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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

Department of Employment and Labour**NO. R. 2692****31 October 2022****OCCUPATIONAL HEALTH AND SAFETY ACT, 1993**

I THEMBELANI WALTERMADE NXESI, Minister of Employment and Labour hereby, under section 43 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), made the following amendments to the Commercial Diving Regulations as published in Notice No. 46380, in Gazette No. 11435, published on 20 May 2022 as follows:

Definitions

1. In these regulations, a word or expression to which a meaning has been assigned in the Act has the meaning so assigned and, unless the context otherwise indicates—

“air scuba” means a self-contained underwater breathing apparatus in which the supply of breathing gas carried by the diver is independent of any other source;

“class IV commercial diver” means a registered commercial diver who is competent in all aspects of air diving using commercial scuba, to a maximum depth of 30 m;

“class V commercial diver” means a registered commercial scientific diver who is competent in air scuba diving and may dive under the code of practice for scientific diving, to a depth not exceeding 30 m;

“commercial scuba” means a self-contained underwater breathing apparatus consisting of a full face mask, cylinder, bail out cylinder, switching block, life line and voice communications;

“scuba” definition has been deleted

Registration

3. (1)(a) Subject to subregulation (1), a commercial diving contractor must within 3 months of this gazette, be registered as a commercial diving contractor by the Chief Inspector.

Duties of registered commercial diving schools

14 (1) A registered commercial diving school must—
(a) have in place an ISO 9001 quality management system certified by a certification body within 12 months of this gazette.

Recompression chamber operations

21. (1) An employer must ensure that a recompression chamber is available for immediate use whenever diving operations take place, at a depth exceeding -
(a) fifty metres;

- (b) ten metres, but not exceeding fifty metres where the routine decompression time exceeds twenty minutes; or
 - (c) ten metres, but not exceeding fifty metres where the routine decompression time is twenty minutes or less and effective arrangements have not been made for a diver requiring therapeutic recompression to be brought to a suitable chamber within two hours from the time when the need for recompression is identified.
- (2) Where a recompression chamber is not required for immediate use as contemplated in sub-regulation (1), the employer must –
- (a) make arrangements to ensure that a recompression chamber is available within the maximum time allowed by the tables in use, and
 - (b) ensure that the recompression chamber is in a safe and operational state

Diving Technical Committee

24. (1) The Council may establish a Diving Technical Committee consisting of—
- f. Three representatives from organized business
 - i. Three representatives from organized labour

Prohibitions

25. (1) An employer or commercial diving school may not –
- (a) Allow a person to:
 - i. For commercial scuba, dive without having an alternate breathing gas supply available that is sufficient for that person to reach a place of safety in case of an emergency; or
 - ii. For air scuba, dive without the minimum plant and machinery as listed in the definition of “air scuba”
- (6) A commercial diving contractor may not undertake commercial diving projects without being registered with the Chief Inspector.

ANNEXURE D

DIVING OPERATIONS: MINIMUM PERSONNEL REQUIRED

(PARTS 1 AND 2)

[Regulation 13(i)]

PART 1 – Commercial diving operations

Maximum depth of dive	Air SCUBA (Class V)	Commercial SCUBA (Class IV)
0-30 m	1 x Dive supervisor 1 x Diver 1 x Standby diver with life line 1 x line attendant 1 x DMP (on call)	1 x Dive supervisor 1 x Diver 1 x Standby diver 2 x line attendant 1 x DMP (on call)
30-50 m	No diving	No diving

PART 2 – class VI diving operations

Maximum depth of dive	Air SCUBA (Class VI)
0-8 m	1 x Supervisor 1 x Diver 1 x Standby diver 1 x Line attendant 1 x DMP (on call)



MR TW NXESI, MP
MINISTER OF EMPLOYMENT AND LABOUR
DATE: 03/10/2022

Department of Employment and Labour

NO. R. 2693

31 October 2022

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

I, **THEMBELANI WALTERMADE NXESI**, the Minister of Employment and Labour hereby, under section 43 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), made the following amendments to the Regulations for Hazardous Biological Agents as published in Notice No. 46051, in Gazette No. 11406, published on 16 March 2022 as follows:

“vulnerable employee” means an employee who is at a higher risk of injury, disease or complications;

4(2)(j) the differing effects of exposure to hazardous biological agents to men, women, young employees and vulnerable employees, where such difference may exist;

4(3) The employer must ensure that the information, instruction and training referred to in subregulation (2) are provided before an employee is potentially exposed to HBAs.

