANDELSKEEPVAARTWET, 1951

**WYSIGING VAN DIE REGULASIES IN VERBAND  
MET DIE VEILIGHEID VAN NAVIGASIE, 1968**

Die Minister van Vervoer het kragtens artikel 356 (1) van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), die regulasies in die Bylae hiervan vervat, uitgevaardig.

**BYLAE****Woordomskrywing**

1. In die Bylae, tensy die samehang anders aandui, beteken die uitdrukking "die Regulasies" die Regulasies in verband met die Veiligheid van Navigasie, 1968, uitgevaardig by Goewermentskennisgewing No. R. 651 van 19 April 1968, soos gewysig by Goewermentskennisgewings Nos. R. 35 van 9 Januarie 1970, R. 659 van 28 April 1972, R. 2204 van 21 November 1975, R. 2483 van 15 Desember 1978 en R. 1024 van 30 Mei 1986.

**Wysiging van regulasie 15 van die Regulasies**

2. Regulasie 15 van die Regulasies word hierby deur die volgende regulasie vervang.

**"15. Kaarte**

Die eienaar en gesagvoerder van elke skip van Hoofstuk III moet toereikende en bygewerkte kaarte vir die reis aan boord hou en moet sorg dra dat hulle gereeld bygehou word aan die hand van inligting in die toepaslike Kennisgewings aan Seevaarders vervat."

**DEPARTEMENT VAN ARBEID****No. R. 60****20 Januarie 1995**WET OP MANNEKRAGOPLEIDING, 1981  
(WET No. 56 VAN 1981)**OPLEIDINGSKEMA VIR DIE VERSKEPING- EN  
KLARINGSEKTOR VAN DIE MARITIEMENYWER-  
HEID**

Die Registrateur van Mannekragopleiding het 'n versoek ontvang om die Skema wat in die Bylae hiervan verskyn, aan die Minister van Arbeid voor te lê vir oorweging van die bindendverklaring daarvan kragtens artikel 39 (5) van die Wet op Mannekragopleiding, 1981, vir alle werkgewers en werknemers wat betrokke is by of in diens is in die Verskeping- en Klaringsektor van die Maritiemenywerheid in die Republiek van Suid-Afrika.

Belanghebbende persone wat kommentaar wil lewer in verband met bovermelde Skema word versoek om sodanige kommentaar skriftelik in te dien by die Direkteur-generaal: Arbeid, Privaatsak X117, Pretoria, 0001, binne 30 dae na die publikasie van hierdie kennisgewing.

**G. D. HAASBROEK,**

Registrateur van Mannekragopleiding.

**SCHEDULE**

The Training Scheme for the Forwarding and Clearing Sector of the Maritime Industry, hereinafter referred to as "the Sector" has been established by the Maritime Industry in terms of section 39 (4) of the Manpower Training Act, 1981, for the purpose of training employees in the Sector and provides for the establishment of a Trust for the purposes of the Scheme, the payment of contributions to the Trust by employers in the Sector and the appointment by the Sector of MITB: Forwarding and Clearing to administer the Trust, which shall be known as the Maritime Industry Education, Training and Development Trust: Forwarding and Clearing Sector.

**1. NAME OF THE SCHEME**

The name of the Scheme shall be "The Maritime Industry Training Board: Forwarding and Clearing Sector Training Scheme".

**2. SCOPE OF APPLICATION OF THE SCHEME**

The provisions of the Scheme shall be observed by all employers and employees in the Forwarding and Clearing Sector of the Maritime Industry in the Republic of South Africa.

**3. DEFINITIONS**

Any expression used in this Scheme which is defined in the Manpower Training Act, 1981, shall have the same meaning as in the Act and any reference to the Act shall include any amendments to the Act and, unless inconsistent with the context—

"Board" means the Maritime Industry Training Board.

"Customs Act" means the Customs and Excise Act, 1964 (Act No. 91 of 1964), and any amendments to this Act and any regulation issued in terms of this Act unless inconsistent with the context.

"employee" means any employee, as defined in the Manpower Training Act, 1981, who is employed by or who is working for an employer in the Sector, as defined below.

"Maritime Industry" or "Industry" means the Maritime Industry in its broadest sense (including those logistic and administration functions associated with the movement of cargo to or from Southern African ports, airports, and land boundary border posts by any appropriate transport mode), in which companies, associations and organisations referred to in the Constitution of the Board are associated for the purpose of carrying out operations generally regarded as work substantially connected with or associated to the operation of vessels, harbours, port services, off-shore structures and the exploitation (including harvesting, processing, packing and freezing of fish at sea), utilisation and protection of marine resources, or other similar operations.

"Registrar" means the Registrar of Manpower Training appointed in terms of the provisions of the Manpower Training Act, 1981.

"Scheme" means The Maritime Industry Training Board: Forwarding and Clearing Sector Training Scheme.

**BYLAE**

Die Opleidingskema vir die Verskeping- en Klaringsektor van die Nywerheid hierna genoem "die Sektor", is ingestel deur die Maritiemenywerheid kragtens artikel 39 (4) van die Wet op Mannekragopleiding, 1981, vir die opleiding van werknemers in die Sektor en maak voorsiening vir die instelling van 'n Trustfonds vir die doeleindes van die Skema, die betaling van bydraes aan die Trustfonds deur werkgewers in die Sektor en die aanstelling van die Maritiemenywerheid Opleidingsraad: Verskeping- en Klaring, om die Trustfonds wat bekend sal staan as die Maritieme- nywerheid Opvoedkundige- Opleiding- en Ontwikkelingstrustfonds: Verskeping- en Klaringsektor, te administreer.

**1. NAAM VAN DIE SKEMA**

Die naam van die Skema is die "Maritiemenywerheid Opleidingsraad: Verskeping- en Klaringsektor opleidingskema".

**2. TOEPASSINGSBESTEK VAN DIE SKEMA**

Die bepalings van die Skema moet nagekom word deur alle werkgewers en werknemers in die Verskeping- en Klaringsektor van die Maritiemenywerheid in die Republiek van Suid-Afrika.

**3. WOORDOMSKRYWINGS**

Enige uitdrukking wat in hierdie skema gebruik en in die Wet op Mannekragopleiding, 1981, omskryf word, het dieselfde betekenis as in die Wet en enige verwysing na die Wet omvat enige wysigings aan die Wet en, tensy onbestaanbaar met die sinsverband beteken—

"Doeane Wet" die Doeane- en Aksynswet, 1964 (Wet No. 91 van 1964), en enige wysigings aan hierdie Wet en enige regulasie uitgeryk kragtens hierdie Wet tensy onbestaanbaar met die sinsverband.

"Maritiemenywerheid" of "Nywerheid" beteken die Maritiemenywerheid in sy wydste sin (insluitend daardie logistieke en administratiewe funksies wat geassosieer word met die beweging van vrag na of van enige Suider-Afrikaanse hawe, oor land of see of deur die lug), waarin die maatskappye, verenigings en organisasies soos omskryf in die Konstitusie van die Raad, geassosieer is met die doel om aktiwiteite te verrig wat algemeen geag word as werk wat wesenlik in verband staan met of geassosieer is met die bedryf van vaartuie, hawens, hawedienste, afluende strukture en die ontginning (insluitend die insameling, verwerking, verpakking en bevroesing van vis ter see), benutting en beskerming van mariene hulpbronne of soortgelyke aktiwiteite.

"Opleidingsaansporing" enige skenking, subsidie, premie of ander voordeel, hetsy finansiële of andersins, betaal deur of verkry van die Fonds of geskenk ingevolge hierdie Skema aan 'n werkgewer vir die opleiding en ontwikkeling van sy werknemers.

"Raad" die Maritiemenywerheid Opleidingsraad.

"Registrateur" die Registrateur van Mannekragopleiding aangestel kragtens die bepalings van die Wet op Mannekragopleiding, 1981.

**"Sector"** means those companies, associations and organisations referred to in the Constitution of the Board who effect clearances through Customs and Excise in terms of the Customs and Excise Act, 1964.

**"training incentive"** means any grant, subsidy, bounty or other benefit, whether financial or otherwise, paid or obtained from the Trust or granted in terms of this Scheme to an employer for the education, training and development of his employees.

**"Trust"** means the Maritime Industry Education, Training and Development Trust: Forwarding and Clearing Sector Fund.

#### 4. OBJECTS OF THE SCHEME

The objects of the Scheme are—

- 4.1 to create an education, training and development infrastructure for the Sector;
- 4.2 to accredit courses offered by education, training and development Institutions and other suitable providers to meet the education, training and development needs of the Sector;
- 4.3 to manage and fund an education, training and development infrastructure to ensure that the requirements, including the administrative and the academic requirements of the Sector, be met;
- 4.4 to subsidise education, training and development in the Sector;
- 4.5 to carry out the objectives of the Board as contained in its Constitution.

#### 5. MARITIME INDUSTRY EDUCATION, TRAINING AND DEVELOPMENT TRUST: FORWARDING AND CLEARING SECTOR

- 5.1 There is hereby established a Trust to be known as the Maritime Industry Education, Training and Development Trust: Forwarding and Clearing Sector.
- 5.2 The Trust shall be administered by a Board of Trustees appointed by the Board in terms of its Constitution.
- 5.3 Into the Trust shall be paid—
  - 5.3.1 training levies raised in terms of clause 7 of this Scheme;
  - 5.3.2 interest and/or capital appreciation from the investment of any moneys in the Trust; and
  - 5.3.3 any other moneys to which the Trust may become entitled.
- 5.4 The moneys in the Trust shall be used for the attainment of the objects of the Scheme as set out in clause 4.

**"Sektor"** beteken daardie maatskappye, verenigings en organisasies soos omskryf in die Konstitusie van die Raad wat klarings deur Doeane en Aksyns kragtens die Doaene- en Aksynswet, 1964, bewerkstellig.

**"Skema"** die Verskeping- en Klaringssektor Opleidingskema van die Maritiemenywerheid Opleidingsraad.

**"Trustfonds"** beteken die Maritiemenywerheid Opvoedkundige- Opleidings- en Ontwikkelings-trustfonds: Verskeping- en Klaringssektor soos bedoel in klousule 5.

**"werknemer"** enige werknemer soos omskryf in die Wet op Mannekragopleiding, 1981, wat in diens is by of werk verrig vir 'n werkgewer in die Sektor.

#### 4. DOELSTELLINGS VAN DIE SKEMA

Die doelstellings van die Skema is—

- 4.1 om 'n opvoedkundige-, opleidings- en ontwikkelingsinfrastruktuur vir die Sektor tot stand te bring;
- 4.2 om kursusse, aangebied deur opvoedkundige-, opleidings- en ontwikkelingsinstansies en ander geskikte voorsiensers, te akkrediteer sodat aan die vereistes van die Sektor voldoen kan word;
- 4.3 om 'n opvoedkundige-, opleiding- en ontwikkelingsinfrastruktuur te beheer en te befonds ten einde te verseker dat daar aan die vereistes, insluitend administratiewe en akademiese vereistes, van die Sektor voldoen sal word;
- 4.4 om opvoeding, opleiding en ontwikkeling in die Sektor, te subsideer;
- 4.5 om die doelwitte van die Raad, soos vervat in sy Konstitusie, uit te voer.

#### 5. MARITIEMENYWERHEID OPVOEDKUNDIGE-, OPLEIDINGS- EN ONTWIKKELINGSTRUSTFONDS: VERSKEPINGS- EN KLARINGSEKTOR

- 5.1 Hierby word 'n Trustfonds gestig wat bekend sal staan as die Maritiemenywerheid Opvoedkundige-, Opleidings- en -Ontwikkelingstrustfonds: Verskeping- en Klaringssektor.
- 5.2 Die fonds word geadministreer deur 'n Raad van Trustees wat aangewys is deur die Raad soos omskryf in die Konstitusie.
- 5.3 In die Trustfonds word inbetaal—
  - 5.3.1 opleidingsheffings kragtens klousule 7 van hierdie Skema;
  - 5.3.2 rente en/of kapitaalaanwas wat voortvloei uit die belegging van enige gelde van die Fonds; en
  - 5.3.3 enige ander gelde waarop die Fonds geregtig mag word.
- 5.4 Die gelde van die Fonds moet aangewend word vir die bereiking van die doelstellings van die Skema soos uiteengesit in klousule 4.

## 6. ESTABLISHMENT OF THE MARITIME INDUSTRY TRAINING BOARD

- 6.1 The Board and, *inter alia*, the Sector, have been established by the Maritime Industry of South Africa in accordance with a Constitution approved by the Registrar on 14 May 1991.
- 6.2 The Board shall have the authority to deal with all matters falling within the scope of the objects of this Scheme.

## 7. BASIS OF LEVY AND AMOUNT

- 7.1 The levy shall consist of a Stamp, to be known as the Training Levy Stamp to be sold by, and obtainable from—

**Maritime Industry Training Board: Forwarding & Clearing**

P.O. Box 4916

Kempton Park, 1620.

208–209 Boshoff Building

28 Voortrekker Street

Kempton Park, 1620.

Telephone: (011) 394-0811.

Telefax: (011) 394-9705.

- 7.2 Each stamp will be sold for R2,00 (two rand only) or such value as may be determined by the Board from time to time and approved by the Minister of Labour.
- 7.3 One Training Levy Stamp shall be affixed to every Bill of Entry of the types listed below prior to any such Bill of Entry being submitted to any of the Offices of the Commissioner for Customs and Excise for clearance purposes.
- 7.4 The types of Bill of Entry (irrespective of Purpose Code) to which this levy shall apply, shall be—

DA25

DA26

DA28

DA29

DA600

DA500

DA510

DA550

DA570

DA610

and any other Bill of Entry type in addition to the above and/or which supersedes the above as may be determined by the Board from time to time.

## 6. INSTELLING EN FUNKSIES VAN DIE MARITIEMNYWERHEID OPLEIDINGSRAAD

- 6.1 Die Raad en *inter alia*, die Sektor, is deur die Nywerheid in Suid-Afrika ingestel in ooreenstemming met 'n konstitusie wat deur die Registrateur op 14 Junie 1991, goedgekeur is.
- 6.2 Die Raad het die bevoegdheid om met alle sake binne die bestek van die doelstellings van hierdie Skema te handel.

## 7. GRONDSLAG VAN HEFFING EN BEDRAG

- 7.1 Die heffing sal bestaan uit 'n Seël wat bekend sal staan as 'n Opleidingsheffingseël, wat verkoop sal word deur en verkrygbaar sal wees by—

**Maritiemnywerheid Opleidingsraad: Verskepping en Klarings**

Posbus 4916

Kempton Park, 1620.

208–209 Boshoffgebou

Voortrekkerstraat 28

Kempton Park, 1620.

Telefoon: (011) 394-0811.

