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REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Regulation Gazette

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Closing times for **ORDINARY WEEKLY** **2018** **REGULATION GAZETTE**

*The closing time is **15:00** sharp on the following days:*

- **28 December 2017**, Thursday for the issue of Friday **05 January 2018**
- **05 January**, Friday for the issue of Friday **12 January 2018**
- **12 January**, Friday for the issue of Friday **19 January 2018**
- **19 January**, Friday for the issue of Friday **26 January 2018**
- **26 January**, Friday for the issue of Friday **02 February 2018**
- **02 February**, Friday for the issue of Friday **09 February 2018**
- **09 February**, Friday for the issue of Friday **16 February 2018**
- **16 February**, Friday for the issue of Friday **23 February 2018**
- **23 February**, Friday for the issue of Friday **02 March 2018**
- **02 March**, Friday for the issue of Friday **09 March 2018**
- **09 March**, Friday for the issue of Friday **16 March 2018**
- **15 March**, Thursday for the issue of Friday **23 March 2018**
- **22 March**, Thursday for the issue of Thursday **29 March 2018**
- **28 March**, Wednesday for the issue of Friday **06 April 2018**
- **06 April**, Friday for the issue of Friday **13 April 2018**
- **13 April**, Friday for the issue of Friday **20 April 2018**
- **19 April**, Thursday for the issue of Thursday **26 April 2018**
- **25 April**, Wednesday for the issue of Friday **04 May 2018**
- **04 May**, Friday for the issue of Friday **11 May 2018**
- **11 May**, Friday for the issue of Friday **18 May 2018**
- **18 May**, Friday for the issue of Friday **25 May 2018**
- **25 May**, Friday for the issue of Friday **01 June 2018**
- **01 June**, Friday for the issue of Friday **08 June 2018**
- **08 June**, Friday for the issue of Friday **15 June 2018**
- **15 June**, Friday for the issue of Friday **22 June 2018**
- **22 June**, Friday for the issue of Friday **29 June 2018**
- **29 June**, Friday for the issue of Friday **06 July 2018**
- **06 July**, Friday for the issue of Friday **13 July 2018**
- **13 July**, Friday for the issue of Friday **20 July 2018**
- **20 July**, Friday for the issue of Friday **27 July 2018**
- **27 July**, Friday for the issue of Friday **03 August 2018**
- **02 August**, Thursday for the issue of Friday **10 August 2018**
- **10 August**, Friday for the issue of Friday **17 August 2018**
- **17 August**, Friday for the issue of Friday **24 August 2018**
- **24 August**, Friday for the issue of Friday **31 August 2018**
- **31 August**, Friday for the issue of Friday **07 September 2018**
- **07 September**, Friday for the issue of Friday **14 September 2018**
- **14 September**, Friday for the issue of Friday **21 September 2018**
- **20 September**, Thursday for the issue of Friday **28 September 2018**
- **28 September**, Friday for the issue of Friday **05 October 2018**
- **05 October**, Friday for the issue of Friday **12 October 2018**
- **12 October**, Friday for the issue of Friday **19 October 2018**
- **19 October**, Friday for the issue of Friday **26 October 2018**
- **26 October**, Friday for the issue of Friday **02 November 2018**
- **02 November**, Friday for the issue of Friday **09 November 2018**
- **09 November**, Friday for the issue of Friday **16 November 2018**
- **16 November**, Friday for the issue of Friday **23 November 2018**
- **23 November**, Friday for the issue of Friday **30 November 2018**
- **30 November**, Friday for the issue of Friday **07 December 2018**
- **07 December**, Friday for the issue of Friday **14 December 2018**
- **13 December**, Thursday for the issue of Friday **21 December 2018**
- **19 December**, Wednesday for the issue of Friday **28 December 2018**

LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2016

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

All re-submissions will be subject to the standard cut-off times.

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 15h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES**EXTRAORDINARY GAZETTES**

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .
(Please see *Quotation* section below for further details)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see the *Copy Section* below, for the specifications).
 - 8.1.5. Any additional notice information if applicable.
9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**QUOTATIONS**

13. Quotations are valid until the next tariff change.
 - 13.1. **Take note:** GPW's annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the eGazette Contact Centre for a quotation.
 - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
 - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
 - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
 - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
 - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
 - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
 - 19.1. This means that **the quotation number can only be used once to make a payment.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES**COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

27. The Government Printer will assume no liability in respect of—
 - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
 - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

CUSTOMER INQUIRIES

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*.

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:

Government Printing Works

149 Bosman Street

Pretoria

Postal Address:

Private Bag X85

Pretoria

0001

GPW Banking Details:

Bank: ABSA Bosman Street

Account No.: 405 7114 016

Branch Code: 632-005

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

E-mail: submit.egazette@gpw.gov.za

E-mail: info.egazette@gpw.gov.za

Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka:

E-mail: subscriptions@gpw.gov.za

Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

PROCLAMATIONS • PROKLAMASIES

PROCLAMATION NO. R. 2 OF 2018**PROCLAMATION
by the
PRESIDENT of the REPUBLIC of SOUTH AFRICA****SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT**

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as the "Act"), have been made in respect of the affairs of the North West Department of Public Works, Roads and Transport (hereinafter referred to as "the Department");

AND WHEREAS the Department or the State suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the Act, refer the matters mentioned in the Schedule, in respect of the Department, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged—

- (a) serious maladministration in connection with the affairs of the Department;
- (b) improper or unlawful conduct by employees or officials of the Department;
- (c) unlawful appropriation or expenditure of public money or property;
- (d) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property;
- (e) intentional or negligent loss of public money or damage to public property;
- (f) offence referred to in Parts 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), and which offences were committed in connection with the affairs of the Department; or
- (g) unlawful or improper conduct by any person, which has caused or may cause serious harm to the interests of the public or any category thereof,

which took place between 1 January 2008 and the date of publication of this Proclamation or which took place prior to 1 January 2008 or after the date of publication of this Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule or involve the same persons, entities or contracts investigated under authority of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the

said Special Investigating Unit by the Act, including the recovery of any losses suffered by the Department or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Fourteenth day of December Two thousand and seventeen.

J G Zuma
President

By Order of the President-in-Cabinet:

T M Masutha
Minister of the Cabinet

SCHEDULE

1. The procurement of or contracting for goods, works or services by or on behalf of the Department and payments made in respect thereof in a manner that was—

- (a) not fair, competitive, transparent, equitable or cost-effective;
 - (b) contrary to applicable—
 - (i) legislation;
 - (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or
 - (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Department;
 - (c) conducted by or facilitated through the improper or unlawful conduct of—
 - (i) officials or employees of the Department; or
 - (ii) contractors, suppliers or service providers of the Department or any other person or entity, to corruptly or unduly benefit themselves or any other person or entity; or
 - (d) fraudulent,
- and related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department or the State in relation to the following tenders—
- (aa) Scholar Transport tender number PWRT 029/10;
 - (bb) Grass cutting tender number PWRT 02/11;
 - (cc) Road D52 and Road D53 tender number NWRT 58/08A;
 - (dd) Road D542 tender number NWRT 59/08C;
 - (ee) Road D1169 tender number NWRT 61/08A; and
 - (ff) Road D614 tender number NWRT 58/08B.

2. Non-performance or mal-performance by the contractors, suppliers and service providers that were appointed in terms of the tenders set out in paragraph 1, above, to render goods, works or services to the Department.

3. Maladministration in the affairs of the Department in relation to payments that were made by the Department to beneficiaries of the Expanded Public Works Programme.

4. Any unlawful or improper conduct by officials or employees of the Department, the applicable contractors, suppliers or service providers or any other person or entity, in relation to the allegations set out in paragraphs 1 to 3 above.

5. The failure of officials or employees of the Department to declare their interests in companies or close corporations.