4(5) An employer or self-employed person must give instructions in writing of the procedures contemplated in subregulation (2)(a) to the drivers of vehicles carrying HBAs.

6(3)(e) what effects the HBA can have on men, women, young employees, including pregnant, immunocompromised and vulnerable employees where such difference may exist;

10(4)(e)(vi) positive static air pressure differential from infectious process to human occupied zones;

ANNEXURE A

CATEGORISATION OF BIOLOGICAL AGENTS ACCORDING TO RISK GROUP

INTRODUCTION

1. Biological agents listed are categorised into the following risk groups on the basis of their ability to cause human disease by infection, allergy and/or toxicity, potential to cause epidemics or pandemics, endemicity in South Africa and availability of curative or prophylactic treatment:

- (a) Risk Group 1 HBA, an HBA that is unlikely to cause human disease;
- (b) Risk Group 2 HBA, an HBA that may cause human disease and be a hazard to exposed persons, which is unlikely to spread to the community and for which effective prophylaxis and treatment is usually available;
- (c) Risk Group 3 HBA, an HBA that may cause severe human disease, which presents a serious hazard to exposed persons and which may present a risk of spreading to the community, but for which effective prophylaxis and treatment may be available; and
- (d) Risk Group 4 HBA, an HBA that cause severe human disease and is a serious hazard to exposed persons and which may present a high risk of spreading to the community, but for which no effective prophylaxis and treatment is available.

Table 4:

Prescribed risk groups for viruses. This list pertains primarily to human pathogens, but also includes other viruses that may be frequently used in experimentation (for example baculovirus for protein expression) or veterinary pathogens that will be likely processed in medical laboratories (for example BSL 4 agents) (*unassigned species refer to species not specifically listed here) (in alphabetic order per family).

BIOLOGICAL AGENT	RISK GROUP	BIOLOGICAL AGENT	RISK GROUP
<i>Adenoviridae</i> (human, all types)	2	<i>Birnaviridae</i>	2
<i>Alphaviridae</i> :		<i>Bornaviridae</i>	2
Chikungunya	3	<i>Bunyaviridae</i> :	

Eastern equine encephalitis	4	Bunyamwera	3
Middelburg	3	California encephalitis	3
Ndumu	3	Crimean-Congo haemorrhagic fever	4
O'nyong-nyong	3	Hanta (all species)	4
Ross river	3	Nairobi sheep disease	3
Semliki forest	3	Rift Valley fever	3
Sindbis	2	Sandfly fever	3
Venezuelan equine encephalitis	4	Shuni	3
Western equine encephalitis	4	St Floris	3
Putative <i>alphaviridae</i> species, or unassigned species	3	Putative <i>bunyaviridae</i> species, or unassigned species (not Hanta)	3
<i>Arenaviridae (mammarenaviruses):</i>		<i>Caliciviridae</i>	
Lassa	4	Hepatitis E	2
Lujo	4	Noro	2
Lymphocytic choriomeningitis virus (neurotropic)	3	Sapo	2
New World mammarenaviruses	4	Putative <i>caliciviridae</i> species, or unassigned species	2
Old World mammarenaviruses (other than Lymphocytic choriomeningitis, lassa and Lujo viruses)	3	<i>Coronaviridae (human):</i>	
Putative <i>arenaviridae</i> species, or unassigned species	4	Middle Eastern Respiratory Syndrome (MERS) (or MERS-like)	3
<i>Astroviridae</i>	2	Severe Acute Respiratory Syndrome (SARS)-1 (or SARS-like) SARS-CoV-2	3 3 (V)
<i>Baculoviridae</i>	2	Putative <i>coronaviridae</i> species, or unassigned species (suspected of causing human disease)	3