Telefax: (011) 394-9705.

- 7.2 Elke Seël sal verkoop word teen R2,00 (Twee Rand alleen) of welke waarde van tyd tot tyd deur die Raad bepaal word en deur die Minister van Arbeid goedgekeur word.
- 7.3 Een Opleidingsheffingseël moet op elke Klaringsbrief, soos hieronder genoem, aangebring word alvorens sodanige Klaringsbrief voorgelê word aan enige van die Kantore van die Kommissaris van Doeane en Aksyns vir klaringsdoeleindes.
- 7.4 Die Klaringsbriewe (afgesien van Doelkode) wat onderhewig sal wees aan hierdie heffing, is—

DA22

DA25

DA26

DA28

DA29

DA500

DA510

DA550

DA570

DA600

DA610

en enige ander tipe Klaringsbrief bo en behalwe die bogenoemde en/of enige vervangende van bogenoemde soos wat van tyd tot tyd deur die Raad bepaal mag word.

**8. INFORMATION**

- 8.1 The Board shall furnish every employer in the Sector with details concerning the Scheme in such form as the Board may from time to time determine: Provided that such details shall include at least the Constitution of the Board and its Trust Deed, the contributions to be made or the levies payable to the Trust, the training incentives provided in terms of the Scheme and the procedure to be followed for the lodging of claims against the Trust, as well as such other details as may be deemed necessary.
- 8.2 The Board shall, within three months after the close of each financial year, furnish the Director-General: Labour and every party to the Sector with a copy of the report on its activities during the financial year, together with copies of the audited financial statements and shall keep the report and statements open for inspection by any contributing employer.

**9. FINANCE**

- 9.1 All moneys received shall be deposited into a banking account opened in the name of the Trust.
- 9.2 Moneys which are not required for immediate use shall, at the discretion of the Board or the Trustees as appropriate, be invested as prescribed in the Constitution or in such other manner as may be approved by the Registrar.
- 9.3 Payments on behalf of the Trust shall be by cheque or debit order signed by such persons as may from time to time be authorised thereto in writing by the Board.
- 9.4 The Board shall appoint a public auditor, who shall be paid out of the Trust, to audit the accounts of the Trust annually for the period ending 28 February.

**10. DISSOLUTION**

- 10.1 Upon termination of the Scheme, for any reason whatsoever, the assets of the Trust shall be disposed of by the Board in accordance with its Constitution.
- 10.2 All administrative charges and liabilities of the Scheme shall then be charged against the Board.
- 10.3 The Registrar must be notified of the termination of the Scheme in good time.

**11. AGENT**

- 11.1 The Board hereby appoints the Commissioner for Customs and Excise as its agent to ensure that the Training Levy Stamps are affixed to the Bills of Entry specified above, in a place and in a manner as may be laid down from time to time in regulations issued in terms of the Customs and Excise Act, 1964.
- 11.2 This appointment may be revoked by the Board at any time for any reason.

**8. INLIGTING**

- 8.1 Die Raad moet elke werkgewer in die Sektor voorsien van besonderhede rakende die Skema in sodanige vorm as wat die Raad van tyd tot tyd bepaal: Met dien verstande dat sodanige besonderhede minstens die Konstitusie van die Raad, asook sy Trustsakte, die heffings wat aan die Trustfonds betaal moet word of die bydraes wat gemaak moet word, die opleidingsaansporings wat ingevolge die skema verskaf word en die prosedure wat vir die instelling van eise teen die Trustfonds gevolg moet word, moet insluit, sowel as sodanige ander besonderhede as wat nodig geag word.
- 8.2 Die Raad moet binne drie maande na afloop van die sluiting van elke finansiële jaar aan die Direkteur-generaal: Arbeid en aan elke party by die Sektor, 'n afskrif van die verslag van sy aktiwiteite gedurende daardie finansiële jaar, tesame met afskrifte van sy finansiële state, verskaf en moet die verslag en state beskikbaar hou vir insae deur enige bydraende werkgewer.

**9. FINANSIES**

- 9.1 Alle gelde wat ontvang word, moet inbetaal word in 'n bankrekening geopen in die naam van die Trustfonds.
- 9.2 Fondse wat nie benodig word vir onmiddellike gebruik nie, sal binne die diskresie van die Raad of die Kurators na goeddunke, belê word soos omskryf word in die Konstitusie of op 'n ander wyse soos goedgekeur deur die Registrateur.
- 9.3 Betalings namens die Trustfonds geskied by wyse van tjek of debietorder, geteken deur sodanige persone as wat van tyd tot tyd skriftelik deur die Raad daartoe gemagtig word.
- 9.4 Die Raad moet 'n openbare ouditeur aanstel, wat uit die Trustfonds betaal sal word, om die state van die Trustfonds jaarliks te ouditeer vir die tydperk wat op 28 Februarie eindig.

**10. ONTBINDING VAN DIE FONDS**

- 10.1 In die geval van die beëindiging van die Skema om watter rede ook al, moet die Raad, in ooreenstemming met sy Konstitusie, oor die bates van die Fonds beskik.
- 10.2 Alle administratiewe koste en skulde van die Skema word dan teen die Raad in berekening gebring.
- 10.3 Die Registrateur moet vroegtydig van die beëindiging van die Skema in kennis gestel word.

**11. AGENTE**

- 11.1 Die Raad benoem hiermee die Kommissaris van Doeane en Aksyns as sy agent om te verseker dat die Opleidingsheffingseël op die Klaringsbriewe soos bo gemeld, aangebring word, op so 'n plek en op so 'n wyse as wat van tyd tot tyd neergelê mag word in regulasies kragtens die Doeane- en Aksynswet, 1964.
- 11.2 Hierdie aanstelling kan te eniger tyd en om watter rede ook al deur die Raad teruggetrek word.

**12. INDEMNITY**

- 12.1 The members of the Board shall not be liable for any loss to the Trust arising from any improper investment made in good faith, or by any act, in their *bona fide* administration of the Trust, or by the negligence or fraud of any person employed by the Board, or by reason of any act or omission by members or by reason of any other matter save individual wilful or fraudulent wrongdoing on the part of such members as can be held responsible.
- 12.2 Any such member shall be reimbursed by the Trust for any liability incurred by him in defending any proceedings, whether civil or criminal, arising out of any allegation involving bad faith in which judgment is given in his favour or in which he is acquitted.

**13. EXEMPTIONS**

- 13.1 Any Bill of Entry of the types listed above which is completed by an officer of Customs and Excise shall be exempted from this Scheme.
- 13.2 Any other application for exemption from any provision of this Scheme, which may be granted by the Minister in terms of section 47 of the Manpower Training Act, 1981, shall be submitted to the Maritime Industry Training Board, P.O. Box 6354, Roggebaai, 8012, which shall forward such application together with any recommendation by the Board to the Director-General: Labour.

**12. VRYWARING**

- 12.1 Die lede van die Raad is nie aanspreeklik nie vir enige verlies van die Fonds wat voortspruit uit enige onbehoorlike belegging gemaak te goedertrou, of deur enige optrede in hulle *bona fide*-administrasie van die Trustfonds, of deur die nalatigheid of bedrog van enige persoon in diens van die Raad, of as gevolg van 'n handeling of versuim deur lede, of as gevolg van enige ander saak, uitgesluit individuele opsetlike of bedrieglike optrede van die kant van sodanige lede wat aanspreeklik gehou kan word.
- 12.2 Enige sodanige lid moet deur die Fonds vergoed word vir enige aanspreeklikheid opge-loop deur hom in die verdediging van enige vervolging, hetsy siviël of strafregtelik, voortspruitend uit 'n beweging waarby kwade trou betrokke is en waarin regspraak in sy guns gelewer word of waarvan hy vrygespreek word.

**13. VRYSTELLINGS**

- 13.1 Enige Klaringsbrief van die tipes hierbo gemeld wat deur 'n beampte van die Departement van Doeane en Aksyns voltooi word sal vrygestel wees aan die bepalings van hierdie Skema.
- 13.2 Enige aansoek om vrystelling van enige bepaling van hierdie Skema, wat kragtens artikel 47 van die Wet op Mannekragopleiding, 1981, deur die Minister verleen kan word, moet by die Maritieme Nywerheid Opleidingsraad, Posbus 6354, Roggebaai, 8012, ingedien word, wat sodanige aansoek tesame met enige aanbeveling deur die Raad na die Direkteur-generaal: Arbeid moet deurstuur.

**No. R. 23****20 January 1995**

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993  
(ACT No. 85 OF 1993)

**DRAFT RAILWAY HEALTH AND SAFETY  
REGULATIONS**

The Minister of Labour, on recommendation of the Advisory Council for Occupational Health and Safety, hereby publishes under section 43 (1) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), the Draft Railway Health and Safety Regulations, as set out in the Schedule hereto.

Any comments or representations with regard to these draft regulations should be lodged in writing to the Director-General: Labour, Private Bag X117, Pretoria, 0001, within **90 days** of the date of publication of this notice.

**T. MBOWENI,**  
Minister of Labour.

**No. R. 23****20 Januarie 1995**

WET OP BEROEPSGESONDHEID EN VEILIGHEID,  
1993 (WET No. 85 VAN 1993)

**KONSEPREGULASIES VIR SPOORWEG-  
GESONDHEID EN VEILIGHEID**

Die Minister van Arbeid publiseer hiermee, ingevolge artikel 43 (1) van die Wet op Beroepsgesondheid en Veiligheid, 1993 (Wet No. 85 van 1993), op aanbeveling van die Adviesraad vir Beroepsgesondheid en Veiligheid, die Konsepregulasies vir Spoorweggesondheid en Veiligheid in die Bylae vervat vir algemene inligting en kommentaar.

Enige kommentaar of verhoë met betrekking tot hierdie konsepregulasies moet skriftelik by die Direkteur-generaal: Arbeid, Privaatsak X117, Pretoria, 0001, binne **90 dae** vanaf die datum van publikasie van hierdie kennisgewing ingedien word.

**T. MBOWENI,**  
Minister van Arbeid.

**SCHEDULE****DRAFT RAILWAY HEALTH AND SAFETY  
REGULATIONS****Definitions**

1. In these regulations "the Act" means the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), 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;

**"abnormal condition"** means such conditions as derailments, floods or any other condition that may disrupt the normal safe operation of a railway system;

**"authorised"** means written, oral or any other permission allowing a person to undertake a task;

**"driver"** means any person appointed by the employer as a driver;

**"electrified section"** means such section of railway lines provided with overhead track equipment for electrical traction purposes, including as far as is reasonably practicable adjacent non-electrified tracks and sidings on such section;

**"interfacing"** means that area where two or more different railway operation controller systems meet and have an effect on each other's systems;

**"locomotive"** includes any self-propelling vehicle or equipment used on a railway line;

**"mono rail system"** means a system of transport employing a single rail operated as a railway system;

**"overhead track equipment"** means all high voltage electrical equipment installed above the tracks on electrified sections;

**"railway"** includes a mono rail system;

**"railway health and safety management system"** means a documented management system whereby health and safety is implemented by means of incorporating all or some of the universally accepted guidelines as stated in the annexure;

**"railway operations controller"** means a person who operates and or controls a railway system or any section, area or region thereof;

**"railway system"** means a system of railway laid out for the purpose of conveying traffic whether persons, goods, or other traffic and includes any fixed assets, rolling stock and any other operation connected with the railway system; and

**"rolling stock"** means any locomotive, coach, railway carriage, truck, wagon or any similar contrivance used for the purpose of transporting persons, traffic or any other use, that can run on a railway.

**BYLAE****KONSEPREGULASIES VIR SPOORWEG-  
GESONDHEID EN VEILIGHEID****Woordomskrywings**

1. In hierdie regulasies beteken "die Wet" die Wet op Beroepsgesondheid en Veiligheid, 1993 (Wet No. 85 van 1993), en enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, tensy uit die samehang anders blyk, beteken—

**"abnormale toestand"** sodanige toestande soos ontsporings, vloede of enige ander toestand wat die normale veilige bedryf van 'n spoorwegstelsel kan ontwrig;

**"bestuurstelsel vir spoorweggesondheid en veiligheid"** 'n gedokumenteerde bestuurstelsel waarby gesondheid en veiligheid deur middel van die inlywing van alle of sommige van die universeelaanvaarbare riglyne soos vermeld in die bylae, geïmplementeer word; en

**"bobaantoerusting"** alle hoogspanningselektriese toerusting wat bo die bane op geëlektrifiseerde trajekte geïnstalleer is;

**"bylae"** 'n bylae tot hierdie regulasies;

**"enkelspoorstelsel"** 'n vervoerstelsel waar 'n enkele spoor as 'n spoorwegstelsel gebruik word;

**"geëlektrifiseerde trajek"** sodanige gedeelte van spoorlyne wat van bobaantoerusting vir elektriese aandrywingsdoeleindes voorsien is, met inbegrip van, sover dit redelikerwys uitvoerbaar is, aanliggende nie-geëlektrifiseerde bane en sylyne op sodanige gedeelte;

**"gemagtigde"** skriftelike, mondelinge of enige ander toestemming wat 'n persoon toelaat om 'n taak te onderneem;

**"lokomotief"** met inbegrip van enige selfaangedrewe voertuig of toerusting wat op 'n spoorweglyn gebruik word;

**"masjinis"** enige persoon wat deur die werkgewer as 'n masjinis aangestel is;

**"rollende materiaal"** enige lokomotief, passasierswa, spoorwa, trok, wa of enige soortgelyke uitvinding wat op 'n spoorlyn beweeg met die doel om persone te vervoer, vir verkeer of enige ander gebruik;

**"spoorweg"** met inbegrip van 'n enkelspoorstelsel;

**"spoorwegbedryfbeheerder"** 'n persoon wat 'n spoorwegstelsel of enige gedeelte, gebied of streek daarvan bedryf en of beheer;

**"spoorwegstelsel"** 'n stelsel spoorweë uitgelê met die doel om verkeer te vervoer, hetsy persone, goedere, of ander verkeer en met inbegrip van enige vaste bates, rollende materiaal en enige ander bedryf wat met die spoorwegstelsel verband hou; en

**"tussenvoering"** die gebied waar twee of meer verskillende spoorwegbedryfbeheerders se stelsels mekaar raak en 'n uitwerking op mekaar se stelsels het.

**Scope of application**

2. These regulations shall apply to all users of a railway system, other than a railway system on a mine or mining area as defined in terms of the Minerals Act, 1991 (Act No. 50 of 1991).

