

Mantsopa Local Municipality

CONTRACT No. MDA 1/2010

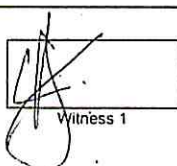
ERADICATION OF BUCKETS IN TWEESPRUIT / BORWA PHASE 3

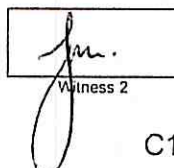
PORTION 2: CONTRACT

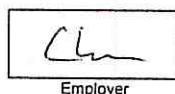
**PART C1.2
Contract Data**

**Annexure C: Health and Safety
Specifications by Employer**


Witness 1


Witness 2


Witness 3


Employer


Witness 4


Witness 5

Mantsopa Local Municipality

CONTRACT No. MDA 1/2010

ERADICATION OF BUCKETS IN TWEESPRUIT / BORWA PHASE

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Annex

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Purpose

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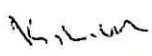
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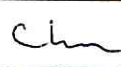
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 Contractor


 Witness 1


 Witness 2


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 Witness 1


 Contractor

Mantsopa Local Municipality

CONTRACT No. MDA 1/2010

PHASE 3 ERADICATION OF BUCKETS IN TWEESPRUIT / BORWA PHASE 3

Annexure C: Health and Safety Specification by Employer

Page No INTRODUCTION

Purpose and Scope

This document describes the requirements of compliance to which the PRINCIPAL CONTRACTOR / CONTRACTOR is to adhere in relation to the scope of works.

This document defines the minimum management requirement that is to be implemented by the PRINCIPAL CONTRACTOR / CONTRACTOR for the management of Health and Safety on the project.

The aim of this document is to present the safety aspects that need to be controlled and managed on the project.

REFERENCE DOCUMENTS

- Occupational Health and Safety Act, (Act No. 85 of 1993)
- Compensation for Occupational Injury and Diseases Act.
- Client Health and Safety Specification.
- Construction Regulations 2003.
- The Construction Kit. (CD)

DEFINITIONS

The following definitions will apply to the Safety Management Plan, acronyms given hereunder shall apply:

Construction / Building Work (as defined by the Occupational Health and Safety Act: Construction Regulations 2003):

Means any work in connection with –

The erection, maintenance, alteration, renovation, repair, demolition or dismantling of or an addition to a building or any similar structure;

The installation, erection, dismantling or maintenance of a fixed plant where such work includes the risk of a person falling;

The construction, maintenance, demolition or dismantling of any bridge, dam, canal, road, railway, runway, sewer or water reticulation system or any similar civil engineering structure; or

The moving of earth, clearing of land or making of an excavation or work on any similar type of work.

Witness 2

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

3.2 Hazard Identification and Risk Assessment and Risk Control (HRA)

Means a documented plan, which identifies hazards, assesses the risks and detailing the control measures and safe working procedures, which are to be used to mitigate and control the occurrence of hazards and risks during construction or operation phases.

3.3 Site

Means the area in the possession of the PRINCIPAL CONTRACTOR / CONTRACTOR for the construction of the works. Where there is no demarcated boundary it will include all adjacent areas which are reasonably required for the activities for the PRINCIPAL CONTRACTOR / CONTRACTOR, and approved for such use by the Engineer and/or client.

3.4 The Act

Means, unless the context indicates otherwise, the Occupational Health and Safety Act, 1993 (ACT No. 85 of 1993) and Regulations promulgated there under. (OHSA)

3.5 Hazard

Means a source of or exposure to danger (source which may cause injury or damage to persons, or property)

3.6 Risk

Means the probability or likelihood that a hazard can result in injury or damage

3.7 Principal Contractor / Contractor's – Responsible Person/s

Means any person appointed in writing by the PRINCIPAL CONTRACTOR / CONTRACTOR to supervise construction or building work. The appointment shall be as required by the OHSA which shall stipulate health and safety responsibilities, area of responsibility and the proposed duration of the project.

3.8 Hazardous Chemical Substance (HCS)

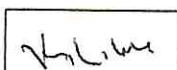
Means any toxic, harmful, corrosive, irritant or asphyxiant substance, or a mixture or substances for which an occupational exposure limit is prescribed, or an occupational exposure limit is not prescribed, but which creates a hazard to health.

3.9 Construction Plant (TEM)

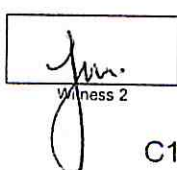
Encompasses all types of plant including but not limiting to, cranes, piling frames, boring machines, excavators, dewatering equipment and road vehicles with or without lifting equipment.

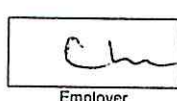
3.10 Contractor

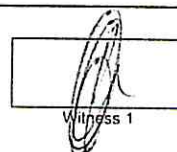
Means "subcontractor".

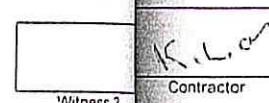

Contractor


Witness 1


Witness 2


Employer


Witness 1


Contractor

Health and Safety Program

Encompasses the PRINCIPAL CONTRACTOR / CONTRACTOR safety planning spreadsheet.

Health and Safety Plan (HSP)

The content of this document which will be made available on site for inspection by an inspector, Technical Officer, Agent, subcontractor, employee, registered employee organisation, health and safety representative, or member of the health and safety committee.

Health and Safety File

Describes the safety file holding all records on health and safety for the project, which shall be available at all times for evaluation, and copy of which will be forwarded to the client upon completion of the project.