PROKLAMASIE NO. R. 2 VAN 2018
van die
PRESIDENT van die REPUBLIEK van SUID-AFRIKA

WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): VERWYSING VAN AANGELEENTHEDE NA BESTAANDE SPESIALE ONDERSOEKEENHEID

AANGESIEN bewerings soos beoog in artikel 2(2) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996) (hierna na verwys as die "Wet"), gemaak is in verband met die aangeleenthede van die Noord-Wes Departement van Openbare Werke, Paaie en Vervoer (hierna na verwys as "die Departement");

EN AANGESIEN die Departement of die Staat verliese gely het wat moontlik verhaal kan word;

EN AANGESIEN ek dit nodig ag dat gemelde bewerings ondersoek en siviele geskille voortspruitend uit sodanige ondersoek bereg moet word;

DERHALWE verwys ek hierby, kragtens artikel 2(1) van die Wet, die aangeleenthede in die Bylae vermeld, ten opsigte van die Departement, vir ondersoek na die Spesiale Ondersoekeenhede ingestel by Proklamasie No. R. 118 van 31 Julie 2001 en bepaal dat, vir die doeleindes van die ondersoek van die aangeleenthede, dit die opdrag van die Spesiale Ondersoekeenhede is om soos beoog in gemelde Wet, ondersoek te doen na enige beweerde—

- (a) ernstige wanadministrasie in verband met die aangeleenthede van die Departement;
- (b) onbehoorlike of onregmatige optrede deur beamptes of werknemers van die Departement;
- (c) onregmatige bewilliging of besteding van openbare geld of eiendom;
- (d) onwettige, onreëlmatige of nie-goedgekeurde verkrygende handeling, transaksie, maatreël of praktyk wat op Staatseiendom betrekking het;
- (e) opsetlike of nalatige verlies van openbare geld of skade aan openbare eiendom;
- (f) misdryf bedoel in Dele 1 tot 4, of artikel 17, 20 of 21 (vir sover dit op voornoemde misdrywe betrekking het) van Hoofstuk 2 van die Wet op die Voorkoming en Bestryding van Korrupte Bedrywighede, 2004 (Wet No. 12 van 2004), en welke misdrywe in verband met die sake van die Departement gepleeg is; of

(g) onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadeling vir die belange van die publiek of enige kategorie daarvan veroorsaak het of kan veroorsaak,

wat plaasgevind het tussen 1 Januarie 2008 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Januarie 2008 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede vermeld in die Bylae of wat dieselfde persone, entiteite of kontrakte betrek wat ondersoek word kragtens die volmag verleen deur hierdie Proklamasie, en om al die werksaamhede en bevoegdhede wat deur die Wet aan die gemelde Spesiale Ondersoekeenheid toegewys of opgedra is, uit te oefen of te verrig in verband met die genoemde aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die Departement of die Staat gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die Veertiende dag van Desember Twee duisend-en-sewentien.

J G Zuma
President

Op las van die President-in-Kabinet:

T M Masutha
Minister van die Kabinet

BYLAE

1. Die aanskaffing van of kontraktering vir goedere, werke of dienste deur of namens die Departement en betalings wat in verband daarmee gemaak is op 'n wyse wat—

- (a) nie regverdig, mededingend, deursigtig, billik, of koste-effektief was nie;
- (b) strydig was met toepaslike—
 - (i) wetgewing;
 - (ii) handleidings, riglyne, praktyknotas, omsendbriewe of instruksies wat deur die Nasionale Tesourie of toepaslike Provinsiale Tesourie uitgevaardig is; of
 - (iii) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die Departement van toepassing is;
- (c) gedoen was of gefasiliteer was deur onbehoorlike of onregmatige optrede van—
 - (i) beamptes of werknemers van die Departement; of
 - (ii) kontrakteurs, verskaffers of diensverskaffers van die Departement of enige ander persoon of entiteit, of
- (d) bedrieglik was, en verbandhoudende ongemagtigde, onreëlmatige of vrugtelose en verkwiste uitgawes wat deur die Departement opgedoen was ten opsigte van die volgende tenders—
 - (aa) "Scholar Transport tender number PWRT 029/10";
 - (bb) "Grass cutting tender number PWRT 02/11";
 - (cc) "Road D52 and Road D53 tender number NWRT 58/08A";
 - (dd) "Road D542 tender number NWRT 59/08C";
 - (ee) "Road D1169 tender number NWRT 61/08A"; en
 - (ff) "Road D614 tender number NWRT 58/08B".

2. Geen prestasie of wanprestasie deur kontrakteurs, verskaffers of diensverskaffers wat aangestel is kragtens die tenders uiteengesit in paragraaf 1, hierbo, om goedere, werke of dienste aan die Departement te verskaf.

3. Wanadministrasie in die sake van die Departement ten opsigte van betalings wat gemaak is deur die Departement aan bevoorreedes van die "Expanded Public Works Programme".

4. Enige onwettige of onbehoorlike gedrag deur beamptes of werknemers van die Departement, die toepaslike kontrakteurs, verskaffers of diensverskaffers of enige ander persoon of entiteit, ten opsigte van die bewering uiteengesit in paragrawe 1 tot 3, hierbo.

5. Die versuim van beamptes of werknemers van die Departement om hul belange in maatskappye of beslote korporasies te verklaar.

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR

NO. R. 29

19 JANUARY 2018

OCCUPATIONAL HEALTH AND SAFETY ACT, 1003.

DRAFT ASBESTOS ABATEMENT REGULATIONS

INVITATION OF PUBLIC COMMENTS ON DRAFT ASBESTOS ABATEMENT REGULATIONS

I, Nelisiwe Mildred Oliphant, Minister of Labour, hereby give notice that I intend, in terms of section 43 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), to make the regulations in the schedule.

Interested persons who wish to comment on the draft regulations are invited to do so in writing within 90 days from the date of publication of this notice, in the prescribed format (see annexure A).

All representations and comments must be sent to the Director-General of the Department of Labour.

By hand: The Department of Labour – attention: E Lourens

Laboria House

215 Francis Baard Street

Pretoria CBD

By post: The Director General

The Department of Labour – attention: E Lourens

Private Bag X117, Pretoria 0001

By Fax: 012 309 4763

By email: seapi.maloisane@labour.gov.za OR elize.lourens@labour.gov.za



NELISIWE MILDRED OLIPHANT

MINISTER OF LABOUR

17/10/2017

Comments/ Inputs on the Draft Asbestos Abatement Regulations as proposed by the Department of Labour.

Kindly provide inputs, corrections and /or comments in writing on the proposed Draft Asbestos Abatement Regulations in the following format:

Name and Surname:			E-Mail:			Phone number:					
Company name (if applicable)											
Government		Industry		Union		Consultancy		Private		Other	

1	Regulation and/or Sub regulation from draft, referring to	Comment/Input/Correction/Proposal Plus Motivation
Will the proposal have an impact on any other regulation? If so, which regulation and what will be the impact?		
2	Regulation and/or Sub regulation from draft, referring to	Comment/Input/Correction/Proposal Plus Motivation
Will the proposal have an impact on any other regulation? If so, which regulation and what will be the impact?		
3	Regulation and/or Sub regulation from draft, referring to	Comment/Input/Correction/Proposal Plus Motivation
Will the proposal have an impact on any other regulation? If so, which regulation and what will be the impact?		
General Comments:		

Signature: _____

Date: _____

Provide inputs to the Department of Labour by e-mailing this completed document to:
seapi.maloisane@labour.gov.za and elize.lourens@labour.gov.za or by Faxing it to 012-3094763

DRAFT ASBESTOS ABATEMENT REGULATIONS, 2018

DRAFT

DRAFT
ASBESTOS ABATEMENT REGULATIONS, 2016

1. Definitions

In these Regulations, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the text otherwise indicates-

“approved asbestos inspection authority”

means (an inspection authority approved by the chief inspector: Provided that an inspector with respect to any particular service shall be an approved asbestos inspection authority with respect to that service only); a person who, with the aid of specialized knowledge or equipment or after such investigations, tests, sampling or analyses as the approved asbestos inspection authority may consider necessary, and, whether for reward or otherwise, renders a service by making specific findings, purporting to be objective findings, as to-

- (a) the health of any person;
- (b) the safety or risk to health of any work, article, substance, plant or machinery, or of any condition prevalent on or in any premises; or
- (c) the question of whether a particular standard has been or is being complied with, with respect to any work, article, substance, plant or machinery, or with respect to work or a condition prevalent on or in any premises, or with respect to any other matter, and by issuing a report, stating such findings, to the person to whom the service is rendered; and
- (d) is accredited by the South African National Accreditation System in terms of Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act, 2006 (Act No. 19 of 2006) and approved by the chief inspector with respect to a particular service: Provided that, an inspection authority approved by the chief inspector with respect to any particular service must be an approved inspection authority with respect to that service only;

“approved plan of work”

means a written plan of work, as contemplated in regulation 15, that is at least co-signed by the asbestos client, registered asbestos contractor and approved asbestos inspection authority;

“asbestos”

means the following fibrous silicates-

- (a) asbestos actinolite, CAS No 77536-66-4;
- (b) asbestos grunerite (amosite), CAS No 12172-73-5;
- (c) asbestos anthophyllite, CAS No 77536-67-5;
- (d) chrysotile, CAS No 12001-29-5 or CAS No 132207-32-0;
- (e) crocidolite, CAS No 12001-28-4;
- (f) asbestos tremolite, CAS No 77536-68-6; and
- (g) any mixture containing these fibrous silicates;