**Railway health and safety management system**

3. Every user of a railway system shall cause—

- (1) (a) a documented railway health and safety management system including the procedures for the safe maintenance and operation of a railway system to be made available to the railway operations controller and to all users involved where agreed documented interfacing of railway systems occurs;
- (b) the railway health and safety management system, including procedures and rules to be reviewed after any changes affecting the railway system;
- (c) the railway health and safety management system to be audited every 36 months;
- (d) the railway health and safety management system and any amendments thereto to be endorsed by all users concerned and the railway operation controller to be informed thereof;
- (e) policies and procedures in the case of abnormal conditions to be established; and
- (f) safety critical tasks as contemplated in section 8 (2) of the Act to be identified;
- (2) should a dispute arise where one party fails to accept the railway health and safety management system of another with regard to interfacing or any other critical aspect for the safe operation of a railway system, the matter shall be referred for arbitration to a person mutually agreed upon, whose decision shall be final: Provided that if the parties do not agree on an arbitrator within 14 days, the users shall refer the matter for arbitration to an inspector, whose decision shall be final.

**Protection of railway system**

4. Without derogating from the provisions of regulation 3, every user of his own railway system as contemplated in regulation 1, shall ensure that—

- (a) the design, operation and maintenance of rolling stock, overhead track equipment, electrification, crossings, signalling, or any other similar operation, is suitable for the purpose for which it is used, and that it is installed, operated and maintained in such a manner that is in the interest of the health and safety of persons; and

**Toepassingsveld**

2. Hierdie regulasies sal op alle gebruikers van 'n spoorwegstelsel van toepassing wees, behalwe 'n spoorwegstelsel by 'n myn of 'n myngebied soos omskryf in die Mineralewet, 1991 (Wet No. 50 van 1991).

**Bestuurstelsel vir spoorweggesondheid en veiligheid**

3. Elke gebruiker van 'n spoorwegstelsel moet toesien dat—

- (1) (a) 'n gedokumenteerde spoorwegbestuurstelsel met inbegrip van die prosedures vir die veilige instandhouding en bedryf van 'n spoorwegstelsel wat aan die spoorwegbedryfbeheerder en aan alle gebruikers wat betrokke is waar ooreengekome gedokumenteerde tussenfase van spoorwegstelsels plaasvind, beskikbaar gestel word;
- (b) die spoorwegbestuurstelsel met inbegrip van prosedures en reëls hersien word na enige veranderinge wat 'n uitwerking het op die spoorwegstelsel;
- (c) die spoorwegbestuurstelsel elke 36 maande geaudit word;
- (d) die spoorwegbestuurstelsel en enige wysigings daaraan deur alle gebruikers bevestig word en die spoorbedryfbeheerder daarvoor ingelig word;
- (e) beleid en prosedures in die geval van abnormale toestande gevestig word; en
- (f) die veiligheidskritieke take soos bedoel in artikel 8 (2) van die Wet geïdentifiseer word;
- (2) indien 'n geskil ontstaan waar een party versuim om die spoorwegbestuurstelsel van 'n ander party met betrekking tot tussenvoering of enige ander kritieke aspek om 'n spoorwegstelsel mee veilig te bedryf, te aanvaar, moet die saak vir arbitrasie verwys word na 'n wedersyds ooreengekome persoon wie se beslissing finaal sal wees: Met dien verstande dat indien die partye nie binne 14 dae oor 'n arbiter ooreenkom nie, die saak na 'n arbiter verwys moet word wie se beslissing finaal sal wees.

**Beskerming van die spoorwegstelsel**

4. Sonder om afbreuk te doen aan die bepalings van regulasie 3 moet elke gebruiker van sy eie spoorwegstelsel soos bedoel in regulasie 1 verseker dat—

- (a) die ontwerp, bedryf en instandhouding van rolende materiaal, bobaantoerusting, elektrifisering, oorgange, sinjalering, of enige ander soortgelyke bedryf, geskik is vir die doel waarvoor dit gebruik word, en dat dit op sodanige wyse geïnstalleer, bedryf en in stand gehou word dat dit in die belang van die gesondheid en veiligheid van persone is; en

- (b) as far as is reasonably practicable, it is in the interest of the health and safety of any person, notices in the form of written or symbolic signs are clearly displayed.

### **Operating**

5. Every user of a railway system shall ensure that—

- (a) a locomotive is operated by an authorised driver;
- (b) the loading applied to rolling stock is safe and in conformance to the load specifications and the route to be negotiated; and
- (c) the composition of the train is safe and in conformance to the route to be negotiated.

### **Hazardous operations**

6. Without derogating from any other provisions as laid down in the Act and regulations the user shall cause the railway health and safety management system to include policies and procedures regarding the transporting, handling and storage of hazardous substances which shall include at least—

- (i) the design of rolling stock;
- (ii) loading and off-loading;
- (iii) shunting; and
- (iv) the operation of trains.

### **Intoxication**

7. (a) Every employee involved in the movement of rolling stock of a user of a railway system shall in the interest of health and safety adhere to the measures in terms of section 122 of the Road Traffic Act, 1989 (Act No. 29 of 1989), in that such work shall not be done whilst under the influence of intoxicating liquor or a drug having narcotic effect.

(b) If in any prosecution for a contravention of the provisions of paragraph (a), it is proved that the concentration of alcohol in any specimen of blood taken from any part of the body of the person concerned was not less than 0.08 gram per 100 millilitres at any time within two hours after the alleged offence it shall be presumed, until contrary is proved, that such concentration was not less than 0.08 gram per 100 millilitres at the time of the offence.

(c) Where in any prosecution in terms of this regulation evidence is tendered of the analysis of a specimen of the blood of any person, it shall be presumed until the contrary is proved that any syringe used for obtaining such a specimen and the receptacle in which such specimen was placed for despatch to an analyst, was free from any substance or contamination which could have affected the result of such analysis.

(d) Any registered medical practitioner or registered nurse may take such steps, including the taking of a blood sample, as may be deemed necessary in order to ascertain whether the body of any person referred to in paragraph (a) shows any condition or appearance of liquor or drugs.

- (b) sover dit redelikerwys uitvoerbaar is, kennisgewings in die vorm van geskrewe of simboliese tekens duidelik vertoon word in belang van die gesondheid en veiligheid van enige persoon.

### **Bedryf**

5. Elke gebruiker van 'n spoorwegstelsel moet verseker dat—

- (a) 'n lokomotief deur 'n gemagtigde masjinis bedryf word;
- (b) die las van toepassing op rollende materiaal veilig en in ooreenstemming is met die lasspesifikasies en die roete wat onderhandel moet word; en
- (c) die samestelling van die trein veilig en in ooreenstemming met die onderhandelde roete is.

### **Gevaarlike bedrywe**

6. Sonder om afbreuk te doen aan enige ander bepalings soos bepaal in die Wet en regulasies moet die gebruiker toesien dat die bestuurstelsel vir spoorweggesondheid en veiligheid die beleid en prosedures rakende die vervoer, hantering en berging van gevaarlike substansies insluit, asook ten minste—

- (i) die ontwerp van rollende materiaal;
- (ii) laai en aflaai;
- (iii) rangering; en
- (iv) die bedryf van treine.

### **Dronkenskap**

7. (a) Elke werknemer wat by die beweging van rollende materiaal van 'n gebruiker van 'n spoorwegstelsel betrokke is, moet in belang van gesondheid en veiligheid aan die maatreëls van artikel 122 van die Padverkeerswet, Wet No. 29 van 1989, voldoen, in sover sodanige werk nie onder die invloed van 'n bedwelmdende drank of 'n dwelmiddel met 'n narkotiese gevolg gedoen sal word nie.

(b) Indien dit in enige vervolging na aanleiding van 'n oortreding van die bepalings van paragraaf (a) bewys kan word dat die konsentrasie van alkohol in enige bloedmonster wat van enige deel van die liggaam van die betrokke persoon geneem is nie minder as 0.08 gram per 100 milliliter te eniger tyd binne twee ure na die beweerde oortreding was nie, sal sodanige konsentrasie, totdat die teendeel bewys kan word, geag word ten tye van die oortreding nie minder as 0.08 gram per 100 milliliter te wees nie.

(c) Waar in enige vervolging ingevolge hierdie regulasie daar bewys gelewer kan word van die ontleiding van 'n bloedmonster van enige persoon, sal dit, totdat die teendeel bewys kan word, geag word dat enige spuit wat vir die verkryging van sodanige monster gebruik word en die houer waarin sodanige monster geplaas is voor afsending aan 'n ontleder, vry was van enige substansie of besoedeling wat die uitslag van sodanige ontleiding kon beïnvloed het.

(d) Enige geregistreerde mediese praktisyn of geregistreerde verpleegster mag sodanige stappe doen, met inbegrip van bloedmonsterneming, as wat nodig geag word om vas te stel of die liggaam van enige persoon soos bedoel in paragraaf (a) enige toestand of voorkoms van drank of dwelms toon.

**Train incidents**

8. Notwithstanding the provisions of the Act and any other regulations the user shall ensure that—

- (a) the site of the incident may only be disturbed and any article removed if such incident may cause any disruption to the normal flow of national rail traffic: Provided that such action may only be taken as may be necessary after such incident has been reported to the user of the railway system; and
- (b) an incident as envisaged in paragraph (a) be investigated in terms of the Act and as stipulated in the railway health and safety management system.

**Offence and penalties**

9. Any person who contravenes or fails to comply with the provisions of regulation 3, 4, 5, 6, 7 (a) or 8 shall be guilty of an offence and be liable on conviction to a fine or to imprisonment for a period not exceeding twelve months and, in the case of a continuous offence, to an additional fine of R200 for each day on which the offence continues or to additional imprisonment not exceeding 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**

10. These regulations shall be called the Railway Health and Safety Regulations, 1994.

**ANNEXURE**

- (1) Leadership and administration.
- (2) Management training.
- (3) Planned inspection.
- (4) Task analysis.
- (5) Incident investigation.
- (6) Task observation/monitoring system.
- (7) Emergency preparedness and fire safety.
- (8) Incident analysis.
- (9) Employee training and competency.
- (10) Personal protective equipment.
- (11) Health control.
- (12) Audit system.
- (13) Engineering controls.
- (14) Personnel communications/consulting staff.
- (15) Planned meetings (group).
- (16) Worksafe procedures.
- (17) Procurement/contracts.
- (18) Hiring and placement.
- (19) Information management.
- (20) Project management.
- (21) Safety critical posts.
- (22) Document control.
- (23) Risk assessment.
- (24) Setting of standards.

**Treinongelukke**

8. Nieteenstaande die bepalings van die Wet en enige ander regulasies, moet die gebruiker verseker dat—

- (a) die terrein van die voorval slegs versteur en enige artikel verwyder mag word indien sodanige voorval enige ontwinging aan die vloei van nasionale spoorverkeer kan veroorsaak: Met dien verstande dat sodanige optrede gedoen mag word soos wat nodig is slegs nadat sodanige voorval by die gebruiker van die spoorwegstelsel aangemeld is; en
- (b) 'n voorval soos beoog in paragraaf (a) ingevolge die Wet en soos gestipuleer in die bestuurstelsel vir spoorweggesondheid en veiligheid, ondersoek word.

**Oortredings en strafbepalings**

9. Enige persoon wat die bepalings van regulasie 3, 4, 5, 6, 7 (a) of 8 oortree of versuim om daaraan te voldoen, is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete of met gevangenisstraf vir 'n tydperk van minstens twaalf maande en, in die geval van 'n voortdurende misdryf, met 'n bykomende boete van R200 vir elke dag waarop die oortreding voortduur of met bykomende gevangenisstraf wat nie een dag vir elke dag waarop die oortreding voortduur, oorskry nie: Met dien verstande dat die tydperk van sodanige bykomende gevangenisstraf in geen geval 90 dae oorskry nie.

**Kort titel**

10. Hierdie regulasies heet die Regulasies vir Spoorweggesondheid en veiligheid, 1994.

**BYLAE**

- (1) Leierskap en administrasie.
- (2) Bestuursopleiding.
- (3) Beplande inspeksie.
- (4) Taakontleding.
- (5) Voorvalondersoek.
- (6) Taakwaarneming/moniteringstelsel.
- (7) Noodvoorbereidheid en brandveiligheid.
- (8) Voorvalontleding.
- (9) Werknemersopleiding en bevoegdheid.
- (10) Persoonlike beskermende toerusting.
- (11) Gesondheidsbeheer.
- (12) Ouditstelsel.
- (13) Ingenieursbeheermaatreëls.
- (14) Personeelkommunikasie/raadgewende personeel.
- (15) Beplande vergaderings (groep).
- (16) Werksveilige prosedures.
- (17) Aanskaffing/kontrakte.
- (18) Verhuring en plasing.
- (19) Inligtingsbestuur.
- (20) Projekbestuur.
- (21) Veiligheidskritieke poste.
- (22) Dokumentbeheer.
- (23) Risikoberaming.
- (24) Standaardstelling.

**No. R. 24****20 January 1995****OCCUPATIONAL HEALTH AND SAFETY ACT, 1993  
(ACT No. 85 OF 1993)****DRAFT GENERAL HEALTH AND SAFETY  
REGULATIONS**

The Minister of Labour, on the recommendation of the Advisory Council for Occupational Health and Safety, hereby publishes under section 43 (1) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), the Draft General Health and Safety Regulations, as set out in the Schedule, for general information and comment.

Any comments or representations with regard to these draft regulations should be lodged in writing to the Director-General: Labour, Private Bag X117, Pretoria, 0001, within **90 days** from the date of publication of this notice.

**T. MBOWENI,**

Minister of Labour.

**SCHEDULE****DRAFT GENERAL HEALTH AND SAFETY  
REGULATIONS****Definitions**

1. In these regulations "the Act" means the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), and any expression of which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context indicates otherwise—

"**access scaffolding**" means any temporary structure on or from which persons work or which provides access to or which supports any materials, plant or equipment;

"**breathing apparatus**" means equipment designed to supply respirable air from a cylinder that is an integral part of the equipment worn by a person using such equipment; or equipment designed to supply respirable air from a source independent of such user;

"**building work**" means building work as defined in the General Administrative Regulations published under Government Notice No. R. 2206 of 5 October 1984;

"**confined space**" means an enclosed, restricted or limited space in which, because of its construction, location or contents, or any work activity carried on therein, a hazardous substance may accumulate or an oxygen-deficient atmosphere may occur, and includes any chamber, tunnel, pipe, pit, sewer, container, valve, pump, or similar construction equipment, machinery or object in which a dangerous liquid or a dangerous concentration of gas, vapour, dust or fumes may be present;

"**fire-resistance**" means the minimum period for which a building element or component will comply with the requirements for stability, integrity and insulation when tested in accordance with SABS 0177: Part II;

**No. R. 24****20 Januarie 1995****WET OP BEROEPSGESONDHEID EN VEILIGHEID,  
1993 (WET No. 85 VAN 1993)****KONSEP ALGEMENE GESONDHEIDS- EN  
VEILIGHEIDSREGULASIES**

Die Minister van Arbeid publiseer hiermee, ingevolge artikel 43 (1) van die Wet op Beroepsgesondheid en Veiligheid, 1993 (Wet No. 85 van 1993), op aanbeveling van die Adviesraad vir Beroepsgesondheid en Veiligheid, die Konsep Algemene Gesondheids- en Veiligheidsregulasies in die Bylae vervat, vir algemene inligting en kommentaar.