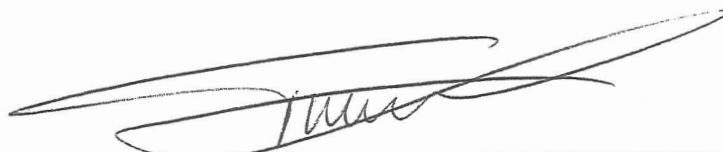
BIOLOGICAL AGENT	RISK GROUP	BIOLOGICAL AGENT	RISK GROUP
<i>Filoviridae</i>		Russian spring summer encephalitis	4
Ebola	4	St Louis encephalitis	3
Marburg	4	Tick-borne encephalitis	4
Putative <i>filoviridae</i> species, or unassigned species	4	Wesselsbron	3
<i>Flaviviridae:</i>		West Nile (including Kunjin)	3
Absettarov	4	Yellow fever (wild type)	3 (V)
Bagaza	3	Zika	3

Banzi	3	Putative <i>flaviviridae</i> species, or unassigned species	3
Bouboui	3	<i>Hepadnaviridae:</i>	
Central European encephalitis	4	Hepatitis B	2 (V)
Dengue	3	Hepatitis D	2
Hanzalova	4	<i>Herpesviridae:</i>	
Hepatitis C	2	Cytomegalo	2
Hepatitis G	3	Epstein Barr	2
Hypr	4	Herpes simplex 1 and 2	2
Israel turkey meningoencephalitis	4	Herpes 6-8	2
Japanese encephalitis	3	Herpes simiae (Herpes B)	4
Kadam	3	Human B lymphotropic	2
Kokobera	3	Varicella zoster	2 (V)
Koutango	3	Putative <i>herpesviridae</i> species, or unassigned species	2
Kumlinge	4	<i>Orthomyxoviridae:</i>	
Kyansanur Forest	4	Avian influenza	3
Langat	4	Dhori	3
Louping ill	4	Influenza (human)	2 (V)
Murray Valley encephalitis	3	Tick borne orthomyxo	2
Negishi	3	Thogoto	3
Ntaya	3	<i>Papovaviridae:</i>	
Omsk	4	JC/BK	2
Powassan	3	Papilloma	2 (V)
Rocio	3	Polyoma	2
San Perlita	3	Simian virus 40 (SV40)	2
Spondweni	3	Putative <i>orthomyxoviridae</i> species, or unassigned species	3
Uganda S	3		
BIOLOGICAL AGENT	RISK GROUP	BIOLOGICAL AGENT	RISK GROUP
<i>Paramyxoviridae:</i>		<i>Poxviridae:</i>	
Hendra	4	Molluscum contagiosum	2
Measles	2 (V)	Monkeypox	4
Mumps	2 (V)	Variola (minor and major)	4
Nipah	4	Yatapox (Tana- and Yabapox)	3

Parainfluenza	2	Reoviridae:	
Rinderpest	4	Bluetongue	2
Putative <i>paramyxoviridae</i> species, or unassigned species	4	Colti	2
Parvoviridae:		Orbi (including Colorado tick fever)	3
Parvovirus (human B19)	2	Reo	2
Picornaviridae:		Rota	2 (V)
Acute haemorrhagic conjunctivitis	2	Retroviridae:	
Coxsackie	2	Human Immunodeficiency	3*
Echo	2	Human T cell lymphotropic	3
Encephalomyocarditis	2	Simian Immunodeficiency	3
Entero	2	Rhabdoviridae:	
Hepatitis A	2 (V)	Rabies	2 (V)
Polio (Type 1, 3) (Type 2)	2 (V) 3	Rabies related (including new, unassigned species)	3
Pneumoviridae:		Putative rhabdoviridae species, or unassigned species	3
Human metapneumo	2	Togaviridae (also see alphaviruses):	
Respiratory syncytial	2	Rubella	2 (V)

* Biosafety level 2 conditions are applicable to clinical specimens and non-culture procedures. Biosafety level 3 conditions are required for all culture procedures.

** Biosafety level 3 conditions are applicable to clinical specimens and non-culture procedures. Biosafety level 4 conditions are required for all culture procedures



MR TW NXESI, MP
MINISTER OF EMPLOYMENT AND LABOUR
DATE: 06/10/2022

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