“asbestos disposal site”

means a sites specifically designated for this disposal purpose in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989), and the National Environmental Management Act, 1998 (Act No. 107 of 1998),

“asbestos cement products”

means a range building materials that were manufactured, using moulding and compression techniques, consisting of a hardened mixture of asbestos fibres, cement and water which when dry are capable of absorbing less than 30% water by weight;

“asbestos clearance certificate”

means a written document verifying that the regulated asbestos fibre concentration in air meets the clearance indicator;

“asbestos client”

means any person for whom asbestos work is being performed;

“asbestos coatings”

means a surface coating which contains asbestos for fire protection, heat insulation or sound insulation but does not include textured decorative coatings;

“asbestos containing material”

means asbestos as well as any material that contains asbestos and includes asbestos cement products, asbestos coating, asbestos insulation board, asbestos insulation, asbestos textured decorative coatings, asbestos contaminated soil and other asbestos containing materials;

“asbestos dust”

means airborne or settled dust, which contains or is likely to contain regulated asbestos fibres;

“asbestos in place”

includes any asbestos, asbestos cement products, asbestos coatings, asbestos containing material, asbestos dust, asbestos insulation, asbestos insulation board and asbestos waste, at the workplace;

“asbestos insulation”

means any material containing asbestos which is used for thermal, acoustic or other insulation purposes, including fire protection, except-

- (a) asbestos cement, asbestos coating or asbestos insulating board; or
- (b) any article of bitumen, plastic, resin or rubber which contains asbestos and the thermal and acoustic properties of that article are incidental to its main purpose;

“asbestos insulating board”

means any flat sheet, tile or building board consisting of a mixture of asbestos and other material except-

- (a) asbestos cement; or
- (b) any article of bitumen, plastic, resin or rubber which contains asbestos, and the thermal or acoustic properties of the article are incidental to its main purpose;

“asbestos-related work”

any work related to repair or disturbance of asbestos or materials containing asbestos, but does not include removal;

“asbestos removal manager”

means a competent person responsible for the management of the physical asbestos removal processes, coordination, administration and management of resources on an asbestos removal site;

“asbestos removal site”

means a workplace where asbestos removal work is being performed;

“asbestos removal supervisor”

means a competent person responsible for supervising the physical asbestos work processes and coordination of asbestos removal on an asbestos removal site;

“asbestos waste”

means an undesirable or superfluous asbestos or asbestos containing product, emission or residue of any process or activity that has been-

- (a) discarded by any person;
- (b) accumulated and temporarily stored with the purpose of discarding it with or without prior treatment connected with the discarding thereof;

“asbestos work”

means work that exposes or is likely to expose an employee to asbestos dust;

“assessment of potential exposure”

includes risk assessment of exposure to asbestos dust and risk categorisation

“CAS number”

means Chemical Abstract Service Number;

“chief director provincial operations”

means the provincial director as defined in regulation 1 of the General Administrative Regulations published under Government Notice R. 1449 of September 1996;

“clearance indicator”

means the measured airborne concentration of regulated asbestos fibres in air less than 0.01 f/ml, as measured in accordance with HSG 248 or equivalent method;

“ COIDA”

means Compensation for Occupational Injuries and Diseases Act No. 130 of 1993: as amended by Compensation for Occupational Injuries and Diseases Amendment Act, No 61 of 1997

“competent person”

means a person who-

- (a) has in respect of the work or task to be performed, the required knowledge, training and experience and, where applicable, qualifications, specific to that work or task: Provided that where applicable, qualifications and training are registered in terms of the provisions of the National Qualification Framework Act 2000, those qualifications and that training must be regarded as the required qualifications and training; and
- (b) is familiar with the Occupational Health and Safety Act and regulations;

“demolition work”

means a method to dismantle, wreck, break, pull down or knock down of a structure or part thereof by way of manual labour, machinery or the use of explosives;

“environmental air monitoring”

includes static air monitoring for regulated fibres taken downwind from outdoor type 2 asbestos work or outside asbestos enclosures where type 3 asbestos work is performed, or in any area where there is the potential for asbestos contamination;

“exposed to asbestos”

means exposed or likely to be exposed to asbestos dust while at the workplace, and “exposure” has a corresponding meaning;

“HSG 248”

means the asbestos: the analysts’ guide for sampling, analysis and clearance procedure published in 2006;

“incidental asbestos exposure”

means unintentional exposure to airborne asbestos at a workplace where asbestos is present;

“monitoring”

means the planning and carrying out of a measurement programme and recording the results thereof;

“occupational exposure limit or OEL”

means a limit value set by the Minister for a stress factor in the workplace;

“occupational exposure limit for asbestos”

means an occupational exposure limit of 0.2 regulated asbestos fibres per milliliter of air measured in accordance with HSG 248;

“registered asbestos contractor”

means either a contractor registered as type 2, or type 3 asbestos contractor, a mandatory or employer who conducts asbestos removal work, who is registered with the chief inspector;

“regulated asbestos fibre”

means a particle of asbestos with a length-to-diameter ratio greater than 3 to 1, a length greater than 5 micrometres and a diameter less than 3 micrometres;

“regulated asbestos area”

means an area contemplated in regulation 16;

“removal of asbestos”

means all tasks included in the process of removing asbestos from the location specified in the inventory of asbestos in place, to the final disposal site;

“repair of asbestos containing materials”

means to restore to a safe condition after damage using non-destructive methods in a manner that does not cause the release of asbestos fibres;

“risk categorization”

means the grouping of potential asbestos exposure risks, as contemplated in regulation 5(3);

“respiratory protective equipment”

means a device which is worn over at least the mouth and nose to prevent the inhalation of air that is not safe;

“short-term exposure limit”

means the concentration to which employees can be exposed continuously for a short period of time, which is a 10-minute Time-Weighted Average (TWA) exposure for asbestos, which should not be exceeded at any time during the working day even if the 4-hour TWA is within the OEL-TWA;

“the Act”

means the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);

"Type 1 asbestos work"

means -

- (a) painting of asbestos cement products in a manner that does not require surface preparation, and does not cause the release of asbestos fibres or;
- (b) removal of less than 10 square meters of asbestos cement products or equivalent gutters and piping or asbestos insulating board in line with Guidance Note 001, entitled Asbestos Removal;
- (c) does not require registration as a registered asbestos contractor with the chief inspector;

"type 2 asbestos work"

means-

- (a) repair or encapsulating of asbestos cement products in a manner that does not require surface preparation;
- (b) the removal of asbestos cement products or asbestos insulating board in line with Guidance Note 001, entitled Asbestos Removal;
- (c) requires registration as a type 2 registered asbestos contractor with the Chief Inspector;

"type 3 asbestos work"

means-

- (a) removal, repair or encapsulation of any asbestos and asbestos containing material in line with Guidance note 001, entitled Asbestos Removal;
- (b) requires registration as a type 3 registered asbestos contractor with the Chief Inspector;

"UN Transport of Dangerous Goods or UN Orange Book"

means the UN Recommendations on the Transport of Dangerous Goods Model Regulations Volumes 1 and 2 and, which are guidance documents developed by the United Nations to harmonize dangerous goods transport regulations;

2. Scope of application

- (1) Subject to sub-regulation (2), these regulations shall apply to every employer and self-employed person who may expose any employee to asbestos dust at that workplace;
- (2) Regulations 5(2), 8(1), 9(1), 10(4), 13(1)(b), 13(3)(c) and (d), 17(4), 18(4),(5) and (6), 19(6) and 23 shall not apply in the case of self-employed persons;

3. Identification of asbestos in place

An employer or self-employed person shall ensure, as far as is reasonably practicable, that-

- (a) all asbestos containing materials at the workplace are identified by a competent person;
- (b) if it is uncertain whether the suspected material contains asbestos, then either the employer may deem that the material contains asbestos or the employer shall arrange for a sample of the material to be analysed for the presence of asbestos, by a laboratory that has competence to carry out such analysis;
- (c) if part of the workplace is inaccessible and deemed by a competent person likely to contain asbestos, it should be assumed that asbestos is present in that area;

- (d) if no asbestos is identified as per paragraphs (a), (b) and (c), the workplace shall be substantiated in writing as asbestos free, by a competent person.