RESPONSIBILITIES

Notification of Intention to Commence Construction Work

It is essential for the PRINCIPAL CONTRACTOR / CONTRACTOR to notify the Provincial Director of the Department of Labour, immediately upon receipt of the Letter of Acceptance of project commencement in accordance with the following requirements:

- The demolition of a structure exceeding a height of 3 meters; or
- The use of explosives to perform construction work; or
- The dismantling of fixed plant at a height greater than 3 meters; or
- The work exceeds 30 days or will involve more than 300 person days of construction work; and
- Includes excavation work deeper than 1 meter; or
- Includes working at a height greater than 3 meters
- above ground or a landing

A copy of the notification letter to the Provincial Director must be forwarded to the CLIENT for the CLIENTS records.

Assignment of PRINCIPAL CONTRACTOR / CONTRACTORS Responsible Persons to Supervise Health and Safety on Site

The PRINCIPAL CONTRACTOR / CONTRACTOR shall appoint in writing a Contracts Manager and a Construction Work Supervisor as a minimum prior to commencing work on site and copies of all the appointment letters of the responsible persons shall be forwarded to the CLIENT prior commencement of work on site.

Safety Officer Appointment

The appointment of a full-time safety officer is optional, however it is compulsory to provide the name and CV of your elected part-time safety officer to the CLIENT prior work commencing on site. The safety officers shall be tasked with monthly inspections of the site, the results of which shall be forwarded to the CLIENT or his appointed representative.

Witness 2
Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

4.4 Risk Assessment Competent Person

The PRINCIPAL CONTRACTOR / CONTRACTOR shall appoint a competent person in writing at the commencement of the project to control the risk assessment process on site.

4.5 Competency for PRINCIPAL CONTRACTOR / CONTRACTORS Responsible Persons

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that all management persons (responsible for health and safety) shall undergo a half-day Health and Safety Management Course, which is to be arranged and conducted by the CLIENT prior to commencement of activities on site.

4.6 Health and Safety Plan

The PRINCIPAL CONTRACTOR / CONTRACTOR shall provide to the CLIENT, a Health and Safety Plan in accordance with this Specification. The Health and Safety Plan shall be submitted for approval to the CLIENT before work commences on site.

4.7 Health and Safety Representatives

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure at least one (1) Health and Safety Representative be nominated, elected and trained to carry out his / her functions in his / her area of responsibility. This shall also be required in areas where less than fifty (50) employees are engaged in activity. The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure employees elected shall be designated in writing for a specific area and period of time.

The designated persons shall be required to conduct monthly inspections within their area of responsibility. The records must be kept for CLIENT auditing purposes and that deviations recorded are reported to the responsible supervisor within the designated persons area so that appropriate action can be taken.

The designated person/s shall be permitted to participate in the Joint Health and Safety Committee Meetings.

5. OBJECTIVES AND TARGETS

The PRINCIPAL CONTRACTOR / CONTRACTOR shall include in the Health and Safety Plan the PRINCIPAL CONTRACTOR / CONTRACTORS objectives and targets for the project.

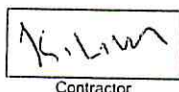
5.1 Planning and Procedures

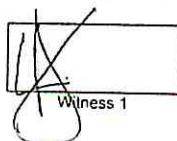
The PRINCIPAL CONTRACTOR / CONTRACTOR shall define in the Health and Safety Plan, the methodology of planning to be used on the project and the procedures to be adhered to. The PRINCIPAL CONTRACTOR / CONTRACTOR shall be required to utilise the NOSA Construction Kit as a minimum on the Project.

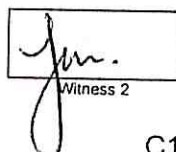
6. IMPLEMENTATION OF THE OCCUPATIONAL HEALTH AND SAFETY SPECIFICATION

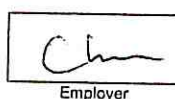
The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that the CLIENT Health and Safety Specification is implemented on the project through the PRINCIPAL CONTRACTOR / CONTRACTORS Health and Safety Plan which must be submitted to the CLIENT for approval prior work commencing on site.

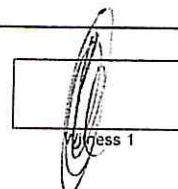
7. APPLICATION OF THE HEALTH AND SAFETY SPECIFICATION

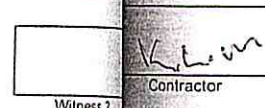

Contractor


Witness 1


Witness 2


Employer


Witness 1


Contractor

7.1 Competent

The PRINCIPAL CONTRACTOR shall provide a competent person in writing at the commencement of the project to control the risk assessment process on site.

The PRINCIPAL CONTRACTOR shall ensure that all management persons (responsible for health and safety) shall undergo a half-day Health and Safety Management Course, which is to be arranged and conducted by the CLIENT prior to commencement of activities on site.

7.2 Occupational Health and Safety Plan

The PRINCIPAL CONTRACTOR shall provide to the CLIENT, a Health and Safety Plan in accordance with this Specification. The Health and Safety Plan shall be submitted for approval to the CLIENT before work commences on site.

7.3 Hazard Identification and Risk Assessment

The PRINCIPAL CONTRACTOR shall ensure at least one (1) Health and Safety Representative be nominated, elected and trained to carry out his / her functions in his / her area of responsibility. This shall also be required in areas where less than fifty (50) employees are engaged in activity. The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure employees elected shall be designated in writing for a specific area and period of time.

