

## HEALTH AND SAFETY CONTRACT FOR CONTRACTORS, PRODUCTION COMPANIES AND ARTISTS

### Contents

| Item Description   | Page |
|--|------|
| 1 General Note   | 2    |
| 2 <b>Contract between Employer and Contractor</b>        | 3    |
| 3 <b>Form of undertaking in respect with the</b>         |      |
| <b>OHS Act 85 of 1993</b>                                | 4    |
| 4 Appointment of Responsible Person/s                    | 5    |
| 5 General Rules for Contractors                          | 7    |
| 5.31 <b>Acknowledgement of These Rules</b>               | 18   |
| 6 Legal Appointments, Summary and Instructions           | 19   |
| 7 Occupational Health and Safety Act, Act 85 of 1993 and |      |
| Regulations - Index                                      | 23   |
| 1) General Administrative Regulations - Index            | 23   |
| 2) Electrical Installation Regulations - Index           | 24   |
| 3) General Safety Regulations - Index                    | 25   |
| 4) Environmental Regulations - Index                     | 26   |
| 5) Hazardous Chemical Substances Regulation - Index      | 26   |
| 6) Driven Machinery Regulations - Index                  | 26   |
| 7) General Machinery Regulations - Index                 | 27   |
| 8) Electrical Machinery Regulations - Index              | 27   |
| 9) Other Regulations                                     | 28   |
| 8 Annexure A – OHSA – Notification of Construction Work  | 29   |



## **1 General Note**

1.1 This contract is an addition to any other works contract between Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) and the Contractor and is compulsory for all contract companies who intend working at Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) , for Drakensberg Convention Centre or any other organisation at Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) .

This includes work such as;

- Building and Construction work
- Electrical repair or installation work
- Plumbing
- Painting
- Installations
- Servicing of machinery
- All repair and maintenance work

1.2 The Resort Maintenance Manager and Fire Department shall complete all required documentation before any work or projects are permitted to start.

1.3 Companies that are used on a regular basis or that have ongoing contracts with Drakensberg Convention Centre can have a safety agreement validated for a period of 12 months, renewable on an annual basis. This agreement could be terminated should the company not comply with the minimum safety standards or the provisions of the Occupational Health and Safety Act, Act 85 of 1993.

1.4 Any person or company found working without the required documentation would be removed from the site until all requirements are adhered to. Should any person be found working with equipment that does not comply with the required standard, this equipment will be confiscated and handed in at the Resort Maintenance department.

1.5 Any department or person who allows a person or contractor to do unauthorised work will face disciplinary action.

1.6 It is of utmost importance that all parties involved comply with this procedure to ensure a safe and hazard free working environment for all guests and staff.

## **2 Contract between Employer and Mandatory Contractor**

Written agreement between Drakensberg Convention C Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) entre (employer) and

\_\_\_\_\_ (Mandatory) as envisaged by Section 37(1)(2) of the Occupational Health and Safety Act, Act 85 of 1993.

I, \_\_\_\_\_ representing \_\_\_\_\_

(Mandatory) do hereby acknowledge that \_\_\_\_\_

(Mandatory) is an employer in it's own right with duties as prescribed in the Occupational Health and Safety Act 85 of 1993, as amended and agree that all work will be performed or all plant and machinery used in accordance with the provisions of the said Act. I furthermore agree to comply with requirements of Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) (employer) as contained in these documents attached hereto (if any) and to liase with the employer should I, for whatever reason, be unable to perform in terms of this agreement.

The employer will give feedback on the compliance of the Act on a regular basis and records will be subjected to regular scrutiny.

Signed this day of \_\_\_\_\_ at \_\_\_\_\_

Signature on behalf of \_\_\_\_\_ (mandatory)

Signature on behalf of \_\_\_\_\_ (employer)

### **GENERAL INFORMATION**

2.1 The Occupational Health and Safety Act comprises Section 1 to 50 and all unrepealed regulations promulgated in terms of the former Machinery and Occupational Act No. 6 of 1983 as amended, as well as other regulations which may be promulgated in terms of the new Act.

2.2 "Mandatory" is defined as including an agent, a contractor or a subcontractor for work, but without derogation from his status in his own right as an employer or user of plant or machinery.

2.3 Section 37 of the Occupational Health and Safety Act potentially punishes employers (principals) for the unlawful act or omissions of mandatories (Contractors) save where a written agreement between parties has been concluded containing arrangements and procedures to ensure compliance with the said Act by the Mandatory.

2.4 All documents attached or referred to in the above agreement form an integral part of the agreement.

2.5 To perform in terms of this agreement Mandatories must be familiar with the relevant provisions of the Act.

2.6 Mandatories who utilise the services of their own Mandatories (subcontractors) are advised to conclude a similar written agreement.