Enige kommentaar of vertoë met betrekking tot hierdie konsepregulasies moet skriftelik by die Direkteur-generaal: Arbeid, Privaatsak X117, Pretoria, 0001, binne **90 dae** vanaf die datum van publikasie van hierdie kennisgewing ingedien word.

**T. MBOWENI,**

Minister van Arbeid.

**BYLAE****KONSEP ALGEMENE GESONDHEID EN  
VEILIGHEIDSREGULASIES****Woordomskeywing**

1. In hierdie regulasies beteken "die Wet" die Wet op Beroepsgesondheid en Veiligheid, 1993 (Wet No. 85 van 1993), 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—

"**asemhalingsapparaat**" toerusting ontwerp om inasembare lug te verskaf vanaf 'n silinder wat 'n integrale deel is van die toerusting wat deur die persoon wat sodanige toerusting gebruik, gedra word; of toerusting ontwerp om inasembare lug te verskaf vanaf 'n bron wat onafhanklik is van sodanige gebruiker;

"**asemhalingsbeskermingstoerusting**" 'n toestel wat oor die mond en neus gedra word om die inaseming van onveilige lug te voorkom, wat van 'n tipe is of wat voldoen aan 'n standaard wat deur die hoofinspekteur goedgekeur is;

"**bepaalde ruimte**" 'n ingeslote, ingeperkte of gegrensde ruimte waarbinne, vanweë die konstruksie, ligging en inhoud daarvan, of enige werksaktiwiteite daarbinne, 'n gevaarlike stof kan opbou of 'n atmosfeer gebrekkig aan suurstof kan voorkom, en sluit in enige kamer, tunnel, pyp, put, riool, houer, klep, pomp, sinkput, of 'n dergelike konstruksie, toerusting, masjinerie of ding waarin 'n gevaarlike vloeistof of 'n gevaarlike konsentrasie gas, damp, stof of walm aanwesig kan wees;

"**bouwerk**" bouwerk soos omskryf in die Algemene Administratiewe Regulasies gepubliseer by Goewermentskennisgewing R. 2205 van 5 Oktober 1984;

"**brandweerstand**" die kortste tydperk wat 'n bouelement of -komponent aan die vereistes vir stabiliteit, integriteit en isolasie sal voldoen wanneer dit volgens SABS 0177: Deel II getoets word;

**"flammable liquid"** means any liquid which produces a vapour that forms an explosive mixture with air, and includes any liquid with a closed-cup flash-point of less than 55 °C;

**"hazardous substance"** means any solid, liquid, vapour, gas or aerosol or combination thereof that poses a risk to the health and safety of persons;

**"respiratory protective equipment"** means a device which is worn over at least the mouth and nose to prevent the inhalation of unsafe air, and which is of a type or conforms to a standard approved by the chief inspector;

**"SABS 0177: Part II"** means the code of practice for fire resistance test for building elements SABS 0177: Part II, published by the South African Bureau of Standards; and

**"safety standard"** means the safety standards which have been incorporated into these regulations in terms of section 44 of the Act.

### **Personal health and safety equipment**

2. (1) Where it is not reasonably practicable to eliminate any hazard or potential hazard to the health and safety of employees contemplated in section 8 of the Act, the employer or user, as the case may be, shall take steps to reduce the risk as far as is reasonably practicable, and shall provide and maintain in a good and clean condition such health and safety equipment as may be necessary to ensure that any person exposed to any such condition or situation at a workplace or in the course of his employment or on premises where machinery is used, is rendered safe.

(2) Taking into account the nature of the hazard that is to be countered, and without derogating from the general duties imposed on employers and users by subregulation (1), the health and safety equipment contemplated in subregulation (1) shall include, as may be necessary—

- (a) suitable goggles, spectacles, face shields, welding shields, visors, hard hats, protective helmets, caps, gloves, gauntlets, aprons, jackets, capes, sleeves, leggings, spats, gaiters, protective footwear, protective overalls, or any similar health and safety equipment of a type that will effectively prevent bodily injury;
- (b) waterproof clothing, high-visibility clothing, chemical-resistant clothing, low temperature clothing, chain mail garments, waders, fire retardant or flameproof clothing, ice-jackets, or any similar health and safety equipment of a type that will effectively protect the wearer thereof against harm;
- (c) belts, harnesses, nets, fall arresters, life lines, safety hooks, or any similar equipment of a type that will effectively protect persons against falls;
- (d) mats, barriers, locking-out devices, safety signs, or any similar facility that will effectively prevent slipping, unsafe entry or unsafe conditions;

**"gevaarlike substansie"** enige vaste stof, vloeistof, damp, gas of aerosol of kombinasie daarvan wat persone aan gevaar blootstel;

**"SABS 0177: Deel II"** die gebruikskode vir brandweerstandtoets vir bou-elemente, SABS 0177: Deel II, gepubliseer deur die Suid-Afrikaanse Buro vir Standaarde;

**"toegangsteilerwerk"** enige tydelike struktuur waarop of waarvandaan persone werk of wat aan materiale, bedryfstoeusting of toerusting toegang verleen of wat dit stut;

**"veiligheidsstandaard"** die veiligheidsstandaard wat ingevolge artikel 44 van die Wet by hierdie regulasies ingelyf is;

**"vlambare vloeistof"** enige vloeistof wat damp veroorsaak wat met lug 'n ploffbare mengsel vorm en sluit in enige vloeistof met 'n geslote-bakkie-flitspunt van minder as 55 °C.

### **Persoonlike gesondheid en veiligheid**

2. (1) Waar dit nie redelikerwys prakties uitvoerbaar is om enige bedreiging of potensiele bedreiging vir die gesondheid en veiligheid van werknemers te elimineer nie, moet die werkgewer of gebruiker, na gelang van die geval, stappe doen om die risiko so veel as wat redelikerwys prakties uitvoerbaar is te verlaag, en moet sodanige gesondheids- en veiligheids-toerusting voorsien en in 'n goeie en skoon toestand in stand hou as wat nodig mag wees om te verseker dat enige persoon wat aan enige sodanige toestand of situasie by 'n werkplek of in die loop van sy diens of op 'n perseel waar masjinerie gebruik word, blootgestel is, beveilig word.

(2) Met inagneming van die aard van die gevaar wat teengewerk moet word, en sonder om afbreuk te doen aan die algemene pligte wat deur subregulasie (1) aan werkgewers en gebruikers van masjinerie opgelê word, moet die gesondheids- en veiligheids-toerusting bedoel in subregulasie (1) insluit, na gelang nodig—

- (a) geskikte stofbrille, brille, gesigskerms, sweiskerms, maskers, hardehoede, beskermende helms, pette, handskoene, kaphandskoene, voorskote, baardjies, mantels, moue, kamaste, slobkouse, oorkouse, beskermende skoeisel, beskermende oorpakke, of enige soortgelyke veiligheids-toerusting of fasiliteite van 'n tipe wat geskik is om liggaamlike besering doeltreffend te verhoed;
- (b) waterdigte klere, hoësigbaarheidsklere, chemikaliebestande klere, laetemperatuur klere, maliekolderklere, waterlaarse, brandtrae of vlamdigte klere, ysbaadjies, of enige soortgelyke veiligheids-toerusting van 'n tipe wat geskik is om die gebruiker daarvan doeltreffend teen besering te beskerm;
- (c) gordels, harnasse, nete, vangtoestelle, reddingstoue, veiligheidskakke of enige soortgelyke veiligheids-toerusting van 'n tipe wat geskik is om persone wat aan die gevaar van val blootgestel is, doeltreffend te beveilig;
- (d) matte, versperrings, uitsluittoestelle, veiligheidsstekens, of enige soortgelyke fasiliteite om die gevaar van gly, onveilige toegang of onveilige toestand te voorkom;

- (e) protective ointments, earmuffs, earplugs, respirators, breathing apparatus, masks, air lines, hoods, helmets or any similar health and safety equipment of a type that will effectively protect against harm;
- (f) suitable insulating material underfoot where persons work on a floor made of metal, stone, concrete or other similar material; and
- (g) generally, such health and safety equipment as may be necessary to render the persons concerned safe.

(3) An employer shall ensure that no health and safety equipment provided as required by this or any other regulation is removed from a workplace without his approval and no person shall remove any such equipment from a workplace, without such approval.

(4) An employer shall instruct his employees in the proper use, maintenance and limitations of the health and safety equipment provided.

(5) An employer shall not require or permit any employee to work unless such an employee uses the required health and safety equipment provided in terms of this or any other regulation.

(6) The provisions of this regulation shall not be construed as derogating from the provisions of any specific regulation prescribing specific health and safety equipment.

#### **Emergency equipment, medicine and first aid**

3. (1) An employer shall take all reasonable steps that are necessary under the circumstances, to ensure that persons at work receive prompt first aid treatment in case of injury or emergency.

(2) Where five or more employees are employed at a workplace, the employer of such employees shall provide a first aid box or boxes at or near the workplace which shall be available and accessible for the treatment of injured persons at that workplace.

(3) (a) Taking into account the type of injuries that are likely to occur at a workplace, the nature of the activities performed and the number of employees employed at such workplace, the employer shall ensure that the first aid box or boxes contemplated in subregulation (2) contain suitable first aid equipment which includes at least the equipment listed in the Annexure hereto.

(b) Such employer shall ensure that only articles and equipment contemplated in subregulation (a) or other similar equipment or medicine is kept in a first aid box or boxes.

- (e) beskermende salwe, oormowwe, oorproppe, respirators, asemhalingstoestelle, maskers, luglyne, kappe, helms of enige soortgelyke veiligheids-toerusting of fasiliteite van 'n tipe wat geskik is om doeltreffend teen beserings te beskerm;
- (f) geskikte isolerende materiaal onder die voete waar persone werk op 'n vloer wat uit metaal, klip, beton of ander soortgelyke stof gemaak is; en
- (g) in die algemeen, sodanige veiligheids-toerusting of fasiliteite wat nodig mag wees om die betrokke persone te beveilig.

(3) 'n Werkgewer, na gelang van die geval, moet verseker dat geen gesondheid- en veiligheids-toerusting wat ooreenkomstig hierdie of enige ander regulasie voorsien is, sonder sy toestemming van 'n werkplek verwyder word nie en niemand mag enige sodanige toerusting sonder sodanige toestemming van 'n werkplek verwyder nie.

(4) 'n Werkgewer moet sy werknemers onderrig in die behoorlike gebruik, instandhouding en beperkings van die gesondheids- en veiligheids-toerusting wat voorsien is.

(5) 'n Werkgewer mag nie 'n werknemer toelaat of van hom vereis om te werk nie, tensy sodanige werknemer die gesondheids- en veiligheids-toerusting wat ingevolge hierdie of enige ander regulasie voorsien is, gebruik.

(6) Die bepalings van hierdie regulasies word nie so uitgelê dat dit afbreuk doen aan die bepalings van enige spesifieke regulasie wat spesifieke gesondheids- en veiligheids-toerusting voorskryf nie.

#### **Noodtoerusting, medisyne en eerstehulp**

3. (1) 'n Werkgewer moet verseker dat alle redelike stappe wat onder die omstandighede nodig is, gedoen word om te verseker dat persone by die werk spoedig eerstehulp-behandeling ontvang in die geval van 'n besering of 'n noodgeval.

(2) Waar vyf werknemers of meer in diens is by 'n werkplek, moet die werkgewer van sodanige werknemers 'n eerstehulpkas of -kaste by of naby die werkplek voorsien wat beskikbaar en toeganklik moet wees vir die behandeling van beseerde persone by daardie werkplek.

(3) (a) Met inagneming van die tipe beserings wat moontlik kan voorkom by 'n werkplek, die aard van die aktiwiteite wat by daardie werkplek verrig word en die aantal werknemers in diens by sodanige werkplek, moet die werkgewer seker maak dat die eerstehulpkas of -kaste bedoel in subregulasie (2) geskikte eerstehulptoerusting bevat wat minstens die toerusting gelys in die Bylae hierby, insluit.

(b) Sodanige werkgewer moet verseker dat slegs artikels en toerusting bedoel in subregulasie (a) of ander soortgelyke toerusting of medisyne in 'n eerstehulpkas of -kaste gehou word.

(4) Where more than 10 employees are employed at a workplace, the employer of such employees shall take steps to ensure that for every group of up to 50 employees at that workplace, or in the case of a shop or an office as contemplated in the Basic Conditions of Employment Act, 1983 (Act No. 3 of 1983), for every group of up to 100 employees, at least one person is readily available during normal working hours, who is in possession of a valid certificate of competency in first aid, issued by—

- (a) the SA Red Cross Society;
- (b) the St John's Ambulance;
- (c) the SA First Aid League; or
- (d) a person or organisation approved by the chief inspector for this purpose.

(5) An employer shall at a workplace where toxic, corrosive or hazardous substances are used, handled, processed or manufactured, ensure that the first aid worker contemplated in subregulation (4) is trained in the appropriate first aid procedures associated with such substances.

(6) An employer shall affix a prominent notice or sign in a conspicuous place at a workplace, indicating where the first aid box or boxes are kept, as well as the name of the person in charge of such first aid box or boxes.

(7) An employee with an open wound, cut, sore or any similar injury, who works in a workplace where a substance contemplated in subregulation (5) is used, handled, processes or manufactured, shall report such injury forthwith to his employer. The employer may not permit such employee to continue working before the injury has been properly attended to.

(8) Where an employee is exposed or may be exposed to risk of injury to the eye through contact with a biological or chemical substance, the employer concerned shall ensure that there is an eye-wash fountain, or similar facility, in the immediate vicinity of the workplace of such employee and that the employee is trained in the use thereof.

(9) Where an employee at a workplace is exposed or may be exposed to risk of injury to, or absorption through, the skin as a result of sudden contact with a large amount of toxic, corrosive or hazardous substances, the employer concerned shall ensure that there is a fast-reacting deluge-shower with clean water or a similar facility in the immediate vicinity of the workplace of such employee and that the employee is trained in the use thereof.

#### **Use and storage of flammable liquids**

4. (1) No employer shall require or permit any person to work in a place where the vapour of any flammable liquid is generated to such an extent that it constitutes an actual or potential fire or explosion hazard or endangers the health and safety of any person, unless the provisions of subregulations (2) to (10) of this regulation are complied with.