All Risk Assessment records must be kept for CLIENT auditing purposes and that deviations recorded are reported to the responsible supervisor within the designated persons area so that appropriate action can be taken.

The PRINCIPAL CONTRACTOR shall define in the Health and Safety Plan, the methodology of planning to be used on the project and the procedures to be adhered to. The PRINCIPAL CONTRACTOR / CONTRACTOR shall be required to utilise the NOSA Construction Kit as a minimum on the Project.

The PRINCIPAL CONTRACTOR shall ensure that the CLIENT Health and Safety Specification is implemented on the project through the PRINCIPAL CONTRACTOR / CONTRACTORS Health and Safety Plan which must be submitted to the CLIENT for approval prior work commencing on site.

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Method Statement shall be conducted in accordance with the Health and Safety Plan.

7.4 Health and Safety Plan

The PRINCIPAL CONTRACTOR shall ensure that the CLIENT Health and Safety Specification is implemented on the project through the PRINCIPAL CONTRACTOR / CONTRACTORS Health and Safety Plan which must be submitted to the CLIENT for approval prior work commencing on site.

The PRINCIPAL CONTRACTOR shall ensure that the CLIENT Health and Safety Specification is implemented on the project through the PRINCIPAL CONTRACTOR / CONTRACTORS Health and Safety Plan which must be submitted to the CLIENT for approval prior work commencing on site.

Compensation of Occupational Injuries and Diseases Act, Act No. 130 of 1993 (COIDA)

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure a letter of good standing will be provided to the CLIENT prior to work commencing on site for reference purposes as proof of good standing.

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure all other PRINCIPAL CONTRACTOR / CONTRACTORS appointed also comply with the above requirements defined in the COIDA.

Occupational Health and Safety Policy

The PRINCIPAL CONTRACTOR / CONTRACTOR Health and Safety Policy is to be attached to the Health and Safety Plan for review by the CLIENT.

Hazard Identification Risk Assessment (HIRA)

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that Hazard Identification Risk Assessment forms the basis of all work to be conducted on site, and a concordance Task Risk Assessment be submitted for approval to the CLIENT prior to work commencing on site. The CLIENT shall provide a copy of the Task Risk Assessment or the format provided on the NOSA Construction Kit CD.

Risk Assessments conducted on site must be forwarded to the CLIENT for approval.

The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that training forms part of the HIRA process and proof of training attendance is made available to the CLIENT upon request.

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure a HIRA team be established comprising members as follows, but not limited to:

- Health and Safety Representative(s).
- Health and Safety Committee Member(s).
- Management Representative / PRINCIPAL CONTRACTOR / CONTRACTOR.
- Person with skill / knowledge of task to be performed.

Method Statements and Safe Work Procedures must form part of the HIRA Process and must be conducted in conjunction with the HIRA Process described above.

Health and Safety Committee

The PRINCIPAL CONTRACTOR / CONTRACTOR shall convene a health and safety committee meeting monthly. All members required to be in attendance shall be notified of such meeting by means of a formal agenda which must be made available to the CLIENT upon request.

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure an attendance register and minutes are kept for auditing purposes by the CLIENT. A copy of all minutes must be forwarded to the CLIENT monthly.

Witness 2

Witness 1

Witness 2

Employer

Witness 1

Witness 2

7.5 Health and Safety Training

Training of personnel is a legal requirement and a necessity and is required of the PRINCIPAL CONTRACTOR / CONTRACTOR to provide to the CLIENT a training Matrix which must be included in the Health and Safety Plan to be submitted prior work commencing on site.

Training should include the following but is not limited to:

7.5.1 Induction Training

Induction training must be attended by all PRINCIPAL CONTRACTOR / CONTRACTORS with the CLIENT which shall be separate to the PRINCIPAL CONTRACTOR / CONTRACTORS own induction training requirement. The PRINCIPAL CONTRACTOR / CONTRACTOR must keep records of attendees to the induction and provide records of the same during the CLIENT site audits.

7.5.2 Awareness Training (Toolbox Talks)

Weekly awareness training must be conducted and records of these must be made available to the CLIENT upon request.

7.5.3 Competency

Training identified through the HIRA Process and conducted through this process shall be kept on file as proof of competency and training and must be made available to the CLIENT upon request. (This shall include operator accordance training and assessments)

7.5.4 First Aid and Health & Safety Representative Training

PRINCIPAL CONTRACTOR / CONTRACTORS shall provide proof of competency of all Health and Safety Representatives elected and designated, including first aiders to the CLIENT, which must be available on site for auditing purposes.

7.6 General Record Keeping

The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that all the Health and Safety records required by both the Occupational Health and Safety Act, 85 of 1993 and Regulations are kept for reference purposes and auditing by the CLIENT.

Further to the requirements set out above, the PRINCIPAL CONTRACTOR / CONTRACTOR must also maintain records that may be defined through the risk assessment process, for auditing purposes.

In accordance with the requirements set out in the Construction Regulations 2003 and the requirements set out in the CLIENT Specification the PRINCIPAL CONTRACTOR / CONTRACTOR must ensure a copy of all Health and Safety records generated during the course of construction, are handed over to the CLIENT upon completion of construction.

7.6.1 Statistics

The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure injury and incident records (Near Misses, First Aid, Medical cases, Disabling Lost Time Incidents), training etc. referred to above are kept on site and submitted monthly to the CLIENT. All documents shall be made available to the CLIENT.