4. Inventory of asbestos in place

- (1) An employer or self-employed person shall obtain the services of a competent person to ensure that all asbestos identified or is assumed to contain asbestos, as contemplated in regulation 3, is entered into an inventory of asbestos in place, which is kept at the workplace or premises.
- (2) With regard to any disagreement as to whether any substance is in fact asbestos, the health and safety representative, committee or a person nominated by the employees may require that a sample of that substance be taken and definitive identification of the substance be determined by an approved asbestos inspection authority, provided that the cost of the identification shall be borne by the employer.
- (3) The inventory of asbestos in place must contain, as far as is reasonably practicable, the following information on each of the asbestos containing materials-
 - (a) the date when the material was identified;
 - (b) a description of the material, quantity such as volume or area, and extent of deterioration;
 - (c) the location detailed on a floor plan;
 - (d) confirmation of labelling and signage as required by regulation 20;
 - (e) the risk categorization derived from the assessment of potential exposure as detailed in regulation 5(3);
 - (f) a description of future task and incident related potential exposure scenarios, as required in regulation 6(2)(b).
- (4) The employer or self-employed person shall ensure that a competent person must review and if necessary, revise the inventory of asbestos in place for the workplace at intervals not exceeding 24 months.
- (5) The inventory of asbestos in place should be revised more frequently if-
 - (a) further asbestos containing material is identified;
 - (b) the asbestos containing material has significantly deteriorated, is removed from or damaged, sealed, coated or encapsulated.
- (6) Where asbestos removal or repair is planned, information in the inventory of asbestos in place shall be adequately detailed with respect to the work to be carried out.
- (7) The employer, self-employed person or asbestos client must ensure that a copy of the inventory of asbestos in place or relevant part thereof, is-
 - (a) given to the mandatory before any asbestos removal or repair work commences;
 - (b) given to the registered asbestos contractor before asbestos removal or repair commences;
 - (c) readily accessible to employees and health and safety representatives at that workplace;
 - (d) in the case of transfer of ownership, provided to the new owner of the premises.
- (8) The mandatory who carries out asbestos removal or repair work at a workplace must-
 - (a) obtain a copy of the asbestos inventory from the employer, self-employed person or client;

(b) if suspected asbestos containing materials is located on the structure or plant, inform the employer, self-employed person or client who shall undertake to ensure that a competent person determines whether the substance in question is asbestos containing material.

(9) For all work carried out at a workplace where there is the potential for exposure to airborne asbestos, then-

- (a) the employer, self-employed person or client as the case may be, must ensure that the person authorising such work, is given a copy of the inventory of asbestos in place;
- (b) the person authorising the work contemplated in paragraph (a), from the inventory of asbestos in place, shall determine what future task and incident related potential exposure scenarios are applicable to the work, including identifying recommended controls;
- (c) the employer, self-employed person or client as the case may be, shall ensure that the recommended controls are implemented with regard to the work.

(10) All asbestos containing material listed in the inventory of asbestos in place, as required by regulation 4, shall be clearly labeled or provided with signage in accordance with regulation 20.

5. Assessment of potential exposure

(1) If asbestos is identified in terms of regulation 3, then the employer or self-employed person shall ensure that an assessment of potential exposure is carried out by a competent person at intervals not exceeding 24 months;

(2) An employer contemplated in sub-regulation (1) shall, before causing an assessment to be made, consult with the relevant health and safety representative or relevant health and safety committee and thereafter inform them in writing of the arrangements made for the assessment, give them reasonable time to comment thereon and ensure that the results of the assessment are made available to them for comment.

(3) The assessment shall have as an outcome, a risk categorisation based on the potential for exposure to asbestos, for each item of asbestos containing material, which should be derived from the following-

- (a) the health impacts of asbestos;
- (b) the number of persons potentially exposed at the workplace;
- (c) the time duration persons spend in the area;
- (d) the potential for damage or disturbance of asbestos containing materials at the workplace including, maintenance activities, potential incidents and normal occupant activities;
- (e) the condition of asbestos containing material, including state of deterioration.

(4) The risk categorisation contemplated in sub-regulation (3) must be used to determine if there is a need for keeping in place, repair or removal of the asbestos containing material.

(5) The assessment of potential exposure, resulting from asbestos repair work as required in sub-regulation (1), (2) and (3), shall include the following-

- (a) specify each job step attached to the work;
- (b) the assessed risk of any asbestos exposure, relating to each job step;
- (c) the controls necessary to reduce risk of exposure as low as is reasonably practicable.

(6) The assessment of potential exposure, resulting from asbestos removal work as part of the plan of work as contemplated in regulation 15, for asbestos containing materials identified for removal, shall consider the following-

- (a) aspects detailed in sub-regulation (5);
- (b) the risk assessment carried out in accordance with regulation 13(2);
- (c) the potential exposure of persons other than employees;
- (d) the potential contamination of the air, ground and water;
- (e) the thorough decontamination of employees and the workplace;
- (f) the transportation of asbestos containing materials and asbestos waste;
- (g) emergency scenarios.

(7) An employer or self-employed person shall obtain the services of an approved asbestos inspection authority, who shall review and endorse the following at intervals not exceeding 5 years, provided that the review and endorsement is not required if the work was carried out by an approved asbestos inspection authority-

- (a) the inventory of asbestos in place, as required by regulation 4;
- (b) the assessment of potential exposure as required by sub-regulation (1).

6. Asbestos management plan

(1) If asbestos containing materials are identified, as required in regulation 3, the employer or self-employed person must ensure that a written asbestos management plan for the workplace, is prepared by a competent person.

(2) The asbestos management plan must include at least the following:

- (a) a procedure that contains at least measures related to-
 - (i) the implementation of regulations 3, 4, 5 and 8 at the workplace;
 - (ii) the repair, removal and management of asbestos containing materials;
 - (iii) the implementation of the Regulations for Prohibition of the Use, Manufacture, Import and Export of Asbestos and Asbestos Containing Material, 2007;
- (b) where asbestos containing materials have been identified in the inventory of asbestos in place, a specific procedure which will, as far as is reasonably practicable, reduce the risk of exposure of employees as well as incidental asbestos exposure, for the following scenarios-
 - (i) incidents;
 - (ii) emergencies;
 - (iii) removal work;
 - (iv) repair work.
- (c) a policy, procedure and implementation plan, for the phasing out of existing asbestos containing materials at the workplace, which considers the following-
 - (i) the principle of reasonably practicable;
 - (ii) reasons for decisions.

(3) The employer or self-employed person shall review and if necessary revise the asbestos management plan at intervals not exceeding 8 years or if any information contemplated in sub-regulation (2) changes.

7. Information and training

(1) An employer shall,

- (a) provide information to persons who may have incidental asbestos exposure-
 - (i) through induction training upon employment; or
 - (ii) when the inventory of asbestos in place is reviewed;
- (b) ensure information and training contemplated in paragraph (a) shall include at least-
 - (i) the sources of potential exposure, as identified in the inventory of asbestos in place, contemplated in regulation 4;
 - (ii) the potential health risks associated with exposure to asbestos;
 - (iii) procedures, including exposure controls and personal decontamination to be followed when asbestos containing materials have been damaged, or in the event of an accidental spillage or any other similar emergency situation likely to result in the release of asbestos dust;
 - (iv) safe disposal of asbestos waste;
 - (v) procedures for record keeping and
 - (vi) matters contemplated in regulation 4.
- (2) Where an employee undertakes non-asbestos related work, where there is a potential for exposure to asbestos dust, the employer shall ensure that the employee is adequately and comprehensively informed and trained on both the practical aspects and theoretical knowledge, with regard to-
 - (a) sources of potential exposure identified in the inventory of asbestos in place, as contemplated in regulation 4;
 - (b) potential health risks associated with exposure to asbestos;
 - (c) tasks and incident related potential exposure scenarios as well as precautionary measures to be taken to prevent exposure;
 - (d) procedures to be followed in the event of an accidental disturbance or any other similar emergency situation likely to result in the release of asbestos dust.
- (3) In the case of asbestos removal or repair as contemplated in regulation 13(1), the employer shall ensure that all asbestos removal managers, supervisors and employees are adequately and comprehensively informed and trained on both the practical aspects and theoretical knowledge, with regard to-
 - (a) the occupational exposure limit and its meaning;
 - (b) the importance of good housekeeping at the workplace and personal hygiene;
 - (c) the contents of plans of work regarding the handling, removal and temporary storage of any asbestos containing material;
 - (d) the correct use of control measures to limit the spread of asbestos dust outside the regulated asbestos area;
 - (e) control measures to limit the exposure of employees inside the regulated asbestos area;
 - (f) procedures to be followed in the event of an accidental spillage, disturbance or any other similar emergency situation likely to result in the release of asbestos dust;
 - (g) procedures for reporting and correcting defects likely to result in the release of asbestos dust;
 - (h) safe disposal of asbestos waste.
- (4) Training contemplated in sub-regulation (3) shall-
 - (a) be provided by a person deemed competent by the chief inspector;
 - (b) have a minimum contact duration of 8 hours;
 - (c) as an outcome, provide employees with asbestos training certificates.