(4) Waar meer as 10 werknemers in diens is by 'n werkplek, moet die werkgever van sodanige werknemers stappe doen om te verseker dat vir elke groep van tot 50 werknemers by daardie werkplek, of in die geval van 'n winkel of kantoor soos bedoel in die Wet op Basiese Diensvoorwaardes, 1983 (Wet No. 3 van 1983), vir elke groep van tot 100 werknemers, minstens een persoon geredelik beskikbaar is tydens normale werksure wat in besit is van 'n geldige bevoegdheidsertifikaat in eerstehulp, uitgereik deur—

- (a) die SA Rooikruisvereniging;
- (b) die St John Ambulansvereniging;
- (c) die SA Noodhulppliga; of
- (d) 'n persoon of liggaam deur die hoofinspekteur vir hierdie doel goedgekeur.

(5) 'n Werkgever moet by 'n werkplek waar toksiese, invretende of gevaarlike substansies gebruik, hanteer, verwerk of vervaardig word, verseker dat die eerstehulpwerker bedoel in subregulasie (4) opgelei is in die toepaslike eerstehulp-prosedures wat met sodanige substansies geassosieer word.

(6) 'n Werkgever moet 'n prominente kennisgewing of teken in 'n opvallende plek by 'n werkplek aanbring wat aandui waar die eerstehulpkas of -kaste gehou word, asook die naam van die persoon wat in beheer is van sodanige eerstehulpkas of -kaste.

(7) 'n Werknemer met 'n oop wond, sny, seer, of enige soortgelyke besering wat werk in 'n werkplek waar 'n substansie bedoel in subregulasie (5) gebruik, hanteer, verwerk of vervaardig word, moet sodanige besering onverwyld by sy werkgever aanmeld. Die werkgever mag nie sodanige werknemer toelaat om aan te hou werk voordat daar behoorlik aandag aan die besering gegee is nie.

(8) Waar 'n werknemer blootgestel is of moontlik blootgestel kan word aan 'n risiko van besering aan die oog deur kontak met 'n biologiese of chemiese substansie, moet die betrokke werkgever verseker dat daar 'n oogspoelfontein, of soortgelyke fasiliteit in die onmiddellike omgewing van die werkplek van sodanige werknemer is en dat die werknemer opgelei is in die gebruik daarvan.

(9) Waar 'n werknemer blootgestel of moontlik blootgestel kan word aan potensiële gevaar van besering aan of absorpsie deur die vel as gevolg van skielike aanraking met 'n groot hoeveelheid toksiese, invretende of gevaarlike substansies, moet die betrokke werkgever toesien dat 'n vinnigreagerende vloedstortbad voorsien van skoon water, of 'n ekwivalente fasiliteit, by of in die onmiddellik nabyheid van die werkplek van sodanige werknemer voorsien word en dat die werknemer opgelei is in die gebruik daarvan.

#### **Gebruik en opberging van vlambare vloeistowwe**

4. (1) Geen werkgever mag van enige persoon ver eis of hom toelaat om te werk nie in 'n plek waar dampe van enige vlambare vloeistof ontwikkel word in so 'n mate dat dit 'n wesenlike of potensiële brand- of plofgevaar skep of dat dit die veiligheid van enige persoon bedreig, tensy die bepalings van subregulasie (2) tot (10) van hierdie regulasie nagekom word.

(2) No employer shall require or permit a flammable liquid to be used, applied or sprayed other than in a room, cabinet or other enclosure specially constructed for this purpose of fire-resisting material, or in a place which, owing to its situation or construction or any other feature or circumstances, is of such a nature that—

- (a) no fire or explosion hazard is, can or may be created thereat;
- (b) any vapour resulting from such use or application is efficiently dispersed and diluted into the atmosphere subject to the provisions of the Air Pollution Prevention Act, 1965 (Act No. 45 of 1965); and
- (c) no other workplace can or may be contaminated by such vapour.

(3) An employer shall cause every room, cabinet or enclosure contemplated in subregulation (2) to be—

- (a) fitted with an efficient intake and exhaust ventilation system to remove any vapour therefrom and to prevent its re-circulation in a manner which may lead to the contamination of any other workplace or the creation of a fire or explosion hazard; and
- (b) ventilated by mechanical means as contemplated in Environmental Regulation 5 (1): Provided that, notwithstanding any other provision of this regulation, an employer shall provide every employee doing spraying with respiratory protective equipment and such employee shall, while spraying, use such apparatus provided to him.

(4) With regard to the ventilation system contemplated in subregulation (3) the employer shall cause such ventilation system to be maintained in a good and clean condition.

(5) With regard to any room contemplated in subregulation (2) the employer shall cause every such room to—

- (a) where reasonably practicable, have at least two separate entrances as far apart as is possible, which shall be fitted with doors that can be easily opened from the inside and opening outwards, even when locked; and
- (b) be fitted with an inspection window of strengthened and shatterproof glass that cannot be opened.

(6) An employer shall not permit—

- (a) any fire, flame or naked light or anything which may generate static electricity or any other thing which may ignite a flammable liquid or its vapour, to be used in or taken into any room, cabinet or enclosure contemplated in subregulation (2) in which any such flammable liquid is used, sprayed or stored, and shall affix a suitable and conspicuous sign prohibiting any such act at all the entrances to any such room, cabinet or enclosure;

(2) Geen werkgewer mag vereis of toelaat dat 'n vlambare vloeistof gebruik, aangewend of gespuit word anders as in 'n kamer, dampkas of ander afskorting wat spesiaal vir die doel van brandbestande materiaal met 'n brandweerstand van twee ure opgerig is, of in 'n plek wat, vanweë sy ligging of konstruksie of enige ander kenmerk of omstandighede, van so 'n aard is dat—

- (a) geen brand- of plofgevaar daar geskep word of geskep kan word nie;
- (b) enige dampe wat ontstaan vanweë sodanige gebruik of aanwending doeltreffend in die atmosfeer versprei en verdun word behoudens die bepalings van die Wet op Voorkoming van Lugbesoedeling, 1965 (Wet No. 45 van 1965); en
- (c) geen ander werkplek deur sodanige dampe besoedel kan of mag word nie.

(3) 'n Werkgewer moet toesien dat elke kamer, dampkas of afskorting in subregulasie (2) bedoel—

- (a) voorsien is van 'n doelmatige in- en uitlaatventilasiestelsel om enige damp daaruit te verwyder en om te verhoed dat dit hersirkuleer word op 'n wyse wat kan lei tot die besoedeling van enige ander werkplek of tot die skepping van 'n brand- of plofgevaar; en
- (b) deur meganiese middele geventileer is soos bedoel in Omgewingsregulasie 5 (1): Met dien verstande dat, ondanks enige ander bepaling van hierdie regulasie, 'n werkgewer iedere werknemer wat spuitwerk doen moet voorsien van asemhalingsbeskermingstoerusting en sodanige werknemer sodanige apparaat waarvan hy voorsien is, gebruik, terwyl hy spuitwerk doen.

(4) Ten aansien van die ventilasiestelsel bedoel in subregulasie (3) moet die werkgewer toesien dat dit in 'n goeie en skoon toestand in stand gehou word.

(5) Met betrekking tot enige kamer bedoel in subregulasie (2) moet die werkgewer toesien dat—

- (a) waar redelikerwys prakties uitvoerbaar, minstens twee afsonderlike ingange so ver weg van mekaar moontlik hê wat toegerus moet word met deure wat maklik van die binnekant na buite toe oopmaak, selfs wanneer gesluit; en
- (b) toegerus wees met 'n inspeksievenster van versterkte en splintervrye glas wat nie oopgemaak kan word nie.

(6) 'n Werkgewer mag nie toelaat nie dat—

- (a) enige vuur, vlam of oop lig, of iets wat statiese elektrisiteit kan opwek, of enige ander ding wat 'n vlambare vloeistof of die dampe kan laat ontbrand, gebruik word in of ingeneem word in 'n kamer, dampkas of toe ruimte soos in subregulasie (2) bedoel waarin enige sodanige vlambare vloeistof gebruik, gesproei of opgeberg word, en hy moet 'n geskikte en opsigtelike teken wat enige sodanige optrede verbied, by alle ingange van elke sodanige kamer, dampkas of toe ruimte aanbring;

- (b) any person to, and no person shall, smoke in any place in which flammable liquid is used or stored, and such employer shall affix a suitable and conspicuous notice prohibiting smoking at all the entrances to any such place; and
- (c) any process capable of causing sparks or fire, or the application of any heat for the drying of sprayed or treated articles, to take place in any room, cabinet or enclosure used for spraying, before the space or atmosphere has been cleared of all vapour.
- (7) With respect to any room, cabinet or enclosure contemplated in subregulation (2), the employer concerned shall cause—
- (a) discarded cotton waste, cleaning rags or similar material to be removed daily and safely disposed of;
- (b) only that quantity of flammable liquid needed for work on one day to be taken into or kept in such room, cabinet or enclosure: Provided that partially consumed stock may be stored in a properly marked, fireproof wall cabinet inside such room, cabinet or enclosure; and
- (c) all drums, cans, canisters or similar containers holding flammable liquids to be kept tightly closed when not in actual use and, after their contents have been used up, to be removed from such room, cabinet or enclosure and safely disposed of daily.
- (8) An employer shall cause every flammable liquid store to be—
- (a) separated by means of fire-resistance material with a fire-resistance of two hours from any room, cabinet or enclosure contemplated in subregulation (2) in accordance with a safety standard incorporated for this purpose into these regulations under section 44 of the Act;
- (b) constructed of fire-resisting material with a fire resistance of two hours;
- (c) constructed in such a way that, in case of spillage, a volume of the flammable liquid in question equal to the quantity of flammable liquid ordinarily kept in store plus 10 per cent of that quantity, can be contained;
- (d) ventilated to the open air in such a manner that vapour cannot accumulate inside the store; and
- (e) clearly marked with a sign indicating that it is such a store and also indicating the amount of flammable liquid which may be stored therein.
- (9) Taking into account the construction and location of the premises in question and the quantity and types of flammable liquids involved, an employer shall install an adequate amount of efficient fire-fighting equipment in suitable locations in and around every building in which such substances are used, handled or stored, or as may be recommended by the fire chief of the local authority concerned.
- (b) enige persoon rook, en niemand mag rook nie, in 'n plek waarin vlambare vloeistowwe gebruik of opgeberg word en sodanige werkgewer moet 'n geskikte en opsigtelike kennisgewing wat sodanige rook verbied by alle ingange tot sodanige plek aanbring; en
- (c) enige proses wat vonke of vuur kan veroorsaak, of enige hitteaanwending vir die droogmaak van artikels wat gespuut of behandel is, plaasvind in enige kamer, dampkas of toe ruimte wat vir spuitwerk gebruik word voordat die atmosfeer of ruimte van alle dampe geledig is.
- (7) Ten aansien van enige kamer, dampkas of toe ruimte bedoel in subregulasie (2), moet die betrokke werkgewer toesien dat—
- (a) gebruikte poetskatoen, skoonmaaklappe of soortgelyke materiaal daagliks verwyder en veilig weggedoen word;
- (b) slegs daardie hoeveelheid vlambare vloeistof benodig vir werk op een dag in sodanige kamer, dampkas of toe ruimte ingeneem of gehou word: Met dien verstande dat gedeeltelik gebruikte voorrade in 'n behoorlike gemerkte, brandvaste muurkas, binne sodanige kamer, dampkas of toe ruimte opgeberg mag word; en
- (c) alle dromme, kanne, trommels of soortgelyke houters wat vlambare vloeistof bevat, dig toegehou word wanneer nie werklik in gebruik nie, en dat, nadat die inhoud daarvan opgebruik is, die houters daagliks van sodanige kamer, dampkas of toe ruimte verwyder en veilig weggedoen word.
- (8) 'n Werkgewer moet toesien dat elke vloeibare vloeistofstoor—
- (a) deur middel van brandweerstandsmateriaal met 'n brandweerstand van twee uur, van enige kamer, dampkas of toe ruimte bedoel in subregulasie (2) ooreenkomstig 'n veiligheidsstandaard vir hierdie doel ingelyf by hierdie regulasies kragtens artikel 44 van die Wet;
- (b) van brandbestande materiaal met 'n brandweerstand van twee uur vervaardig is;
- (c) van sodanige konstruksie is dat, in geval van storting, 'n volume van die betrokke vlambare vloeistof gelyk aan die hoeveelheid vlambare vloeistof wat normaalweg in die stoor gehou word, plus 10 persent van daardie hoeveelheid, ingedam kan word;
- (d) na die buitelug geventileer word op so 'n wyse dat dampe nie binne die stoor kan versamel nie; en
- (e) duidelik gemerk is met 'n teken wat aandui dat dit so 'n stoor is, en waarop ook die hoeveelheid vlambare vloeistof wat daarin opgeberg word, aangedui is.
- (9) Met inagneming van die konstruksie en plasing van die betrokke perseel en die hoeveelheid en tipe vlambare vloeistowwe betrokke, moet die werkgewer 'n genoegsame aantal doelmatige brandbestrydingstoestelle aanbring op geskikte plekke in en om elke gebou waarbinne sodanige stowwe gebruik, gehanteer of opgeberg word, of soos deur die brandweerhoof van die betrokke plaaslike owerheid beveel mag word.

(10) The provision of this regulation shall not be construed as applying to the use of flammable liquids in the course of or in connection with building work: Provided that every employer engaged in building work shall ensure that, where flammable liquids are used or applied at the workplace concerned, this is done in such a manner that no fire or explosion hazard is created, and that the workplace is effectively ventilated: Provided further that where the workplace cannot be ventilated effectively the employer shall provide every employee involved, respiratory protective equipment and shall take steps to ensure that every such employee, while using or applying flammable liquid, uses the apparatus supplied to him.

#### **Work in confined spaces**

5. (1) An employer or a user shall take steps to ensure that a confined space is entered by an employee or other person only after the air therein has been tested and evaluated by a person who is competent to pronounce on the safety thereof, and who has certified in writing that the confined space is safe and will remain safe while any person is in such space, taking into account the nature and duration of the work performed therein.

(2) Where the provisions of subregulation (1) cannot be complied with, the employer or user, as the case may be, shall take steps to ensure that any confined space in which there exists or is likely to exist a hazardous gas, vapour, dust or fume, or which when—

- (a) subject to the provisions of subregulation (3), the confined space is purged and ventilated to provide a safe atmosphere therein and measures necessary to maintain a safe atmosphere therein have been taken; and
- (b) the confined space has been isolated from all pipes, ducts and other communicating openings by means of effective blanking other than shutting or locking of a valve or a cock, or, if this is not practicable, only when all valves and cocks which are a potential source of danger have been locked and securely fastened by means of chains and padlocks.