2.7 Be advised that this agreement places the onus on the Mandatory to contact the employer in the event of inability to perform as per this agreement. The employer, however, reserves the right to unilaterally take any steps as may be necessary to enforce this agreement.

**3 Form of undertaking in respect of the Occupational Health and Safety Act, 1993 (Section 16) and New Construction regulation (Section 6)**

- ENCLOSE (A total of \_\_\_\_ pages) (see pages 19 – 28)
- Rules and Regulations to be observed by Contractors and their employees
- Appointment of Responsible Person/s
- Other Legal Appointments
- References to the OHS Act 85 of 1993 and New Construction regulations
- Copy of the OHS Act 85 of 1993 and New Construction regulation Regulations (abridged version)

I, \_\_\_\_\_, the undersigned, have received a copy of the Rules and regulations and will ensure that all my workmen will conform to these rules and regulations or any other legislation governing the work to be performed whilst on the property of the company.

As Chief Executive Officer of my company, I accept the duties and responsibilities in terms of Section 16: "Chief Executive Officer charged with certain duties" of the OHS Act, 85 of 1993.

I also empower the Management of the company to stop any infringement of these rules by my employees or myself.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Designation: Chief Executive Officer

Company: \_\_\_\_\_ 5



#### **4 Appointment of Responsible Person/s**

##### **4.1 Appointment of Assistant to the Chief Executive Officer**

I hereby appoint \_\_\_\_\_ to have the special

Duty of reporting to me, \_\_\_\_\_ (Chief Executive Officer), as assistant to the Chief Executive Officer, in terms of Section 16 of the OHS Act, 85 of 1993.

##### **SPECIAL STANDING INSTRUCTIONS**

The undermentioned attached special instructions shall be observed:

1. General rules for Contractors

2. Legal appointments

3. OHS Act 85 of 1993

4. General administrative regulations

5. Electrical installation regulations

6. General safety regulations

7. Environmental regulations

8. Machinery regulations

9. New Construction Regulation

Workman Compensation Number: \_\_\_\_\_

Company Registration Number: \_\_\_\_\_

##### **APPOINTMENT**

APPOINTED BY: \_\_\_\_\_

(Chief Executive Officer)

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

##### **ACCEPTANCE OF APPOINTMENT**

"I, \_\_\_\_\_ accept this appointment and acknowledge that I understand the contents contained herein".

APPOINTEE: \_\_\_\_\_ DATE: \_\_\_\_\_ 6



(Signature)

#### **4.2 Appointment for supervision of machinery**

I hereby appoint \_\_\_\_\_ to have the special

Duty to report to me, \_\_\_\_\_ (Chief Executive Officer/Delegate), as

supervisor of machinery, in terms of General Machinery Regulation 2(1).

#### **SPECIAL STANDING INSTRUCTIONS**

The undermentioned attached special instructions shall be observed:

1. General rules for Contractors

2. Legal appointments

3. OHS Act 85 of 1993

4. General administrative regulations

5. Electrical installation regulations

6. General safety regulations

7. Environmental regulations

8. Machinery regulations

Workman Compensation Number: \_\_\_\_\_

Company Registration Number: \_\_\_\_\_

#### **APPOINTMENT**

APPOINTED BY: \_\_\_\_\_

(Chief Executive Officer/Delegate)

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

#### **ACCEPTANCE OF APPOINTMENT**

"I, \_\_\_\_\_, accept this appointment and acknowledge that I understand the contents contained herein".

APPOINTEE: \_\_\_\_\_ DATE: \_\_\_\_\_ 7

(Signature)

## 5 General Rules for Contractors

### CONTENTS

| ITEM DESCRIPTION   | PAGE NO |
|--|---------|
| 5.1 Definitions  | 09      |
| 5.2 Introduction   | 09      |
| 5.3 Entrance to the premises   | 10      |
| 5.4 Contract site and preliminaries  | 10      |
| 5.5 Salvaged Materials and Equipment   | 11      |
| 5.6 Statutory Obligations under the Occupational Health<br>And Safety Act, Act 85 of 1993 and New Construction<br>Regulation | 12      |
| 5.7 Sub-contractors  | 12      |
| 5.8 Risk Control Manager and Reporting of Incidents  | 12      |
| 5.9 Compensation Commissioner Requirements – COID ACT  | 13      |
| 5.10 Personal Safety Equipment and Facilities  | 13      |
| 5.11 Lock out Regulations  | 13      |
| 5.12 Cranes, Vehicles and Lifting Gear (Driven Machinery<br>Regulation 17, 18 and 19)  | 14      |
| 5.13 Safe guarding of Machines (General Machinery Regulation 3)  | 14      |
| 5.14 Service and Operating Processes   | 14      |
| 5.15 Portable Electrical tools and Equipment   | 14      |
| 5.16 Roads, Thoroughfares and Road Traffic Regulations   | 15      |
| 5.17 Work in confined spaces (General Safety Regulation 5)   | 15      |
| 5.18 Intoxication (General Administrative Regulation 12)   | 15      |