- (5) Refresher training shall be given at least every year or at more frequent intervals with a minimum contact duration of 2 hours.
- (6) Training should be given more frequently than once a year if-
 - (a) work methods change;
 - (b) the type of work carried out changes significantly; or
 - (c) the type of equipment used to control exposure changes or
 - (d) deemed a requirement by the occupational health and safety committee.
- (7) An employer shall ensure up to date records of employee training, is made available at the relevant asbestos work site.
- (8) An employer shall ensure current employee asbestos training certificates, as contemplated in sub-regulation 4(c), are provided to employees upon termination of employment.
- (9) An employer or a self-employed person shall provide procedures and instruction contemplated in sub-regulations (2), (4) and (5) to the drivers of vehicles transporting asbestos-containing materials or asbestos waste.

8. Duties of persons who may be exposed

- (1) Employees who may be exposed to asbestos in place shall-
 - (a) obey any lawful instruction pertaining to occupational health and safety given by or on behalf of the employer;
 - (b) attend asbestos awareness training on the inventory of asbestos in place for the building;
 - (c) report on any asbestos containing material that has been damaged, to the employer or health and safety representative for the workplace as the case may be, who shall report it to the employer.
- (2) Persons conducting non-asbestos related maintenance and who may be exposed to asbestos, shall-
 - (a) obtain a copy of the relevant part of the inventory of asbestos in place for the applicable workplace where non-asbestos related maintenance will be carried out;
 - (b) prevent damage to, or disturbance of asbestos in place;
 - (c) if damage or disturbance does occur, stop work immediately and report to employer or health and safety representative for the workplace as the case may be, who shall report it to the employer.
- (3) Persons conducting type 1 asbestos work, shall-
 - (a) obtain a copy of the relevant part of the inventory of asbestos in place for the workplace;
 - (b) demarcate the regulated asbestos area as required in regulation 16, to prevent unauthorised entry, using signage as per Annexure 1;
 - (c) as far as is reasonably practicable, use non-destructive wet methods during removal procedures;
 - (d) ensure the appropriate tools and equipment are used in order to limit, as far as reasonably practicable, the release of asbestos dust;
 - (e) ensure thorough decontamination of the equipment;
 - (f) contain, label and dispose of asbestos waste in terms of regulation 21;
 - (g) ensure that used disposable overalls and respiratory protective equipment, where applicable, are disposed of as asbestos waste.

- (4) Any person involved in type 2 and type 3 asbestos work and who may be exposed to asbestos at the workplace, shall obey any lawful instruction pertaining to occupational health and safety, given by or on behalf of the employer or a self-employed person, regarding-
- (a) complying with requirements of the asbestos plan of work that has been approved for that site specific asbestos work, in terms of regulation 15;
 - (b) as far as is reasonably practicable use non-destructive wet methods during removal procedures;
 - (c) the prevention of asbestos dust from becoming airborne;
 - (d) the appropriate type and use of personal protective equipment and clothing;
 - (e) the wearing of monitoring equipment to measure personal exposure to asbestos;
 - (f) the reporting for medical surveillance as required by regulation 18;
 - (g) the cleaning up and disposal of any asbestos waste;
 - (h) the decontamination of the structure of a workplace, building or plant, of any visible dust residue where asbestos removal work has been undertaken;
 - (i) housekeeping at the workplace, personal hygiene, good environmental and health practices including eating, drinking and smoking in designated places as provided;
 - (j) information and training received as contemplated in regulation 7;
 - (k) the correct decontamination procedures to be followed as prescribed in the approved plan of work.

9. Disputes

- (1) The following provisions apply if there is uncertainty with regards to, or a dispute arises as to the classification into type 1, 2 or 3 asbestos work, under this section-
- (a) the employer or self-employed person responsible for the work area where asbestos work is to be carried out, shall obtain the services of an approved asbestos inspection authority, who shall make a decision as to the type of asbestos work; or
 - (b) the employer or self-employed person responsible for the work area where asbestos work is to be carried out, shall refer the dispute to the chief inspector, who shall make a decision as to the type of asbestos work-
 - (i) the employer or self-employed person responsible for the work area who notifies the inspector shall promptly inform other parties that the approved asbestos inspection authority or chief inspector has been notified;
 - (ii) the approved asbestos inspection authority or chief inspector shall investigate the matter and give the parties a decision in writing within 30 days;
 - (iii) work on the asbestos under dispute shall cease until a decision under sub-regulation (2) is obtained.
- (2) Should a dispute arise over the interpretation relating to matters in sub-regulation (2)(a), the affected person may appeal against the interpretation to the chief inspector.

10. Control of exposure to asbestos

- (1) An employer or self-employed person shall ensure that the exposure of a person to asbestos is either prevented, or where this is not reasonably practicable, adequately controlled: Provided that the control of the exposure shall be regarded as adequate if the measured airborne concentration of regulated fibres is-
- (a) at or below the OEL for asbestos; or

- (b) above the OEL for asbestos but the reason has been identified and action is taken, as soon as is reasonably practicable to lower airborne concentrations to a level as low as reasonably practicable below the OEL for asbestos.
- (2) Where reasonably practicable, an employer or self-employed person shall control the exposure -
- (a) by limiting the number of persons who will be exposed or may be exposed;
 - (b) by limiting the period during which persons will be exposed or may be exposed;
 - (c) by limiting the amount of asbestos dust that may contaminate the working environment;
 - (d) by introducing, inter alia, the following engineering control measures for the control of exposure-
 - (i) process separation or enclosure;
 - (ii) bonding of asbestos fibres with other materials to prevent the release of asbestos dust;
 - (iii) the use of wet methods where appropriate;
 - (iv) the provision of a negative pressure unit, with filtration efficiency of at least 99% for particles 1 µm in size in the case of type 3 asbestos work with a fault indicator to provide early warning of a failure of the negative pressure unit;
- (3) With regard to the contamination of water with asbestos-
- (a) any water that is contaminated with asbestos as a result of work being performed is passed through a filtration system before being released into any environment or water system; and
 - (b) a suitable water filtration system is used which will ensure that the quantity of asbestos released or entering into any environment or water system, is reduced as far as reasonably practicable;
 - (c) contaminated parts of the filtration system, when discarded, are disposed of as asbestos waste.
- (4) By introducing appropriate written work procedures that an employee must follow to ensure that-
- (a) asbestos containing materials are handled, safely and disposed of in the appropriate manner;
 - (b) installations, equipment, tools and negative pressure units are safely used, decontaminated and maintained.
- (5) An employer or self-employed person shall forthwith report to the chief director, provincial operations, by telephone or electronic mail or similar means of communication, any spill, disturbance or uncontrolled release of asbestos which may be considered a health hazard.

11. Notification of asbestos work

- (1) No employer, self-employed person or client shall carry out any type 1 asbestos work unless the chief director, provincial operations has been notified in writing of the location, venue and contact details of where the asbestos work will be done, 7 days prior to the commencement of such work.
- (2) No employer, self-employed person or client shall carry out any type 2 or type 3 asbestos work unless the chief director, provincial operations has been notified in writing, 7 days prior to the commencement of such work.

- (3) A shorter time period for notification contemplated in sub-regulations (1) and (2), may be allowed in the event of an emergency, at the discretion of the chief director, provincial operations.
- (4) Written notification contemplated in sub-regulation (2) must be provided in the format as indicated on Annexure 2.

12. Duties of the asbestos client for asbestos work

- (1) Where asbestos forms part of the structure of a workplace, building, plant or premises, the employer or self-employed person shall-
 - (a) take reasonable steps to ensure that he or she determines the location of asbestos in such workplace, buildings, plant or premises;
 - (b) make and maintain a written inventory of the location of asbestos in such workplace, buildings, plant or premises as required in regulation 4(2).
- (2) A client, employer or self-employed persons carrying out type 1 asbestos work shall-
 - (a) provide an up to date inventory of asbestos in place when asbestos work is planned;
 - (b) ensure that an asbestos risk assessment is carried out prior to asbestos work;
 - (c) ensure a written safe work procedure is developed and followed;
 - (d) as far as reasonably practicable, provide adequate information and instruction to any persons who may be exposed to asbestos as a result of that asbestos work.
- (3) A client, employer or self-employed persons planning type 2 or type 3 asbestos work shall-
 - (a) provide an up to date inventory of asbestos in place, to the registered asbestos contractor and approved asbestos inspection authority;
 - (b) if asbestos containing material intended for removal or repair is not identified in the inventory of asbestos in place, the inventory must first be reviewed and updated;
 - (c) ensure that an asbestos risk assessment is carried out prior to asbestos work;
 - (d) ensure that the appropriately registered, asbestos contractor, performs type 2 or type 3 asbestos work as per the asbestos plan of work;
 - (e) ensure that the client has co-signed the asbestos plan of work for the asbestos repair or removal work to be carried out;
 - (f) stop any registered asbestos contractor from executing any asbestos work which poses a health or safety risk to persons until such time as the risk has been appropriately mitigated;
 - (g) ensure before any asbestos work commences on site that the registered asbestos contractor is registered and in good standing with the compensation fund or with a licensed compensation insurer and contemplated in the COID Act, 1993;
 - (h) where a fatality or permanent disabling injury occurs during asbestos work, the client shall ensure that a report is provided to the chief director, provincial operations as contemplated in section 24 of the Act, and in accordance with regulations 8 and 9 of the General Administrative Regulations 2013.
- (4) After completion of type 2 and type 3 asbestos work, obtain an asbestos clearance certificate from the approved asbestos inspection authority.