(3) Where the provisions of subregulation (2) (a) cannot be complied with, the employer or person using such equipment shall take steps to ensure that the confined space in question is entered only when the employee or person entering is using breathing apparatus and, further, that—

- (a) the provisions of subregulation (2) (b) are complied with;
- (b) any employee or person entering the confined space is using a safety harness or other similar equipment, to which a rope is securely attached which reaches beyond the access to the confined space, and the free end of which is attended to by a person referred to in paragraph (c);

(10) Die bepalings van hierdie regulasie word nie uitgelê al sou dit van toepassing wees op die gebruik van vlambare vloeistowwe in verband met of in die loop van bouwerk nie: Met dien verstande dat iedere werkgewer wat bouwerk verrig, moet toesien dat waar vlambare vloeistowwe by die betrokke werkplek gebruik of aangewend word, dit so gedoen word dat geen brand- of plofgevaar geskep word nie en dat die werkplek doeltreffend geventileer is: Met dien verstande verder dat, waar die werkplek nie doeltreffend geventileer kan word nie, die werkgewer iedere betrokke werknemer moet voorsien van asemhalingsbeskermingstoerusting en stappe moet doen om te verseker dat elke sodanige werknemer, terwyl hy vlambare vloeistof gebruik of aanwend, die toerusting waarvan hy voorsien is, gebruik.

#### **Werk in beperkte ruimtes**

5. (1) 'n Werkgewer of 'n gebruiker van masjinerie moet stappe doen om te verseker dat 'n beperkte ruimte deur 'n werknemer of ander persoon binnegegaan word slegs nadat die lug daarin getoets en geëvalueer is deur 'n persoon wat bevoeg is om oor die veiligheid daarvan uitspraak te gee, en wat skriftelik gesertifiseer het dat die beperkte ruimte veilig is en veilig sal bly terwyl enige persoon binne sodanige ruimte is, met inagneming van die aard en duur van die werk wat daarin gedoen moet word.

(2) Waar daar nie aan die bepalings van subregulasie (1) voldoen kan word nie, moet die werkgewer of gebruiker van masjinerie, na gelang van die geval, stappe doen om te verseker dat 'n beperkte ruimte waarin 'n gevaarlike gas, damp, stof of walm is of moontlik kan wees, of wanneer—

- (a) behoudens die bepalings van subregulasie (3), die beperkte ruimte gesuiwer en geventileer is om 'n veilige atmosfeer daarin te skep en die nodige stappe om 'n veilige atmosfeer daarin te handhaaf, gedoen is; en
- (b) die beperkte ruimte geïsoleer is van alle pype, pypeleidings en ander verbindingsopeninge deur effektiewe afdigting, anders as by wyse van die toemaak of sluit van 'n klep of 'n kraan, of, as dit nie noemlik is nie, alle kleppe of krane wat 'n bron van gevaar kan wees, gesluit en stewig vasgemaak is deur middel van kettings en slotte.

(3) Waar daar nie aan die bepalings van subregulasie (2) (a) voldoen kan word nie, moet die werkgewer of persoon wat sodanige toerusting gebruik, stappe doen om te verseker dat sodanige beperkte ruimte slegs binnegegaan word as die werknemer of persoon wat binnegaan 'n asemhalingsapparaat gebruik en, voorts, dat—

- (a) die bepalings van subregulasie (2) (b) nagekom word;
- (b) enige werknemer of persoon wat die beperkte ruimte binnegaan 'n veiligheidsharnas of ander soortgelyke uitrusting gebruik, waaraan 'n tou stewig vasgemaak is wat tot buitekant die ingang vanaf die beperkte ruimte reik en waarvan die vry end bedien word deur 'n persoon bedoel in paragraaf (c) van hierdie subregulasie;

- (c) at least one other person trained in resuscitation is and remains in attendance immediately outside the entrance of the confined space in order to assist or remove any person or persons from the confined space, if necessary; and
- (d) effective breathing apparatus and apparatus for resuscitation is available immediately outside the confined space.

(4) An employer or user shall take steps to ensure that all persons vacate a confined space on completion of any work therein.

(5) Where the hazardous gas, vapour, dust or fume contemplated in subregulation (2) are of an explosive or flammable nature, an employer or user shall further take steps to ensure that such a confined space is entered only if—

- (a) the concentration of the gas, vapour, dust or fumes does not exceed 25 per cent of the lower explosive limit of the gas, vapour, dust or fumes concerned where the work to be performed is of such a nature that it does not create a source of ignition; or
- (b) such concentration does not exceed 10 per cent of the lower explosive limit of the gas, vapour, dust or fume where other work is performed.

(6) The provisions of this regulation shall "*mutatis mutandis*" also apply, in so far as they can be so applied, to any work which is performed in any place or space on the outside of and bordering on or in the immediate vicinity of any confined space, and in which place or space, owing to its proximity to the confined space, any hazardous article, oxygen-deficient atmosphere or dangerous concentration of gas, vapour, dust or fume may occur or be present.

#### **Work in elevated positions**

6. No employer shall require or permit any person to work in an elevated position, and no person shall work in an elevated position, unless such work is performed safely from a ladder or access scaffolding, or from a position where such person has been made as safe as if he were working from access scaffolding.

#### **Working in danger of engulfment**

7. No employer shall require or permit any person to, and no person shall, enter any place from or into which solid or particulate material is being discharged where a danger exists of a person being engulfed by such solid or particulate material, unless—

- (a) such a person is provided with and properly uses a safety belt and rope;
- (b) at least one other person who has been properly instructed, is and remains in attendance outside such place to keep the persons therein under continuous observation in order to render assistance in case of emergency; and
- (c) the precautions prescribed by regulation 5 of these regulations are taken if a dangerous gas, fume, dust or vapour may be present in such a place.

(c) minstens een ander persoon wat in resussitasie opgelei is, aanwesig is en aanwesig bly buite die ingang van die beperkte ruimte om enige persoon of persone behulpzaam te wees of uit die beperkte ruimte te verwyder, indien nodig; en

(d) doeltreffende asemhalings- en resussitasie-apparaat onmiddellik buite die beperkte ruimte beskikbaar is.

(4) 'n Werkgewer of gebruiker van masjinerie moet maatreëls tref om te verseker dat alle persone 'n beperkte ruimte ontruim na afloop van enige werk daarin.

(5) Indien die gevaarlike gas, damp, stof of walm bedoel in subregulasie (2) van 'n plofbare of vlambare aard is, moet die werkgewer of gebruiker van masjinerie ook maatreëls tref om te verseker dat sodanige ruimte binnegegaan word slegs wanneer—

- (a) die konsentrasie gas, damp, stof of walm nie 25 persent van die onderste plofgrens van daardie gas, damp, stof of walm oorskry nie waar die werk wat gedoen moet word van so 'n aard is dat dit nie 'n ontstekingsbron skep nie; of
- (b) sodanige konsentrasie nie 10 persent van die onderste plofgrens van daardie gas, damp, stof of walm oorskry nie waar ander werk gedoen word.

(6) Die bepalings van hierdie regulasie is *mutatis mutandis* ook van toepassing, vir sover dit aldus van toepassing kan wees, op enige werk wat in enige plek of ruimte aan die buitekant van, en aangrensend aan, of in die onmiddellike omgewing van enige beperkte ruimte verrig word, en in welke plek of ruimte, vanweë die nabyheid van beperkte ruimte, enige gevaarlike artikel, 'n atmosfeer gebrekkig aan suurstof, of 'n gevaarlike konsentrasie gas, damp, stof of walm kan voorkom of aanwesig kan wees.

#### **Werk op hoë plekke**

6. Geen werkgewer mag vereis of toelaat dat 'n persoon op 'n hoë plek werk nie, en niemand mag op sodanige plek werk nie tensy sodanige werk op 'n veilige wyse van 'n leer of toegangsteierwerk gedoen word, of van 'n posisie waar die persoon so beveilig is asof hy van 'n toegangsteierwerk af werk.

#### **Werk waar 'n persoon blootstaan aan gevaar van verswelging**

7. Geen werkgewer mag vereis of toelaat dat enige persoon, en niemand mag, enige plek binnegaan nie waarvandaan of waarin soliede of partikulêre materiaal gestort word waar 'n gevaar bestaan dat 'n persoon verswelg kan word deur sodanige soliede of partikulêre materiaal, tensy—

- (a) sodanige persoon voorsien is van 'n veiligheids gordel en -tou en dit behoorlik gebruik;
- (b) minstens een ander persoon wat behoorlik voorgelig is, teenwoordig is en bly buite sodanige plek om die persone daarinne voortdurend onder observasie te hou ten einde hulp te verleen in 'n noodgeval; en
- (c) die voorsorgmaatreëls wat by regulasie 5 van hierdie regulasies voorgeskryf word, nagekom word indien 'n gevaarlike gas, walm, stof of damp in so 'n plek aanwesig mag wees.

**Stacking of articles**

8. (1) No employer shall require or permit the building of stacks which consist of successive tiers, one on top of another, unless—

- (a) the stacking operation is executed by or under the personal supervision of a person with specific knowledge and experience of this type of work;
- (b) the base is level and capable of sustaining the weight exerted on it by the stack;
- (c) the articles in the lower tiers are capable of sustaining the weight exerted on them by the articles stacked above them;
- (d) all the articles which make up any single tier are consistently of the same size, shape and mass;
- (e) pallets and containers are in good condition; and
- (f) any support structure used for the stacking of articles is structurally sound and can support the articles to be stacked on it.

(2) An employer shall not permit—

- (a) articles to be removed from a stack except from the topmost tier or part of that tier; and
- (b) anybody to climb onto or from a stack, except if the stack is stable and the climbing is done with the aid of a ladder or other safe facility or means.

(3) An employer shall take steps to ensure that—

- (a) persons engaged in stacking operations do not come within reach of machinery which may endanger their safety;
- (b) stacks that are in danger of collapsing are dismantled immediately in a safe manner; and
- (c) the stability of stacks is not endangered by vehicles or other machinery or persons moving past it.

(4) Unless a stack is otherwise supported an employer shall take steps to ensure that tiers of stacked articles—

- (a) are secured by laying up articles in a header and stretcher fashion and that corners are securely bonded; and
- (b) are stepped back half the depth of a single article at least every fifth tier or that, alternatively, successive tiers are stepped back by a lesser amount: Provided that at least the same average angle of inclination to the vertical is achieved: Provided further that where the articles are of a regular shape and their nature and size are such that the stack will be stable, they may be stacked with the sides of the stack vertical if the total height of the stack does not exceed three times the smaller dimension of the underlying base of the stack.

**Opstapel van artikels**

8. (1) Geen werkgewer mag vereis of toelaat dat stapels gebou word nie wat uit opeenvolgende lae bestaan, een bo op die ander, tensy—

- (a) die stapelwerk verrig word deur of onder die persoonlike toesig van 'n persoon wat goed onderleg is in en ondervindig het van hierdie tipe werk;
- (b) die basis waterpas is en in staat is om die gewig wat daarop deur die stapel uitgeoefen word, te dra;
- (c) die artikels in die onderste lae in staat is om die gewig te dra wat op hulle uitgeoefen word deur die artikels wat bo-op hulle gestapel is;
- (d) al die artikels waaruit enige enkele laag bestaan, deurgaans van dieselfde grootte, vorm en gewig is;
- (e) palette en houers in 'n goeie toestand is; en
- (f) enige ondersteuningstruktuur wat vir die opstapel van artikels gebruik word, struktureel stewig genoeg is om die artikels wat daarop gestapel word, te dra.

(2) 'n Werkgewer mag nie toelaat nie dat—

- (a) artikels van 'n stapel verwyder word behalwe van die boonste laag of deel van daardie laag; of
- (b) enigeen op 'n stapel klim of van 'n stapel afklim tensy die stapel stabiel is en die klimmer gedoen word met 'n leer of ander veilige fasiliteit of toestel.

(3) 'n Werkgewer moet maatreëls tref om te verseker dat—

- (a) persone wat met stapelbedrywighede besig is, nie binne bereik van masjinerie kom wat hul veiligheid in gevaar kan stel nie;
- (b) stapels wat in gevaar staan om in mekaar te tuimel onmiddellik op 'n veilige wyse afgebreek word; en
- (c) die stabiliteit van stapels nie in gevaar gestel word deur voertuie of ander masjinerie of persone wat verby dit beweeg nie.

(4) Tensy 'n stapel andersins gestut word, moet 'n werkgewer maatreëls tref om te verseker dat gestapelde artikels—

- (a) veilig gemaak is deur artikels koplaag- en strykverbandgewys te pak en dat hoeke stewig verbind is; en
- (b) met 'n trap terugloop teen die helfte van die diepte van 'n artikel by minstens elke vyfde laag, of dat, as alternatief, opeenvolgende lae met trappe terugloop teen 'n kleiner hoeveelheid: Met dien verstande dat minstens dieselfde gemiddelde hellingshoek tot die vertikaal verkry word: Met dien verstande verder dat waar artikels reëlmatig van vorm is en waar hul aard en grootte sodanig is dat die stabiliteit van die stapel verseker sal wees, hulle opgestapel kan word met die kante van die stapel vertikaal mits die totale hoogte van die stapel nie meer as drie keer die kleinste afmeting van die onderliggende basis van die stapel oorskry nie.

(5) Notwithstanding the provisions of subregulation (4), an employer may build freestanding stacks, that are built with the aid of machinery, to a height and in a manner permitted by the nature of the articles being stacked: Provided that the employer shall ensure that—

- (a) the stacks are stable and do not overhang;
- (b) the operator of the stacking machinery is rendered safe as regards falling articles;
- (c) no persons are allowed on such stacks; and
- (d) the stacking area is demarcated.

### ***Welding, flame cutting, soldering and similar operations***

9. No employer or user shall use any welding, flame cutting, soldering or similar equipment unless such equipment or machinery and the use thereof complies with the requirements of a safety standard incorporated for this purpose into these regulations under section 44 of the Act.

### ***Roof work***

10. Every employer shall provide, and cause to be used, suitable roof-ladders, duckboards or crawling-boards for persons required to work on any roof that has an unsafe pitch or surface, or that is covered or is to be covered with material through which a person could fall: Provided that suitable safety belts attached to the structure or any similar effective equipment may be used in place of roof-ladders, duckboards or crawling-boards on pitched roofs covered with non-fragile material.