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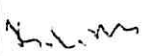
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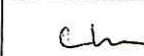
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 Witness 1


 Witness 2


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The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that the first aid box is adequately stocked at all times and is accessible to all.

The CLIENT shall inspect the contents of the first aid box and dressing record from time to time to ensure effectiveness.

7.9.2 Accident and Incident Reporting and Investigation

Should an accident or incident occur, the PRINCIPAL CONTRACTOR / CONTRACTOR shall conduct an investigation into the incident. The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that a competent person be appointed in writing to conduct the said investigation. The procedure to be followed must be in accordance with the OHSA requirement on the Annexure 1 – Recording and Investigation Incident form.

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that the results of all investigations are communicated to the employees engaged through incident recall and prescribed meetings. The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that the investigations are kept for record purposes in accordance with the prescribed requirements set out in the OHSA.

Should there be an incident, the CLIENT must be notified within 24-hours, of the occurrence. The CLIENT reserves the right to participate in all investigations into accidents or incidents.

7.10 Hazards and Potentially Hazardous Situations

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that all other PRINCIPAL CONTRACTOR / CONTRACTORS are warned of hazardous or potentially hazardous situations, which may prevent them from effectively performing their duties, which includes the placement of adequate warning signs.

7.11 Personal Protective Equipment and Clothing

The PRINCIPAL CONTRACTOR / CONTRACTOR shall comply with OHSA requirements to provide PPE.

The PRINCIPAL CONTRACTOR / CONTRACTOR shall through the HIRA process identify the specific PPE needs per activity and then issue the PPE accordingly. (Reference to the OHSA General Safety Regulation 2 – Employer to provide Personal Protective Equipment) .

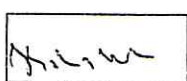
Should PPE be lost or stolen, then the employee will be issued with a new set of PPE by the PRINCIPAL CONTRACTOR / CONTRACTOR.

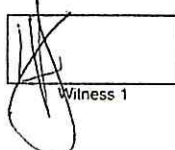
The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure adequate training in the use of PPE is provided to all employees, and proof of training shall be kept at the office for audit purposes.

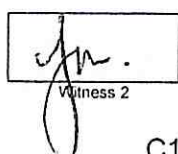
Overalls and hardhats shall be identifiable. (Principal PRINCIPAL CONTRACTOR / CONTRACTOR's different from the PRINCIPAL CONTRACTOR / CONTRACTOR's).

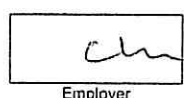
PPE must be provided to visitors as well.

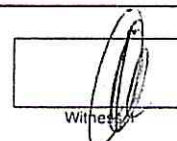
7.12 Safety Signage



Contractor


Witness 1


Witness 2


Employer


Witness 3


Contractor

The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that the first aid box is adequately stocked at all times and is accessible to all.

The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that the investigations are kept for record purposes in accordance with the prescribed requirements set out in the OHSA.

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The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that the investigations are kept for record purposes in accordance with the prescribed requirements set out in the OHSA.

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PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that the investigations are kept for record purposes in accordance with the prescribed requirements set out in the OHSA.

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The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that the investigations are kept for record purposes in accordance with the prescribed requirements set out in the OHSA.

- The excavation major conditions
- All excavation excavation;
- The safe work and
- The safe work at all times.
- For high-risk

PRINCIPAL CONTRACTOR / CONTRACTOR must assess the Health and Safety Signage requirements in conjunction with the HIRA's conducted and place the signage at strategic positions on the works accordingly.

PRINCIPAL CONTRACTOR / CONTRACTOR shall also maintain the signage to ensure its effectiveness at all times and under all conditions. Signage, which cannot be repaired, must be replaced.

Permits

- The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that access to site works is restricted to construction personnel.
- All attempts must be made to restrict spectator access.
- Access to the site shall be by the CLIENT's authorisation on the prescribed form. (Permits and ID cards shall be issued by the client)
- Special permits for hot work and isolation permits shall be applied for to the CLIENT representative prior to commencing with the activity.

Contractors and Suppliers

PRINCIPAL CONTRACTOR shall enter into an Agreement with Mandatary in terms of Section 37(2) of the Occupational Health and Safety Act, 85 of 1993, with the CLIENT and all other CONTRACTOR's appointed by the PRINCIPAL CONTRACTOR.

PRINCIPAL CONTRACTOR / CONTRACTOR shall also be required to appoint its CONTRACTOR's in accordance with Construction Regulation 5(3)(b).

PRINCIPAL CONTRACTOR must ensure all other CONTRACTORS are issued with the CLIENT Safety Specification where reasonably practicable. The PRINCIPAL CONTRACTOR shall assist and ensure CONTRACTORS engaged comply with all of these requirements and adhere to the requirements set out in the OHSA.

PRINCIPAL CONTRACTOR / CONTRACTORS will be stopped from working in the event of unsafe conditions and activities being observed.

HEALTH AND SAFETY IN PRACTICE

Excavations

PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that all activities involving excavations, boring, dewatering or drainage, a safe working procedure is submitted to the project engineer for approval prior to work commencing. Excavation work exceeding the specified depth as stipulated in the OHSA regulations, must comply with the following requirements:

The excavations are inspected before the shift starts, after heavy rain (inclement weather) and after any major condition which may effect the excavations stability and the findings are to be recorded and kept; All excavations regardless of the depth shall be adequately barricaded to prevent persons falling into the excavation;

The safe working procedure shall be communicated to all employees who may be effected by the work; and

The safe working procedures shall be enforced and maintained by the appointed excavation supervisor at all times.