13. Duties of the registered asbestos contractor for asbestos work

- (1) In the case of type 2 and type 3 asbestos work, the registered asbestos contractor shall-

- (a) only undertake the type of asbestos work for which they are registered by the chief inspector;
 - (b) appoint an occupational health and safety representative, as contemplated in section 17 of the Occupational Health and Safety Act;
 - (c) obtain a copy of an up to date inventory of asbestos in place, from the client, prior to asbestos work taking place.
- (2) Before commencement of any asbestos work and during such work, the registered asbestos contractor shall ensure risk assessments are performed that include-
- (a) the identification of the hazards to which persons may be exposed;
 - (b) assessment of the risks related to the hazards, based on a documented method;
 - (c) documented control measures to mitigate the risk;
 - (d) the risk assessment shall be reviewed-
 - (i) at regular documented intervals;
 - (ii) when an incident has occurred;
 - (iii) when the scope of work changes;
 - (e) ensure that an up to date copy of the risk assessment is made available at the relevant asbestos work site;
- (3) The registered asbestos contractor shall-
- (a) ensure that the approved plan of work is submitted to the chief director, provincial operations, at least 7 days prior to commencement of asbestos work;
 - (b) appoint in writing an asbestos supervisor to each asbestos work site, that shall ensure;
 - (i) ensure occupational health and safety compliance on the asbestos removal site
 - (ii) compliance to safe asbestos removal or repair procedures
 - (iii) correct use of personal protective equipment
 - (iv) proper decontamination and waste disposal
 - (c) adhere to the repair or removal methodology and associated control measures provided in the plan of work, approved for that specific asbestos work;
 - (d) ensure that employee medical and training records are available on site for inspection and validation;
 - (e) ensure at least the following information for every employee is recorded and kept for a minimum period of 40 years-
 - (i) physical address of every asbestos work project;
 - (ii) name and identification numbers of employees potentially exposed
 - (f) before commencement of asbestos work, ensure that-
 - (i) all equipment has been decontaminated and maintained in good working order;
 - (ii) registration is in good standing with the compensation fund or with a licensed compensation insurer as contemplated in the COID Act, 1993;
 - (g) where a fatality or permanent disabling injury occurs during asbestos work, ensure that a report is provided to the chief director, provincial operations as contemplated in section 24 of the Act, in accordance with regulations 8 and 9 of the General Administrative Regulations 2013 and that the report includes the measures that the contractor intends to implement to ensure safe asbestos work.

14. Duties of the approved asbestos inspection authority for asbestos work

An approved asbestos inspection authority involved in type 2 or 3 asbestos work shall-

- (a) ensure that the appropriately registered, registered asbestos contractor, only performs type 2 or type 3 asbestos work as the case may be;
- (b) in consultation with the registered asbestos contractor, compile and approve a plan of work;
- (c) submit the approved plan of work, at least 7 days prior to commencement of the asbestos work, to the chief director, provincial operations, for acknowledgment;
- (d) verify employee medical and asbestos training records for that asbestos work;
- (e) provide guidance and site specific instructions to the registered asbestos contractor on the approved plan of work;
- (f) inspect adherence to the approved plan of work and requirements of these regulations;
- (g) stop any registered asbestos contractor from executing any asbestos work which poses a health or safety risk to persons until such time as the risk has been appropriately mitigated;
- (h) perform planned asbestos air monitoring in accordance with regulation 17;
- (i) issue a written report which includes findings and where necessary recommendations;
- (j) ensure that upon completion of type 2 and type 3 asbestos work, clearance is performed in accordance with HSG 248 and that an asbestos clearance certificate is issued in accordance with regulation 22.

15. Minimum contents of a plan of work

A written, approved plan of work, as contemplated in regulation 14 (b) must include at least the following-

- (a) name, contact details and responsibilities of the registered asbestos contractor, approved asbestos inspection authority, asbestos waste transporter, asbestos waste disposal site and client where applicable;
- (b) name and contact details of asbestos removal manager and asbestos removal supervisor for the asbestos work site;
- (c) details of the asbestos to be removed, including the location, type, estimated quantity and condition of the asbestos;
- (d) a list of employee names and identification numbers with verification of valid asbestos training and medical surveillance records, for the asbestos work site;
- (e) expected commencement and completion dates;
- (f) air monitoring method used and frequency in accordance with regulation 17;
- (g) details of how the asbestos removal work will take place including the methods of removal, tools and equipment and appropriate personal protective equipment to be used;
- (h) details relating to the requirements of decontamination facilities and decontamination procedures;
- (i) details of demarcation, labelling and signage requirements of regulated asbestos areas, asbestos waste and temporary on-site storage areas;
- (j) procedure for decontamination of the work area, tools and equipment;
- (k) emergency procedures in the event of an uncontrolled asbestos release;
- (l) disposal method of the asbestos waste
- (m) detail of asbestos clearance certification;
- (n) specific relevant prohibitions.

16. Regulated asbestos area

An employer or self-employed person undertaking type 1, 2 or 3 asbestos work shall-

- (a) clearly demarcate and identify, the relevant area as a regulated asbestos area in accordance with regulation 20;
- (b) ensure no person enters or remains in a regulated asbestos area unless he or she wears the appropriate type and correctly fitted respiratory protective equipment and protective clothing, as contemplated in regulation 19.

17. Air monitoring

- (1) In the case of type 2 and type 3 asbestos work an asbestos client shall ensure that air monitoring of the concentration of airborne regulated fibres to which an employee may be exposed, is-
 - (a) performed by an approved asbestos inspection authority;
 - (b) carried out in terms of HSG 248;
 - (c) representative of employee exposure;
 - (d) carried out at a frequency determined by the approved asbestos inspection authority based on the site specific asbestos risk assessment.
- (2) Results obtained referred to in sub-regulation (1), shall be compared against the OEL to ensure that no employee is exposed to asbestos in excess of the prescribed OEL.
- (3) Environmental air monitoring to be performed by an approved asbestos inspection authority during type 2 and type 3 asbestos work.
- (4) Air monitoring referred to in sub-regulations (1) and (3) shall be carried out only after the relevant health and safety representative or relevant health and safety committee has been consulted and was given a reasonable opportunity, as mutually agreed upon, to comment thereon.

18. Medical surveillance

- (1) Every type 2 and 3 registered asbestos contractor shall ensure all employees involved in asbestos work and are likely to be exposed to asbestos dust, are under the medical surveillance of an occupational medicine practitioner.
- (2) Medical surveillance is not mandatory for a self-employed persons performing type 1 asbestos work.
- (3) In order to comply with sub-regulation (1), a type 2 and type 3 registered asbestos contractor shall ensure that a structured medical surveillance programme be drawn up as a condition of employment, by an occupational medicine practitioner which shall include at least the following-
 - (a) an initial health evaluation, carried out by an occupational medicine practitioner or occupational health practitioner immediately or within 7 days after a person commences employment, which shall include at least the following-
 - (i) an evaluation of the employee's medical and occupational history;
 - (ii) an appropriate physical examination;
 - (iii) additional tests which should include pulmonary function testing; and
 - (iv) any other essential medical examination such as chest x-rays which, in the opinion of the occupational medicine practitioner are necessary in order to enable such practitioner to perform an appropriate health evaluation;
 - (b) subsequent to the initial health evaluation contemplated in paragraph (a), evaluations of the relevant employee, as contemplated in paragraph (a)(ii) and (iii), at intervals not exceeding two years, or at shorter intervals as specified by an occupational medicine practitioner.