### ***Demolition and excavation***

11. Every employer who performs building work shall, as far as is reasonably practicable, with respect to any such work in connection with the demolition of a structure or the making of an excavation—

- (a) with regard to a structure being demolished, take steps to ensure that—
  - (i) no floor, roof or other part of the structure is so overloaded with debris or material as to render it unsafe;
  - (ii) all 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 supporting or other means as may be necessary to prevent the accidental collapse of any part of the structure or of any adjoining structure;

(5) Ondanks die bepalings van subregulasie (4) mag 'n werkgewer vrystaande stapels wat met behulp van masjinerie opgerig word, tot 'n hoogte en op 'n wyse gebou word wat die artikels wat opgestapel word, toelaat: Met dien verstande dat die werkgewer moet verseker dat—

- (a) die stapels stabiel is en nie oorhang nie;
- (b) die bediener van die stapelmasjinerie beveilig is teen vallende voorwerpe;
- (c) niemand op sodanige stapels toegelaat word nie; en
- (d) die stapelgebied afgebaken is.

### ***Sweis-, vlamsny-, soldeer- en soortgelyke werk***

9. Geen werkgewer of gebruiker mag enige sweis-, vlamsny-, of soldeerwerk of soortgelyke toerusting gebruik nie, tensy sodanige toerusting of masjinerie en die gebruik daarvan voldoen aan die vereistes van 'n veiligheidsstandaard wat vir hierdie doel by hierdie regulasies kragtens artikel 44 van die Wet ingelyf is.

### ***Dakwerk***

10. Iedere werkgewer moet geskikte daklere of plankmatte of kruipplanke voorsien aan en toesien dat dit gebruik word deur persone van wie dit vereis word om op enige dak te werk wat 'n onveilige helling of oppervlak het of wat bedek is of bestem is om bedek te word met materiaal waardeur 'n persoon kan val: Met dien verstande dat geskikte veiligheids gordels wat aan die struktuur vasgemaak is, of soortgelyke effektiewe apparaat, op skuinsdakke wat bedek is met nie-breekbare materiaal gebruik mag word in plaas van daklere, plankmatte en kruipplanke.

### ***Sloping en uitgrawings***

11. Iedere werkgewer wat bouwerk verrig, moet, vir sover dit redelikerwys uitvoerbaar is, enige sodanige werk ten opsigte van die sloping van 'n struktuur of die maak van 'n uitgraving aangaan—

- (a) ten aansien van 'n struktuur wat gesloop word, stappe te doen om te verseker dat—
  - (i) geen vloer, dak of ander deel van die struktuur so met puin of materiaal oorlaai is dat dit nie veilig is nie;
  - (ii) alle voorsorgmaatreëls getref word om die gevaar van instorting van die struktuur te vermy wanneer enige deel van die raamwerk van 'n geraamde of gedeeltelik geraamde gebou verwyder word, of wanneer gewapende beton deurgekap word; en
  - (iii) voorsorgmaatreëls getref word deur middel van toereikende skoring of stutting of deur sodanige ander middele as wat nodig mag wees om die onopsetlike instorting van enige deel van die struktuur of van enige aangrensende struktuur te voorkom;

- (b) not require or permit any person to work under unsupported overhanging material or in an excavation with a depth of 1,5 metre or more and which is not adequately shored and braced if there is a danger of the overhanging material or the sides of the excavation collapsing, except for the purpose of erecting supports, shoring or bracing;
  - (c) take steps to ensure that any support, shorting or bracing contemplated in paragraph (b), is designed and constructed strong enough to support the overhanging material or the sides of the excavation in question;
  - (d) where the stability of an adjoining building, structure or road is likely to be affected by demolition work on a building or the making of an excavation, take such steps as may be necessary to ensure the stability of such building, structure or road and the safety of persons;
  - (e) ascertain the location and nature of electricity, water, gas or other similar services which may in some way be affected by the work to be performed, and shall before the commencement of such work that may in this way affect any such service, take such steps as may be necessary under the circumstances to render all persons involved safe;
  - (f) cause convenient and safe means of access to be provided to every excavation in which persons are required to work and which is more than 1,5 m deep: Provided that, in the case of an excavation which is more than 50 m in length, a safe means of access shall be provided at intervals of not more than 50 m;
  - (g) cause every excavation which is more than 1,5 m deep, including all shoring and bracing, to be inspected by a person who is competent to pronounce on the safety thereof, at least once before every shift and before the commencement of work after rain, to ensure the safety of persons;
  - (h) cause the results of the inspection contemplated in paragraph (g) to be recorded and signed by such person; and
  - (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 adequately protected by a barrier or fence that extends from the ground level between 900 mm and 1 300 mm high: Provided that such barrier or fence shall not allow inadvertent ingress of persons into such excavation.
- (b) behalwe met die doel om stutte op te rig, te skoor of verspan, nie vereis of toelaat dat enige persoon werk, en niemand mag werk nie, onder ongestutte oorhangende materiaal of in 'n uitgraving wat meer as 1,5 meter diep is en wat nie toereikend gestut en verspan is nie indien daar gevaar bestaan dat die oorhangende materiaal of die kante van die uitgraving ineen kan stort;
  - (c) stappe doen om te verseker dat enige stut, skoring of verspanning in paragraaf (b) bedoel, so ontwerp en vervaardig is dat dit sterk genoeg is om die betrokke oorhangende materiaal of kante van die uitgraving te stut;
  - (d) waar die stewigheid van 'n aangrensende gebou, struktuur of pad moontlik deur werk in verband met die sloping van 'n gebou of die maak van 'n uitgraving affekteer kan word, sodanige stappe doen as wat nodig is om die stewigheid van sodanige gebou, struktuur of pad en die veiligheid van persone te verseker;
  - (e) die ligging en aard van elektrisiteits-, water-, gas- of ander soortgelyke dienste vasstel wat op enige wyse deur die werk wat gedoen moet word, geaffekteer kan word, en voor die aanvang van sodanige werk wat moontlik bedoelde dienste sodanig kan affekteer, die stappe doen wat in die omstandighede nodig mag wees om alle betrokke persone te beveilig;
  - (f) 'n gerieflike en veilige wyse van toegang tot elke uitgraving waarin persone moet werk en wat meer as 1,5 m diep is, laat voorsien: Met dien verstande dat in die geval van 'n uitgraving wat langer as 50 m is, veilige toegangsmiddele op afstande van hoogstens 50 m verskaf moet word;
  - (g) elke uitgraving wat meer as 1,5 m diep is, met inbegrip van alle skoring en verspanning, laat inspekteer deur 'n persoon wat bevoeg is om oor die veiligheid daarvan uitspraak te gee, minstens een keer voor elke skof en voor die aanvang van werk na reën, om die veiligheid van persone te verseker;
  - (h) toesien dat die uitslag van die inspeksie bedoel in paragraaf (g) deur sodanige persoon aangeteken en geteken word; en
  - (i) elke uitgraving wat vir die publiek toeganklik is of wat aan openbare paaie of deurgange grens of waardeur die veiligheid van persone in gevaar gestel kan word, toereikend deur 'n versperring of omheining wat van die grondvlak tot 'n hoogte van tussen 900 mm en 1 300 mm strek: Met dien verstande dat sodanige versperring of omheining nie die onopsetlike ingang van persone by sodanige uitgraving sal toelaat nie.

#### Ladders

12. (1) No employer shall use a ladder or Permit it to be used, and no person shall use a ladder unless it is constructed in accordance with a safety standard incorporated for this purpose into these regulations under section 44 of the Act.

#### Lere

12. (1) Geen werkgewer en niemand mag 'n leer gebruik nie tensy dit in ooreenstemming met 'n veiligheidstandaard ingelyf vir hierdie doel by hierdie regulasies kragtens artikel 44 van die Wet gekonstrueer word.

(2) An employer or user shall ensure that every ladder is suitable for the purpose for which it is used and is so lashed, held or secured whilst being used as to ensure the stability of the ladder.

(3) when work is done from a ladder, the employer shall—

- (a) take special precautionary measures to prevent articles from falling off; and
- (b) provide suitable sheaths or receptacles in which hand-tools shall be kept when not being used.

(4) An employer shall ensure that a fixed ladder which exceeds 5 m in length and is attached to a vertical structure with an inclination to the horizontal level of 75° or more—

- (a) has its rungs at least 150 mm away from the structure to which the ladder is attached; and
- (b) is provided with a cage which—
  - (i) extends from a point not exceeding 2,5 m from the lower level to a height of at least 900 mm above the top level served by the ladder; and
  - (ii) shall afford firm support along its whole length for the back of the person climbing the ladder, and for which purpose no part of the cage shall be more than 700 mm away from the level of the rungs:

Provided that the foregoing provisions shall not apply in the case of a ladder within a lattice work, where the lattice at the back of the person climbing the ladder is not greater than 1 000 mm from the level of the rungs.

(5) An employer shall ensure that a fixed ladder as contemplated in subregulation (4) exceeding 15 m in length be provided with a rest platform at intervals not exceeding 8 m.

### **Access scaffolding**

13. No employer or user shall use any access scaffolding, or permit it to be used, unless it is designed, erected, used and inspected in accordance with the requirements of a safety standard incorporated for this purpose into these regulations under section 44 of the Act.

### **Gas installations**

14. (1) No employer or user shall—

- (a) fill, or cause to be filled, a portable gas container with liquefied petroleum gas; or
- (b) handle, store or distribute, or cause to be handled, stored or distributed, liquefied petroleum gas;

in any manner other than in accordance with a safety standard incorporated for this purpose into these regulations under section 44 of the Act.

(2) 'n Werkgewer of gebruiker moet verseker dat elke leer geskik is vir die doel waarvoor dit gebruik word en so vasgewoel, gehou of vasgemaak is terwyl dit gebruik word dat dit die stabiliteit van die leer verseker.

(3) Wanneer werk van 'n leer af gedoen word, moet die werkgewer—

- (a) spesiale voorsorgmaatreëls tref om te voorkom dat artikels afval; en
- (b) geskikte skedes of houers voorsien waarin handgereedskap gehou moet word wanneer dit nie gebruik word nie.

(4) 'n Werkgewer moet verseker dat 'n vaste leer wat 5 m in lengte oorskry en vasgeheg is aan 'n vertikale struktuur met 'n helling tot die horisontale vlak van 75° of meer—

- (a) se sporte minstens 150 mm weg is van die struktuur waaraan die leer geheg is; en
- (b) van 'n hok voorsien is—
  - (i) wat strek van 'n punt wat nie 2,5 m van die laervlak oorskry nie tot 'n hoogte van minstens 900 mm bo die boonste vlak wat deur die leer bedien word; en
  - (ii) vir sy hele lengte sterk steun sal verleen vir die rug van die persoon wat die leer klim, en vir welke doel geen deel van die hok meer as 700 mm van die vlak van die sporte sal wees nie:

Met dien verstande dat voorgenoemde bepalings nie van toepassing sal wees nie in die geval van 'n leer binne traliewerk, waar die tralies agter die persoon wat die leer klim nie groter as 1 000 mm van die vlak van die leer is nie.

(5) 'n Werkgewer moet verseker dat 'n vaste leer soos bedoel in subregulasie (4) wat 15 m in lengte oorskry, voorsien is van 'n rusplatform met intervalle wat nie 8 m oorskry nie.

### **Toegangsteierwerk**

13. Geen werkgewer of gebruiker mag enige toegangsteierwerk gebruik, of toelaat dat dit gebruik word nie, tensy dit ontwerp, opgerig, gebruik en geïnspekteer word in ooreenstemming met die vereistes van 'n veiligheidsstandaard wat kragtens artikel 44 van die Wet by hierdie regulasies vir hierdie doel ingelyf is.

### **Gasinstallasies**

14. (1) Geen werkgewer of gebruiker mag—

- (a) 'n verplaasbare gashouer met vloeibare petroleumgas vul, of toesien dat dit daarmee gevul word nie; of
- (b) vloeibare petroleumgas hanteer, opberg of versprei, of toesien dat dit hanteer, opgeberg of gestoor word nie;

op enige ander wyse as in ooreenstemming met 'n veiligheidsstandaard kragtens artikel 44 van die Wet by hierdie regulasies vir hierdie doel ingelyf.

**Offences and penalties**

15. Any person who contravenes or fails to comply with any provision of regulation 2 (1), 2 (3), 2 (4), 2 (5), 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 or 14 shall be guilty of an offence and be liable on conviction to a fine or to imprisonment for a period not exceeding 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 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.

**Withdrawal of regulations**

16. Regulation D17 published in Government Notice No. R. 1934 dated 23 December 1963 and the General Safety Regulations published under Government Notice No. R. 1031 dated 30 May 1986 and amended by Government Notices Nos. R. 433 dated 22 June 1986, R. 744 dated 10 April 1987, R. 1791 dated 9 September 1988, R. 283 dated 28 March 1991, R. 2246 dated 7 August 1992, R. 3167 dated 20 November 1992, are hereby repealed.

**Short title**

17. These regulations shall be called the General Health and Safety Regulations, 1994.

**ANNEXURE****(Regulation 3)****MINIMUM CONTENTS OF A FIRST AID BOX**

In the case of shops and offices, the quantities stated under item 1, 8, 9, 10, 14, 15, 17 and 18 may be reduced by half.

- Item 1: Wound cleaner/antiseptic (100 ml).
- Item 2: Swabs for cleaning wounds.
- Item 3: Cotton wool for padding (100 g).
- Item 4: Sterile gauze (minimum quantity 10).
- Item 5: 1 Pair of forceps (for splinters).
- Item 6: 1 Pair of scissors (minimum size 100 mm).
- Item 7: 1 Set of safety pins.
- Item 8: 4 Triangular bandages.
- Item 9: 4 Roller bandages (75 mm × 5 m).
- Item 10: 4 Roller bandages (100 mm × 5 m).
- Item 11: 1 Roll of elastic adhesive (25 mm × 3 m).
- Item 12: 1 Non-allergenic adhesive strip (25 mm × 3 m).
- Item 13: 1 Packet of adhesive dressing strips (minimum quantity, 10 assorted sizes).
- Item 14: 4 First aid dressings (75 mm × 100 mm).
- Item 15: 4 First aid dressings (150 mm × 200 mm).
- Item 16: 2 Straight splints.
- Item 17: 2 Pairs large and 2 pairs medium disposable latex gloves.
- Item 18: 2 CPR mouth pieces or similar devices.

**Misdrywe en strawwe**

15. Enigiemand wat 'n bepaling van regulasie 2 (1), 2 (3), 2 (4), 2 (5), 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of 14 oortree of versuim om aan 'n bepaling daarvan te voldoen, begaan 'n misdryf, en is by skuldigbevinding strafbaar met 'n boete of met gevangenisstraf vir 'n tydperk wat nie 12 maande oorskry nie en, in die geval van 'n aanhoudende misdryf, met 'n bykomende boete van R200 vir elke dag waarop die misdryf voortduur: Met dien verstande dat die tydperk van sodanige bykomende gevangenisstraf in geen geval 90 dae mag oorskry nie.