For high-risk activities, all personnel working in the excavation shall be attached by means of a lifeline.

Witness 2
Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

- f) Material excavated shall be removed from the point of excavation.
- g) Ensure stability of adjoining structures.

The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that a competent person be appointed in writing to control all excavating activities during construction.

8.2 Demolition

The PRINCIPAL CONTRACTOR / CONTRACTOR must appoint a competent person in writing to supervise and control all demolition work on site.

The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that prior to any demolition work being carried out, and in order also to ascertain the method of demolition to be used, a detailed structural engineering survey of the structure to be demolished is carried out by a competent person and that a method statement on the procedure to be followed in demolishing the structure is developed and provided to the CLIENT on request.

During the demolition, the competent person shall check the structural integrity of the structure at regular intervals determined in the method statement. In order to avoid any premature collapses.

It is important for the PRINCIPAL CONTRACTOR / CONTRACTOR to ensure compliance against the requirements of the Construction Regulation 12, as the CLIENT shall conduct ad hoc inspections to ensure compliance.

8.3 Explosives and Blasting

The PRINCIPAL CONTRACTOR shall ensure where blasting is required with the use of explosives, full compliance with the Explosives Regulations.

The PRINCIPAL CONTRACTOR must ensure that all work carried out in under the supervision of a competent person as defined in the Explosives Regulations which requires the competent person to have sufficient training and experience in, and knowledge of, the health and safety aspects of explosives deemed appropriate by the National Explosives Council or any other organization approved by the Director of occupational health and safety.

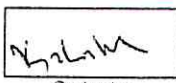

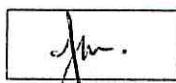
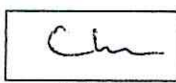


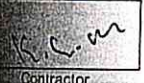
The PRINCIPAL CONTRACTOR must ensure a detailed blasting plan, emergency plan and site layout plan is submitted for approval to the CLIENT.

8.4 Stacking of Materials and Housekeeping

The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that all stacking will be supervised by a person competent and appointed in writing to supervise over the activities, and that clearly defined and allocated storage areas are provided for and identified, and that materials being stored within this area are stacked in accordance with sound stacking principles of sort-by-sort, access to be maintained, level surface, and the height will not exceed three times the base width.

Housekeeping must also be maintained at all times as this will be inspected and evaluated by the CLIENT during monthly audits.

8.5 Hazardous Chemical Substances

 Contractor	 Witness 1	 Witness 2	 Employer	 Witness 1	 Witness 2	 Contractor
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The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure the necessary training and information regarding the use and storage of HCS is provided to all personnel, and that the use and storage of HCS is carried out as prescribed by the HCS Regulations.

Furthermore, the PRINCIPAL CONTRACTOR / CONTRACTOR must ensure that all chemicals brought to the site have a Material Safety Data Sheet (MSDS) and the users are made aware of the Occupational Hazards and precautions that need to be taken when using the chemical.

The First Aider must also be made aware of the MSDS and how to treat HCS incidents appropriately.

Access to all HCS records shall be afforded to the CLIENT at all times.

Fuel / Diesel

- Bulk storage areas must be demarcated, secured and sign posted with the relevant warning pictograms.
- Bulk storage areas must be adequately bunded to ensure containment of 110% of the stored product.
- Re-fuelling must be conducted in designated re-fuelling areas only.
- Spill-kits must be available at all times in these designated areas.
- The surface of the bunded areas and walls must be of impermeable material.
- The bunded area must be sloped towards a collection pit.

Asbestos

The PRINCIPAL CONTRACTOR / CONTRACTOR must ensure the provincial director be notified prior to commencement of working with asbestos on this Project, and proof of such notification must be forwarded to the CLIENT for record purposes.

The PRINCIPAL CONTRACTOR must also ensure that all personnel and CONTRACTORS comply with the requirements of the Asbestos Regulations and that where work is to be done with Asbestos, only an approved asbestos contractor be used.

The CLIENT will conduct ad hoc inspections to verify compliance in this regard.

Plant and Machinery

Construction Plant

- All plant must comply with the OHS Act requirements in relation to operation and maintenance thereof.
- Records of service and maintenance of the vehicles must be of a high standard at all times.
- All plant shall subject to design be fitted with back-up alarms and audible indicating devices.
- The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that all construction plants moving parts are adequately protected.
- Pre-start inspections shall be conducted on all motorised equipment daily, deviations of such inspections shall be recorded.
- Construction plant identified for use shall be operated by a trained and authorised operator only.

Witness 2

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

- All construction plant shall be operated under the direct supervision of a person competent to identify potential hazards in the work he is conducting.
- Work involving the use of construction plant shall be conducted in accordance with an approved Risk Assessment.
- The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure all operators are equipped with the necessary PPE namely; safety shoes, overall, safety glasses, and gloves.
- All Plant shall be fitted with an extinguisher where practicable.
- Washing shall be conducted in the designated washing areas.

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure the all equipment moving to and from site is adequately secured, and that all PRINCIPAL CONTRACTOR / CONTRACTORS abide by the requirement.

The PRINCIPAL CONTRACTOR / CONTRACTOR must provide proof of medical and psychological fitness including training of all operators engaged in the construction activity.