- (4) An employer shall not permit or allow an employee who has been certified unfit for work by an occupational medicine practitioner, to perform asbestos work: Provided that the relevant employee may be permitted to return to work if he or she is certified fit for that work beforehand by an occupational medicine practitioner.
- (5) Where the reason for the employee being certified unfit as contemplated in sub-regulation (3) is as a result of exposure to asbestos, the employer and occupational medicine practitioner shall without delay record and investigate the incident of exposure in accordance with regulation 8 of the General Administrative Regulations.
- (6) An employer shall ensure current employee medical certificates, as contemplated in sub-regulation (3), are provided to the employee upon termination of their employment.
- (7) Reporting of incidents and disease to CI and COIDA

19. Personal protective equipment and facilities

- (1) An employer or self-employed person shall-
 - (a) provide respiratory protective equipment and protective clothing suitable for protection against regulated asbestos fibres, to all persons who may be exposed to asbestos;
 - (b) ensure that the respiratory protective equipment provides the appropriate level of protection for the type of asbestos work to be undertaken;
 - (c) ensure that the person's exposure is adequately controlled as contemplated in regulation 10.
- (2) Where respiratory protective equipment is provided, the employer or self-employed person shall ensure that-
 - (a) the relevant equipment is capable of keeping the exposure level below the OEL for asbestos;
 - (b) the relevant equipment is correctly and properly used, stored and maintained;
 - (c) information, instruction, training and supervision that are necessary with regard to the use of the equipment, are provided to the persons; and
 - (d) the equipment is kept in good condition and efficient working order.
- (3) An employer or self-employed person shall, as far as is reasonably practicable-
 - (a) issue no personal protective equipment to a person, unless such equipment is cleaned, decontaminated and, where appropriate, sterilised;
 - (b) provide separate containers or storage facilities for personal protective equipment when not in use; and
 - (c) ensure that all personal protective equipment not in use is stored only in the place provided.
- (4) An employer or self-employed person shall, as far as is reasonably practicable, ensure that all personal protective equipment contaminated with asbestos dust is thoroughly cleaned and handled in accordance with the following procedures:
 - (a) where the personal protective equipment is cleaned on the premises of the client, care shall be taken to prevent contamination during handling, transport and cleaning;
 - (b) water that is used for decontamination or cleaning of equipment shall be filtered in accordance with regulation 10(3) before being released into any water system.

(5) Subject to sub-regulation (3)(a), an employer or self-employed person shall ensure that no person removes dirty or contaminated personal protective equipment from the workplace: Provided that where personal protective equipment contaminated with asbestos dust has to be disposed of, it shall be treated as asbestos waste as contemplated in regulation 21.

(6) Subject to the provisions of the Facilities Regulations published by Government Notice R. 1593 of 12 August 1988, the employer shall-

- (a) provide employees involved in type 1 and 2 asbestos work, with adequate washing facilities which are readily accessible and located in an area where the facilities will not become contaminated, in order to enable the employees to meet a standard of personal hygiene consistent with the adequate control of exposure, and to avoid the spread of asbestos dust;
- (b) provide employees involved in type 3 asbestos work, with a decontamination facility in accordance with HSG 248 section 9, which are readily accessible and located in an area where the facilities will not become contaminated, in order to enable the employees to meet a standard of personal hygiene consistent with the adequate control of exposure, and to avoid the spread of asbestos dust.

20. Labelling and signage

- (1) All asbestos in place listed in the inventory of asbestos in place, as required by regulation 4, shall be clearly and legibly identified using the pictogram specified in Annexure 1.
- (2) All asbestos waste shall be clearly labelled in the following manner-
 - (a) using the label specified in Annexure 1;
 - (b) as far as is reasonably practicable, provide clearly visible and a sufficient number of labels to adequately serve as a warning of potential exposure;
 - (c) a container or a vehicle in which asbestos is transported is clearly identified, classified and packed in accordance with UN Transport of Dangerous Goods or UN Orange Book
 - (d) any article or substance which contains asbestos is clearly labelled, in the form of Annexure 1;
- (3) Any asbestos contaminated soil or land contaminated with asbestos waste, shall be clearly demarcated and sign posted using the warning label specified in Annexure 2.

21. Disposal of asbestos

An employer or self-employed person shall as far as is reasonably practicable ensure that-

- (a) all asbestos waste is placed in containers that will prevent exposure during handling;
- (b) the premises, structure or area are thoroughly checked to ensure that all asbestos waste intended for disposal, has been removed;
- (c) all vehicles, re-usable containers or any other similar articles which have been in contact with asbestos waste, are cleaned and decontaminated after use, in such a way that such vehicles, containers or similar articles do not cause a hazard inside or outside the workplace concerned;
- (d) a document is obtained from the disposal site contemplated in paragraph (e) for all asbestos waste removed from the workplace;
- (e) all asbestos waste is disposed of only on sites specifically designated for this purpose in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989), and the National Environmental Management Act, 1998 (Act No. 107 of 1998), and in such a manner that it does not cause a hazard inside or outside the site concerned;
- (f) all persons occupied in the collection, transport and disposal of asbestos waste, who may be exposed to that waste, are provided with suitable personal protective equipment;

- (g) ensure that the drivers of vehicles carrying asbestos waste, are provided with written instructions on safety precautions and emergency procedures; and
- (h) where the services of a contractor for the transport and disposal of asbestos waste are used the contractor shall comply with the provisions of these regulations.

22. Asbestos clearance certificate

Following the completion of type 2 or type 3 asbestos work, an approved asbestos inspection authority shall-

- (a) conduct an asbestos clearance survey in accordance with HSG 248 section 6.4;
- (b) after assessing the relevant work area as intended in HSG 248 section 6.4, issue an asbestos clearance certificate.

23. Records

An employer shall-

- (a) keep records of all inventories of asbestos in place, assessments of potential exposure, air monitoring results, medical surveillance reports, disposal certificates and clearance certificates, required by regulations 4, 5, 17, 18, 21(d) and 22(b), respectively: Provided that personal medical records shall only be made available to an occupational health practitioner;
- (b) subject to paragraph (c), make the records contemplated in paragraph (a), excluding personal medical records, available for inspection by an inspector;
- (c) allow any person, subject to formal consent in writing of an employee, to peruse the records with respect to that particular employee;
- (d) make the records of all assessments, surveys and air monitoring results, and the asbestos inventory available for perusal by the relevant health and safety representative or relevant health and safety committee;
- (e) keep all records contemplated in paragraph (a) for a minimum period of 40 years;
- (f) shall hand over or forward by registered post, all records contemplated in paragraph (a), to the relevant chief director, provincial operations, if the employer ceases activities relating to asbestos work;
- (g) keep a record of training given to an employee, in terms of regulation 7 for as long as the employee remains employed at the workplace in which he or she is potentially exposed to asbestos.

24. Prohibition

No person shall-

- (a) sell, donate, reuse, re-install or recycle any asbestos or asbestos containing materials;
- (b) temporarily store any asbestos or asbestos containing materials for longer than 3 months after completion of asbestos removal work, before final disposal;
- (c) temporarily store asbestos containing materials destined for disposal in a manner that may contaminate ground or water systems, or may cause the release of asbestos dust;
- (d) use compressed air or permit the use of compressed air to remove asbestos dust from any surface or person;
- (e) use electrical power tools such as angle grinders or any other fast moving equipment to cut, grind or drill asbestos containing material;
- (f) smoke, eat, drink or keep food or beverages in a regulated asbestos area or require or permit any other person to smoke, eat, drink or keep food or beverages in such area;
- (g) clean or prepare surfaces of asbestos cement materials using methods including-

- (i) high pressure water cleaning
 - (ii) chemical cleaning
 - (iii) dry or wet scraping
 - (iv) dry or wet brushing
 - (v) any other method of cleaning or preparing a surface
- (h) vacuum asbestos dust other than using vacuum cleaning equipment with a filtration efficiency of at least 99 percent for particles one micrometer in size;
- (i) carry out any demolition work before all asbestos and asbestos containing building material has been identified in the inventory of asbestos in place, safely removed or otherwise controlled, as far as reasonably practicable, so as to limit the uncontrolled release of asbestos and asbestos dust;

25. Offences and penalties

Any person who contravenes or fails to comply with any provision of regulations 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 or 24 shall be guilty of an offence and liable upon 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 R500 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.

26. Repeal of regulations

- (1) The Asbestos Regulations published under Government Notice No. R. 155 of 10 February 2002, as Government Notice N^o. R. 23108, are hereby repealed.
- (2) Regulation 3 and regulation 20 will come into effect 18 months after the commencement of these regulations.

27. Short title

These regulations shall be called the Asbestos Abatement Regulations, 2017.