**Herroeping van Regulasies**

16. Regulasie D17 gepubliseer in Goewermentskennisgewing No. R. 1934 gedateer 23 Desember 1963, Algemene Veiligheidsregulasies gepubliseer kragtens Goewermentskennisgewing No. R. 1031 gedateer 30 Mei 1986 en gewysig by Goewermentskennisgewings Nos. R. 433 gedateer 20 Junie 1986, R. 744 gedateer 10 April 1987, R. 1791 gedateer 9 September 1988, R. 283 gedateer 28 Maart 1992, R. 2246 gedateer 7 Augustus 1992, R. 3167 gedateer 20 November 1992 word hierby herroep.

**Kort titel**

17. Hierdie regulasies heet die Algemene Gesondheids- en Veiligheidsregulasies, 1994.

**BYLAE****(Regulasie 3)****MINIMUM INHOUD VAN 'N EERSTEHULPKAS**

In die geval van winkels en kantore mag die hoeveelhede vermeld onder 1, 8, 9, 10, 14, 15, 17 en 18 met die helfte verminder word.

- Item 1: Wondreiniger/ontstekingsmiddel (100 ml).
- Item 2: Deppers vir reiniging van wonde.
- Item 3: Watte vir kussinkies (100 g).
- Item 4: Steriele gaas (minimum getal 10).
- Item 5: 1 Pinset (vir splinters).
- Item 6: Skêr (100 mm).
- Item 7: 1 Stel haakspelde.
- Item 8: 4 Driehoekverbande.
- Item 9: 4 Rolverbande (75 mm × 5 m).
- Item 10: 4 Rolverbande (100 mm × 5 m).
- Item 11: 1 Rol hegpleister (25 mm × 3 m).
- Item 12: 1 Nie-allergieniese kleefstrook (25 mm × 3 m).
- Item 13: 1 Pakkie kleefverbandstrokies (minimum getal 10, verskillende groottes).
- Item 14: 4 Eerstehulp-verbande (75 mm × 100 mm).
- Item 15: 4 Eerstehulp-verbande (150 mm × 200 mm).
- Item 16: 2 Reguit spalke.
- Item 17: 2 Pare groot en 2 pare medium wegdoenbare latex-handskoene.
- Item 18: 2 KPR-mondstukke of soortgelyke toe-stelle.

**No. R. 26****20 January 1995****OCCUPATIONAL HEALTH AND SAFETY ACT, 1993  
(ACT No. 85 OF 1993)****DRAFT GENERAL HEALTH AND SAFETY  
REGULATIONS****DRAFT INCORPORATION OF HEALTH AND  
SAFETY STANDARDS**

The Minister of Labour, on the recommendation of the Advisory Council for Health and Safety, hereby publishes under section 43 (1) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), for the purpose of incorporating under section 44 (1), the Draft Incorporation of Health and Safety Standards for the Draft General Health and Safety Regulations, as set out in the Schedule, for general information and comment.

Any comments or representations on this draft incorporation should be lodged with the Director-General: Labour, Private Bag X117, Pretoria, 0001, within **90 days** from the date of publication of this notice.

**T. MBOWENI,**

Minister of Labour.

**SCHEDULE****1. Regulation 4 (8) (a)**

South African Bureau of Standards code of practice SABS 0177: Part II entitled "*Code of Practice for Fire Resistance Test for Building Elements*".

**2. Regulation 9**

South African Bureau of Standards code of practice SABS 0238 entitled "*Code of Practice for Welding and Thermal Cutting Processes—Health and Safety*".

South African Bureau of Standards code of practice SABS 1548 entitled "*Code of Practice for Safety Devices for use in Gas Welding, Cutting and Allied Processes*".

British Standard specifications BS 6158 entitled "*Specification for Safety Devices for Fuel Gases and Oxygen or Compressed Air for Welding, Cutting and Related Processes*".

DIN Standard specification DIN 8521 entitled "*Safety Devices against Flashback Backflow in Welding, Cutting and Allied Processes—Safety Requirements, Testing*".

International Standards Organisation specification ISO 5157 entitled "*Equipment Used in Gas Welding, Cutting and Allied Processes—Safety Devices of Fuel Gases and Oxygen or Compressed Air—General Specifications, Requirements and Test*".

**3. Regulation 12 (1)**

South African Bureau of Standards code of practice SABS 550 Part 2 entitled "*Code of Practice for Single and Extension Ladders*".

South African Bureau of Standards code of practice SABS 550 Part 3 entitled the "*Code of Practice for Trestle and Extension Trestle Ladders*".

South African Bureau of Standards code of practice SABS 550 Part 4 entitled "*Code of Practice for Stepladders, Platform Ladders and Shelf Ladders*".

**No. R. 26****20 Januarie 1995****WET OP BEROEPSGESONDHEID EN VEILIGHEID,  
1993 (WET No. 85 VAN 1993)****KONSEP ALGEMENE GESONDHEIDS- EN  
VEILIGHEIDSREGULASIES****KONSEPINLYWING VAN GESONDHEIDS- EN  
VEILIGHEIDSTANDAARDE**

Die Minister van Arbeid publiseer hiermee, ingevolge artikel 43 (1) van die Wet op Beroepsgesondheid en Veiligheid, 1993 (Wet No. 85 van 1993), op aanbeveling van die Adviesraad vir Beroepsgesondheid en Veiligheid, met die doel om die Konsep Algemene Gesondheids- en Veiligheidsregulasies van Veiligheidstandaarde, vir die Konsep Algemene Gesondheids- en Veiligheidsregulasies, in die Bylae vervat, vir algemene kommentaar en inligting.

Enige kommentaar of vertoë met betrekking tot hierdie konsepregulasies moet skriftelik by die Direkteur-generaal: Arbeid, Privaatsak X117, Pretoria, 0001, binne **90 dae** vanaf die datum van publikasie van hierdie kennisgewing ingedien word.

**T. MBOWENI,**

Minister van Arbeid.

**BYLAE****1. Regulasie 4 (8) (a)**

Suid-Afrikaanse Buro van Standaarde se Gebruikskode SABS 0177: Deel II getiteld "*Brandweerstandstoets vir Bou-elemente*".

**2. Regulasie 9**

Suid-Afrikaanse Buro van Standaarde se Gebruikskode SABS 0238 getiteld "*Sweis- en Termiese Snyprosesse—Gesondheid en Veiligheid*".

Suid-Afrikaanse Buro van Standaarde se Gebruikskode SABS 1548 getiteld "*Veiligheidstoestelle vir gebruik in Gassweising, Sny- en Geallieerde Prosesse*".

Britse Standaard-spesifikasies BS 6158 getiteld "*Specification for Safety Devices for Fuel Gases and Oxygen or Compressed Air for Welding, Cutting and Related Processes*".

DIN Standaard-spesifikasies DIN 8521 getiteld "*Safety Devices against Flashback Backflow in Welding, Cutting and Allied Processes—Safety Requirements, Testing*".

Internasionale Standaarde Organisasie spesifikasie ISO 5157 getiteld "*Equipment Used in Gas Welding, Cutting and Allied Processes—Safety Devices of Fuel Gases and Oxygen or Compressed Air—General Specifications, Requirements and Test*".

**3. Regulasie 12 (1)**

Suid-Afrikaanse Buro van Standaarde se Gebruikskode SABS 550 Deel 2 getiteld "*Gebruikskode vir Enkel- en skuiflere*".

Suid-Afrikaanse Buro van Standaarde se Gebruikskode SABS 550 Deel 3 getiteld "*Gebruikskode vir Bok- en skuifboklere*".

Suid-Afrikaanse Buro van Standaarde se Gebruikskode SABS 550 Deel 4 getiteld "*Gebruikskode vir Traplere, Platformlere en Raklere*".

**4. Regulation 13**

South African Bureau of Standards code of practice SABS 085 entitled *"Code of Practice for the Design, Erection, Use and Inspection of Access Scaffolding"*.

**5. Regulation 14**

South African Bureau of Standards code of practice SABS 087 entitled *"Code of Practice for Handling, Storage and Distribution of Liquefied Petroleum Gas in Domestic, Commercial and Industrial Installations"*.

Part I: "Consumer Liquefied Petroleum Gas Cylinder Installations".

Part II: "Installations in Mobile Units and Small Non-Permanent Buildings".

Part III: "Bulk Liquefied Petroleum Gas Storage and Allied Facilities at Consumers Premises".

Part IV: "Transportation of Liquefied Petroleum Gas in Bulk by Road".

Part VI: "Liquefied Petroleum Gas as Engine Fuel".

Part VII: "Retail outlet and similar Liquefied Petroleum Gas Filling Sites for Small Containers".

Part VIII: "The Fuelling of Fork Lift Trucks and Other Liquefied Petroleum Gas Operated Vehicles".

**4. Regulasie 13**

Suid-Afrikaanse Buro van Standaarde se Gebruikskode SABS 085 getiteld *"Gebruikskode vir die Ontwerp, Oprigting, Gebruik en Inspeksie van Toegangsteierwerk"*.

**5. Regulasie 14**

Suid-Afrikaanse Buro van Standaarde se Gebruikskode SABS 087 getiteld *"Gebruikskode vir Hantering, Opberging en Verspreiding van Vloeibare Petroleumgas in Huishoudelike-, Kommersiële en Nywerheidsinstallasies"*.

Deel I: "Silinderinstallasies vir Vloeibare Petroleumgas vir Verbruikersdoel-eindes".

Deel II: "Installasie in Mobiele Eenhede en Klein Nie-permanente geboue".

Deel III: "Grootmaatbewaring van Vloeibare Petroleumgas en Verwante Fasiliteite op Verbruikers se Persele".

Deel IV: "Grootmaatpadvervoer van Vloeibare Petroleumgas".

Deel VI: "Vloeibare Petroleumgas as 'n Enjin-brandstof".

Deel VII: "Kleinhandelafsetpunte en soortge-lyke Vloeibare Petroleumgasvulper-sele vir Klein Houers".

Deel VIII: "Die Brandstofvulling van Vurkhys-waens en ander Vloeibare Petro-leumgas-aangedrewe Voertuie."

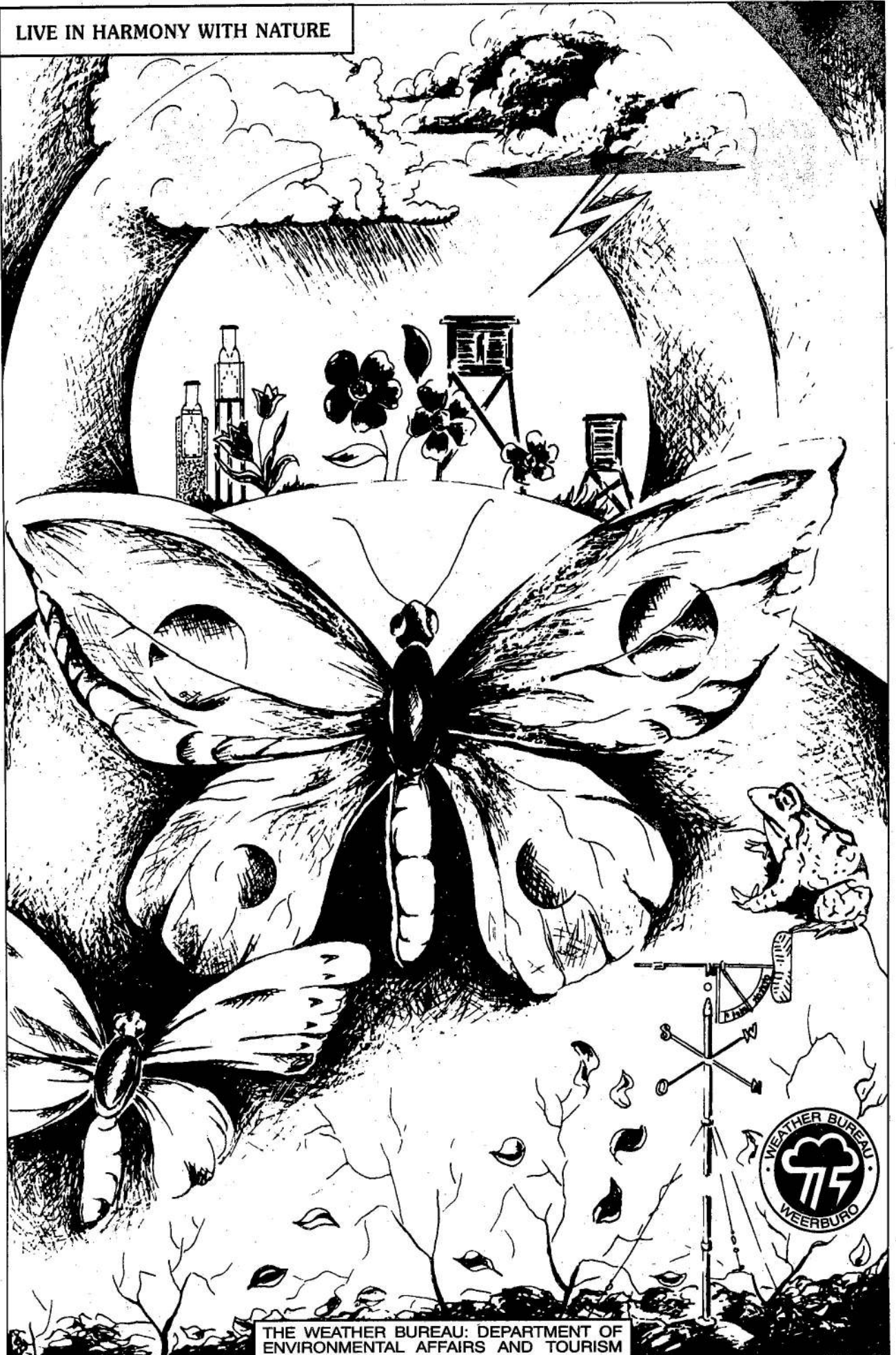


# DIE WEERBURO HELP BOERE OM HULLE OES TE BEPLAN



DIE WEERBURO: DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME  
THE WEATHER BUREAU: DEPARTMENT OF ENVIRONMENTAL AFFAIRS & TOURISM

LIVE IN HARMONY WITH NATURE



THE WEATHER BUREAU: DEPARTMENT OF  
ENVIRONMENTAL AFFAIRS AND TOURISM

LEEF IN HARMONIE MET DIE NATUUR



DIE WEERBURO: DEPARTEMENT VAN  
OMGEWINGSKE EN TOERISME





## Save a drop — and save a million

**W**ater conservation is very important to the community and industry to ensure their survival. So save water!



## Spaar 'n druppel — en vul die dam

**I**ndien almal van ons besparingsbewus optree, besnoei ons nie slegs uitgawes nie maar wen ook ten opsigte van ons kosbare water- en elektrisiteitsvoorraad

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