8.7.2 Transport of Personnel

- Should it be necessary for the PRINCIPAL CONTRACTOR / CONTRACTOR to transport their personnel to site, only safe vehicular transport must be provided. This shall include proper seating, side restraints and cover.
- No personnel shall be permitted to travel on any plant or equipment on the site works.
- Road safety principles shall be adhered to on and off site.

8.7.3 Vessels under Pressure (VuP) or Gas Bottles

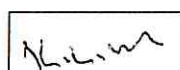
The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure they comply at all times with the requirements of Vessels under Pressure Regulations, with specific reference to the following:


- Ensuring all Equipment owned and hired-in Vessels under pressure, comply with the 36 month pressure vessel inspection, and a certificate of testing is available on site for inspection by the CLIENT.
- Ensuring that all personnel who shall use this equipment are competent and trained.
- Ensuring the users of this equipment are issued with the required PPE.
- Ensuring the area is adequately identified as a noise area and warnings are posted.
- Ensuring daily pre-start inspections are carried out on all the equipment and the findings recorded.
- Ensuring the correct fire prevention and fighting equipment is available at all times.
- Noise levels where possible shall be kept within reasonable operating norms.
- Ensure proper use and storage of gas during construction which may include trolleys upon which bottles are moved and chains to prevent bottles falling over.

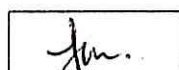
The inspection of these activities will be included in the CLIENT's monthly safety audits.

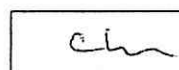
8.7.4 Fire Equipment

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that all fire equipment to be used on site comply with the following:


Contractor

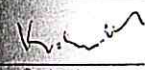

Witness 1


Witness 2


Employer


Witness 1


Witness 2


Contractor

to be used

- Extinguishers shall be placed in positions to ensure fast and easy access is maintained at all times.
- Placement of all extinguishers shall be depicted with the required pictograms.
- Extinguishers shall be serviced once annually, and after discharge or visible signs of depressurisation.
- The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure all employees are adequately trained in the safe use of the extinguishers and proof of training is kept on site for inspection by the CLIENT.
- The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure a person is appointed to inspect the extinguishers on a monthly basis and the results of which are to be entered into a register designed for that purpose.

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure the following criteria is adhered to when considering hired plant and machinery:

- Hired plant must be checked for safety compliance prior to being accepted for use on site, should a deviation be identified, the CLIENT reserves the right to order the removal of such equipment from site.
- Should hired equipment be accompanied by an operator, The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that the operators competency be verified and the operator undergo an induction training session.
- The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure the operators of hired plant attend weekly toolbox talks in conjunction with The PRINCIPAL CONTRACTOR / CONTRACTOR site personnel.
- The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that all operators are equipped with the required PPE before commencing work on site.

Work involving scaffolding and work at heights shall comply with the requirements set out in the Construction Regulations 2003 pertaining to these activities with reference to the SABS 085 code of practice.

All protection planning shall be done in conjunction with the risk assessment process and a Fall Protection Plan shall be provided to the CLIENT for approval prior any work involving work at heights is conducted.

the scaffold shall be erected under the control of a person trained and appointed to conduct such scaffold erection.

deviations found on any scaffolding, will result in the activity being stopped by the CLIENT until such time as compliance can be achieved.

Witness 2

8.7.7 Lifting Machinery and Tackle (Includes Tower Cranes)

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that the use of Lifting Machinery and Tackle is done in accordance with the requirements of the Regulations, which include but not limited to the following:

- Lifting machinery and tackle to be used on site shall be marked with the Maximum Mass Load (MML), which is the safe limit in which the equipment may be used.
- Inspections on Lifting Machines and Lifting Tackle shall be inspected once per month on the register provided and the findings recorded.
- Daily pre-start checks shall also be conducted on all Lifting Machinery and Tackle.
- Records shall be kept of all lifting machinery and tackle inspections and Load Tests.
- Load tests shall be conducted a minimum of once per annum, and a certificate of compliance shall be kept on record.
- A valid logbook shall be maintained for all lifting machinery, which will comply with a minimum six-monthly service and maintenance.
- Lifting machinery shall be operated under supervision at all times with a trained banksman who shall inspect all tackle before each lift.
- All lifting equipment operators shall be trained once every two years and a copy of such training shall be attached to the appointment, which is to be made on site.
- The Operators shall be tested for medical fitness.

8.7.8 Ladders and Ladder Work

The following requirements shall be complied with regarding Ladders and Ladder work:

- Ladders shall be clearly numbered, and inspected on the register provided.
- A competent person shall be identified and appointed as the ladder inspector.
- Where aluminium ladders cannot be used, then wooden ladders shall be straight grained, unpainted to allow for proper inspection of the grain for cracking.
- Ladders shall be secured at the top and chocked at the base to prevent slipping.
- Where chocking of the base is not possible, then the user shall ensure that the ladder is held in position by another employee when ascending the ladder.
- Ladders shall be inspected a minimum once per month by the person appointed as the ladder inspector.
- Proper storage shall be provided for all ladders when not in use.

8.7.9 General Machinery

In accordance with General Machinery Regulation 2(1), The PRINCIPAL CONTRACTOR / CONTRACTOR shall:

- Ensure a competent person be appointed as defined in the above clause from the Occupational Health and Safety Act, 85 of 1993 and Regulations, to service and maintain all machinery in use on site.
- The PRINCIPAL CONTRACTOR / CONTRACTOR shall appoint additional competent persons to assist the competent person mentioned above in accordance with General Machinery Regulation 2(7)(a), as and when required.
- The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that records are maintained of all services conducted.