ANNEXURE 1
OCCUPATIONAL HEALTH AND SAFETY ACT, 1993
1.1 Asbestos Signage



DANGER: ASBESTOS
May cause Cancer

1.2 Asbestos Labels

ASBESTOS



DANGER

MAY CAUSE CANCER THROUGH INHALATION
CAUSES SKIN IRRITATION

Do not handle until all precautions described in Asbestos Abatement Regulations and Safety Data Sheet (SDS) have been read and understood.

Do not breathe dust. Wear correctly fitted face mask respirator, complying to Asbestos Abatement Regulation stipulated protection factors.

When showering take off disposable gloves and overall before removing respirator.

Dispose of asbestos waste, in line with National Environment Management: Waste Act. 2008.

ANNEXURE 2
OCCUPATIONAL HEALTH AND SAFETY ACT, 1993
(Regulation 3 of the Asbestos Abatement Regulations, 2016)

NOTIFICATION OF ASBESTOS WORK

1. (a) Name of registered asbestos contractor ** and registration number:

(b) Physical address of registered asbestos contractor: _____

(c) Name and phone number of registered asbestos contractor, contact person: _____

2. (a) Name of asbestos client: _____

(b) Name and phone number of asbestos client, contact person: _____

3. (a) Name of approved asbestos inspection authority (AAIA) ** and DoL registration number:

(b) Name and phone number of approved asbestos inspection authority, contact person:

4. Exact location of where the asbestos work will be done: _____

GPS Coordinate: _S_ _E_

5. Type and volume of asbestos to be removed/repared (as applicable):

6. Expected commencement date: _____

7. Expected completion date: _____

Registered Asbestos Contractor**

Date

Asbestos Client

Date

This completed document shall be send to the Chief Director Provincial Operations of the relevant province where asbestos work is to take place 7 days prior to commencement of asbestos work.

** Not applicable in the case of Type 1 Asbestos work

DEPARTMENT OF LABOUR

NO. R. 30

19 JANUARY 2018

LABOUR RELATIONS ACT, 1995

BARGAINING COUNCIL FOR THE FISHING INDUSTRY:
EXTENSION OF PERIOD OF OPERATION OF MAIN COLLECTIVE AGREEMENT

1, MILDRED NELISIWE OLIPHANT, Minister of Labour, hereby, in terms of section 32(6) (a) (i) of the Labour Relations Act, 1995, extend the periods fixed in Government Notices No R.587 of 27 July 2012, R.55 of 1 February 2013, R.445 of 28 June 2013, R.935 and R.936 of 6 December 2013, R.479 of 20 June 2014, R.995 of 12 December 2014, R.245 of 27 March 2015, R.564 and R.565 of 3 July 2015, R.915 of 2 October 2015, R.707 of 10 June 2016, R.964 of 26 August 2016, R.1267 of 14 October 2016, R.583 of 23 June 2017 and R. 9 of 5 January 2018, by a further period ending 31 August 2019.



.....
MINISTER OF LABOUR
M N OLIPHANT, MP 08/12/2017

UMNYANGO WEZABASEBENZI

UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995

UMKHANDLU KAZWELONKE WOKUXOXISANA PHAKATHI KWABAQASHI
NABASEBENZI BEMBONI YOKUDOBA IZINHLANZI: UKWELULWA
KWESIKHATHI SOKUSEBENZA KWESIVUMELWANO ESIYINQIKITHI

Mina, MILDRED NELISIWE OLIPHANT uNgqongqoshe wezabaSebenzi, lapina ngokwesigaba 32(6)(a)(i) soMthetho Wobudlelwano Kwezabasebenzi, ka-1995, ngelula isikhathi sokusebenza kwesivumelwano esixhunywe kwiZaziso zikaHulumeni ezinguNombolo R.587 somhlaka 27 kuNtulikazi 2012, R.55 somhlaka 1 kuNhlolanja 2013, R.445 somhlaka 28 kuNhlangulana 2013, R.935 no R.936 somhlaka 6 kuZibandlela 2013, R.479 somhlaka 20 kuNhlangulana 2014 kanye nesingu R.995 somhlaka 12 kuZibandlela 2014, R.245 somhlaka 27 kuNdasa 2015, R.564 kanye nesingu R. 565 somhlaka 3 kuNtulikazi 2015, R.915 somhlaka 2 kuMfumfu 2015, R. 707 somhlaka 10 kuNhlangulana 2016, R.964 somhlaka 26 kuNcwaba 2016, R. 1267 somhlaka 14 kuMfumfu 2016, R.583 somhlaka 23 kuNhlangulana 2017 kanye nesingu R.9 somhlaka 5 KuMasingana 2018 ngesikhathi esengeziwe esiphela mhlaka 31 kuNcwaba 2019.


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UNGQONGQOSHE WEZABASEBEZI
M N OLIPHANT, MP

DEPARTMENT OF TRANSPORT

NO. R. 31

19 JANUARY 2018

**CONVENTION ON THE INTERNATIONAL RECOGNITION OF RIGHTS IN AIRCRAFT ACT,
1963 (ACT NO. 59 OF 1993)****THIRD AMENDMENT OF THE MORTGAGING OF AIRCRAFT REGULATIONS, 2017**

I, Mkhacani Joseph Maswanganyi, Minister of Transport hereby, in terms section 14 of the Convention on the International Recognition of Rights in Aircraft Act, 1993 (Act No. 59 of 1993), make the Regulations set out in the Schedule hereunder.



Mr M.J Maswanganyi, MP
Minister of Transport

Date: 21/12/2017

SCHEDULE**DEPARTMENT OF TRANSPORT****CONVENTION ON THE INTERNATIONAL RECOGNITION OF RIGHTS IN AIRCRAFT ACT,
1963 (ACT NO. 59 OF 1993)****THIRD AMENDMENT OF THE MORTGAGING OF AIRCRAFT REGULATIONS, 2017****GENERAL EXPLANATORY NOTE:**

[] Words in bold type in square brackets indicate omissions from existing regulations.

 Words underlined with a solid line indicate insertions in existing regulations.

SCHEDULE**Definition**

1. In this Schedule "the Regulations" means the Mortgaging of Aircraft Regulations, 1997, published by Government Notice No. R. 1739 dated 24 December 1997, as amended.

Amendment of the Regulations

2. The Regulations are hereby amended by the substitution for the word "Commissioner for Civil Aviation" of the word "Director of Civil Aviation" wherever it appears.

Amendment of regulation 1 of the Regulations

3. Regulation 1 is hereby amended by the substitution for the definition of "company" of the following definition:

“company” means a company as defined in section 1 of the Companies Act, [1973 (Act No. 61 of 1973)] 2008, (Act No. 71 of 2008);”

Substitution of regulation 8 of the Regulations

4. The following regulation is hereby substituted for regulation 8 of the Regulations:

“8. Fees

The following fees shall be payable when application is made for:

(a) the recording of a mortgage in the register of aircraft mortgages	[1 100,00] <u>1 731,00</u>
(b) a notification of the discharge of a mortgage	[1 100,00] <u>1 731,00</u>
(c) a transfer of mortgage by deed of cession	[1 100,00] <u>1 731,00</u>
(d) a declaration of transmission of rights in a mortgage	[1 100,00] <u>1 731,00</u>
(e) a certificate of mortgage	[820,00] <u>1 290,00</u>
(f) access to the register of aircraft mortgages	[140,00] <u>220,00</u>
(g) the furnishing of information from the register of aircraft mortgages, <u>per page</u> [(R1,00 per page up to a maximum of R200,00)]	[200,00] <u>1.50</u>

Short title and commencement

5. This Amendment is called the Third Amendment of the Mortgaging of Aircraft Regulations, 2017 and shall come into operation on 1 April 2018.

WARNING!!!

To all suppliers and potential suppliers of goods to the Government Printing Works

The Government Printing Works would like to warn members of the public against an organised syndicate(s) scamming unsuspecting members of the public and claiming to act on behalf of the Government Printing Works.

One of the ways in which the syndicate operates is by requesting quotations for various goods and services on a quotation form with the logo of the Government Printing Works. Once the official order is placed the syndicate requesting upfront payment before delivery will take place. Once the upfront payment is done the syndicate do not deliver the goods and service provider then expect payment from Government Printing Works.

Government Printing Works condemns such illegal activities and encourages service providers to confirm the legitimacy of purchase orders with GPW SCM, prior to processing and delivery of goods.

To confirm the legitimacy of purchase orders, please contact:

Renny Chetty (012) 748-6375 (Renny.Chetty@gpw.gov.za),

Anna-Marie du Toit (012) 748-6292 (Anna-Marie.DuToit@gpw.gov.za) and

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