8.7.10 Lighting and

The PRINCIPAL Contractor shall ensure that the site is fitted with suitable lighting.

The PRINCIPAL Contractor shall ensure that the site is fitted with suitable lighting.

8.7.11 Portable Electrical Equipment

The PRINCIPAL Contractor shall ensure that the site is fitted with suitable lighting.

8.7.12 Public Health and Safety

In the interest of the public, the Contractor shall ensure that the site is fitted with suitable lighting.

This awareness shall be maintained throughout the project.

8.7.13 Night Work

Night work shall be avoided wherever possible. If it is unavoidable, the Contractor shall ensure that the site is fitted with suitable lighting.

8.7.14 Facilities

The PRINCIPAL Contractor shall ensure that the site is fitted with suitable lighting.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

Contractor

- The PRINCIPAL CONTRACTOR / CONTRACTOR shall provide to the CLIENT a copy of the above appointments prior to work commencing on site.

10 Lighting and Power

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure lighting circuits and power circuits are installed with suitable earth leakage systems and installed by an approved authority.

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that:

- Earth leakage system will be tested monthly.
- Malfunctions shall be repaired immediately or replaced.
- Lighting shall be so positioned as not to interfere with construction activities.
- Lighting shall be provided to ensure adequate visibility under all conditions.
- Lighting and electrical installations shall be weather proof.

11 Portable Electrical Tools / Explosive Power Tools

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure the following procedure is adhered to regarding Portable Electrical Tools and Explosive Powered tools:

- Minimum compliance with legislation.
- Only competent persons shall be permitted to conduct routine and monthly inspections on the equipment.
- Persons competent to inspect the equipment must be appointed in writing.
- Persons must be trained to operate such equipment and must be appointed and shall be the only authorised person to operate the equipment.
- The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure operation of the equipment is in accordance with an approved Risk Assessment and Safe Working Procedure.
- All users shall undergo regular awareness training to ensure compliance.
- The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure the required PPE and clothing is provided and maintained.

12 Public Health and Safety

In the interests of public safety, The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that all persons who may be affected by the work being conducted on site are informed and kept aware of the dangers, which may arise from the work being conducted on site.

This awareness shall be in the form of posters and inductions for visitors to site and warning signs.

13 Night Work

Night work shall only be conducted upon approval of the CLIENT, with the same safety standard being applied for these activities as with day work activities.

14 Facilities for Safe Keeping / eating areas

The PRINCIPAL CONTRACTOR / CONTRACTOR shall ensure that adequate facility is provided for the personnel on site. The area shall be provide the following:

Witness 2

Contractor

Witness 2

Employer

Witness 1

Witness 2

- Sufficient seating;
- Seating under cover;
- Protected change room;
- Toilets.
- Hand wash facility.
- Potable water.

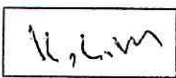
9. MA

No food preparation shall be permitted on site and designated eating areas will be made to allow adequate seating.

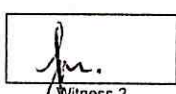
Waste bins must be provided with plastic liners and must be strategically placed and cleared regularly.

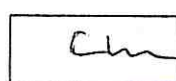
Compensation

AGREEMENT
TO BE INITIAL

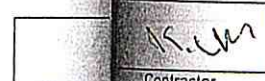

Contractor


Witness 1


Witness 2


Employer


Witness 1


Contractor

MANDATORY AGREEMENT

AGREEMENT WITH MANDATORY

OCCUPATIONAL HEALTH AND SAFETY ACT, (Act No 85 of 1993)

AGREEMENT WITH MANDATORY In terms of Section 37(1) and (2)

WRITTEN AGREEMENT ENTERED INTO AND BETWEEN

(Hereinafter referred to as the Company)

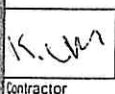
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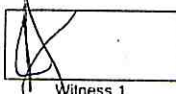
CONTRACTOR

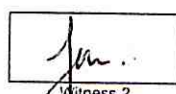
(Hereinafter referred to as The Contractor)

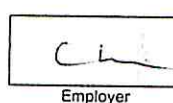
Compensation Fund Number: _____

AGREEMENT WITH MANDATORY TO BE COMPLETED IN BLACK INK AND EACH PAGE AND CHANGE TO BE INITIALLED.


Contractor


Witness 1


Witness 2


Employer


Witness 1


Witness 2

Definition of Mandatory

Includes an agent, a contractor or sub-contractor for work, but without derogating from his status in his own right as an employer or user.

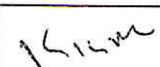
Occupational Health and Safety Act (No. 85 of 1993)

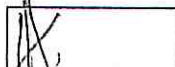
1. You are requested to, as far as you reasonably can, comply with the requirements of the OHS Act and Regulations.
2. Your attention is drawn to "General Duties of Employers to their Employees" as required by Section 8 of the Act
3. You are required to:

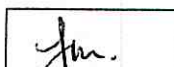
- 3.1. Sign a written "Agreement with Mandatory" as required by Sect 37(1)(2) of the Act with the client before you commence any work on my / our premises / site.
- 3.2. Provide the client / principal contractor with a documented health and safety plan.
- 3.3. Provide the client / principal contractor with written appointment of the person who is going to supervise the construction work as per Construction Regulation 6(1).

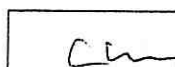
Note: Electrician to provide copy of certificate of registration as per Elect. Install Reg. 9(3).

- 3.4. Provide the client / principal contractor with written designation of your nominated Health and Safety Representative as per Sect 17(1).
- 3.5. If you employ more than five (5) persons, you are required to provide your own First Aid Kit. (General Safety Regulation 3 (2).)
- 3.6. If you employ more than ten (10) persons, you are required to provide your own qualified First Aider as per General Safety Regulation 3(4).
- 3.7. When working with hazardous chemical substances, comply with Hazardous Chemical Substances Regulation 3. Note: Asbestos and Lead regulations are separate.
- 3.8. When using a Materials Hoist, comply with Construction Regulation 17.
- 3.9. When using Lifting Machines and Lifting Tackle, comply with Driven Machinery Regulation 18.
- 3.10. When using Explosive Powered Tools, comply with Construction Regulation 19.
- 3.11. When using Scaffolding, Formwork and support work, comply with Construction Regulation 10 and 14.
- 3.12. When Excavating or Demolishing, comply with Construction Regulation 11 and 12.


Contractor


Witness 1


Witness 2


Employer


Witness 1


Contractor

3.13. When Welding, Flame Cutting, Soldering, comply with General Safety Regulation 9.

3.14 When working in confined spaces, comply with General Safety Regulation 5.

You are responsible for providing your own legal safety documents and registers to comply with the Act's requirements. A copy of the OHS Act of 1993 should be available in the main contractors office.

You are required to comply with General Safety Regulation 2(1) to (7) and provide employees with: personal protective equipment which will allow them to carry out their work in a safe manner, e.g. hard hats, safety belts, gloves, safe footwear, eye protection, ear protection, waterproof clothing etc.

Reporting of Incidents and Occupational Diseases shall be done as per General Admin. Regulation 6. (Also see Sect 24 of the Act.)

Compensation for Occupational Injuries and Diseases Act (No 130 of 1993)

are required to provide the client proof of registration with the Compensation Commissioner/Federated Employer's Mutual within seven (7) days after signing this agreement. Failure to do so would result in the agent notifying the agent of the Commissioner to investigate and make an assessment of your wage return the applicable levy you have to pay, which will be liable for a deduction from your monthly progress payments and paid over to the Commissioner. (Copies of proof of payment will be provided to the contractor) Section 89(1) of the COID Act.

6.1. AGREEMENT WITH MANDATORY In terms of Section 37 (1) and (2)

10. MEASUREMENT

10.1 Principle

It is a condition of the tender that the contractor shall be associated with the Preliminary

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b)

The keeping of the duty of the included in

Section 37 (1)	<p>Whenever an employee does or omits to do any act which it would be an offence in terms of this Act for the employer of such employee or a user to do or omit to do, unless it is proved that –</p> <ul style="list-style-type: none"> a) in doing or omitting to do that act the employee was acting without the connivance or permission of the employer or any such user; b) it was not under any condition or in any circumstance within the scope of the authority of the employee to do or omit to do an act, whether lawful or unlawful, the character of the act or omission charged; and c) all reasonable steps were taken by the employer or any such user to prevent the act or omission of the kind in question, <p>the employer or any such user himself shall be presumed to have done or omitted to do that act, and shall be liable to be convicted and sentenced in respect thereof; and the fact that he issued instructions forbidding any act or omission of the kind in question shall not, in itself, be accepted as sufficient proof that he took all reasonable steps to prevent the act or omission.</p> <p>The provisions of subsection (1) shall "mutatis mutandis" apply in the case of the mandatory of any employer or user, except if the parties have agreed in writing to the arrangements and procedures between them to ensure compliance by the mandatory with the provisions of the Act.</p>
Section 37 (2)	

I, (Responsible person) for, (Company)
appoint, (Contractor) at the following premises / site:

Period:

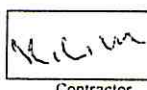
AUTHORISED SIGNATORY FOR THE COMPANY (PRINCIPAL CONTRACTOR)

Signature	Designation	Date

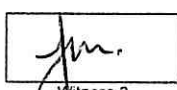
ACCEPTANCE SIGNATORY FOR THE CONTRACTOR

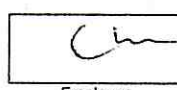
I, hereby acknowledge receipt of and accept and understand the requirements of this agreement and shall ensure compliance with the OHS Act 85, of 1993.

Signature	Designation	Date


Contractor

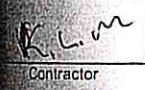

Witness 1


Witness 2


Employer


Witness 1


Witness 2


Contractor

MEASUREMENT AND PAYMENT

Principles

It is a condition of this contract that Contractors who submit tenders for this contract, shall make provision for the cost of all health and safety measures during the construction process. All associated activities and expenditure are deemed to be included in the Contractor's tendered rates against Preliminary and General items included for this work.

a) Safety personnel

The Construction Supervisor, the Construction Safety Officer, Health and Safety Representatives, Health and Safety Committee and Competent Persons referred to shall be members of the Contractor's personnel, and no additional payment will be made for the appointment of such safety personnel.

b) Records and registers

The keeping of health and safety-related records and registers as described is regarded as a normal duty of the Contractor for which no additional payment will be considered, and which is deemed to be included in the Contractor's tendered rates and prices.

END OF SECTION

Witness 2

Witness 1

Witness 2

Employer

Witness 1

Witness 2