|  |    |
|--|----|
| 5.19 Air Compressors (Driven Machinery Regulation 14)  | 16 |
| 5.20 Portable Gas Containers   | 16 |
| 5.21 Indemnity   | 16 |
| 5.22 Welding   | 16 |
| 5.23 Housekeeping  | 16 |
| 5.24 Facilities  | 17 |
| 5.25 Notices and Safety Signs  | 17 |
| 5.26 Storage and use of flammable and hazardous substances   | 17 |
| 5.27 Hot Work and fire Precautions   | 17 |
| 5.28 Work on Roofs, from Ladders, Suspended Scaffolds or<br><br>Platforms and in Elevated Positions  | 17 |
| 5.29 Plant, Machinery, Equipment or Premises which is Outsourced by<br><br>Drakensberg Convention Centre to Contractors or Persons for their use | 18 |
| 5.30 Hazardous Chemical Substances   | 18 |
| 5.31 Acknowledgement of these rules  | 19 |



## 5.1 Definitions

**"Employer"** means Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) .

**"Management"** means the Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd)

Maintenance Manager or any other person delegated under Section 16(2) in terms of the Occupational Health and Safety Act of 1993 and its regulations as amended.

**"The Act"** means the Occupational Health and Safety Act, Act no. 85 of 1993 and all regulations referred to are those published in this act.

**"The Engineer"** means the Engineering Manager, Maintenance Manager or any other engineer appointed to act on behalf of the Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd)

"Contractor" means any person or organisation engaged to conduct activity for the company.

**"The Inspector"** means the Inspector of the Department of Labour.

## 5.2 Introduction

These rules will be applicable to all Contractors entering Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) premises. Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) requires a high standard of safe work from its employees and expects this standard to be maintained by all outside sources of labour within the Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) premises.

Contractors must obtain written permission from the company to deviate from any of these rules and regulations.

Apart from humane considerations, the observance of these safety rules will assist in complying with legal requirements.

These rules are not intended to restrict the duties of Contractors or to relieve them of their legal obligations to ensure safe working.

Drakensberg Convention Centre will be pleased to assist Contractors in any practical way to facilitate the safe execution of work and request co-operation in observing these rules.

A clear understanding of the terms "Management" and "Engineering" in the context of these regulations shall be reached between the Contractor and the council before site work commences.

### **5.3 Entrance to the premises**

Before any contract work begins on site the principle Contractor and his senior employees must attend a meeting with:

- a) The Maintenance Manager or Engineer controlling the contract.
- b) The Head of the Department of the section of Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) in which the contract is to be executed, so that as far as possible there will be no:
  - Interference with production
  - Damage to plants or materials
  - Misunderstanding regarding the loss/risk exposures of the area

c) The Risk Control Manager, the Safety Manager and the Chief Fire Officer to discuss matters relating to security, safety and fire prevention.

The Management reserves the right to check all Contractor's personnel, their belongings, the content of all vehicles and other items, entering or leaving the site. Weapons of any nature are strictly prohibited and must be handed in at security for safekeeping.

Contractors and their employees shall ascertain from the security staff the correct route along which their employees should proceed when coming on or going off shift.

The Contractor and his workmen shall be issued with an identification card by the Security Department, which shall be carried by him and his workers in a way such that it shall be visible at all times while on the premises.

No Contractor's employee shall be permitted to remain on site after the conclusion of his shift. The Contractor shall institute effective measures enabling him to check that all persons leave the premises on completion of the shift. A gate permit duly signed by an authorised official of the Company must accompany any material leaving the site. The contractor, on removing materials from site must be able to prove by reference to a list of materials brought in, that the material or items belong to him.

### **5.4 Contract Site and Preliminaries**

If required, Contractors will be designated site areas by the responsible Engineer in charge for use of site offices and material storage and these areas will be subject to the company's fire and safety regulations.

Notwithstanding the construction site provisions contained in the Facilities Regulations promulgated by Government Notice No. R.1593 of 12 August 1988, as amended, a contractor shall, depending on the number of workers and the duration of the work, provide at or within reasonable access of every construction site, the following clean and maintained facilities

- a) at least one shower facility for every 15 workers;
- b) at least one sanitary facility for every 30 workers; Construction Regulation 40
- c) changing facilities for each sex; and
- d) sheltered eating areas.

2) A contractor shall provide reasonable and suitable living accommodation for the workers at construction sites which are remote from their homes and where adequate transportation between the site and their homes, or other suitable living accommodation, is not available.



### **5.5 Salvaged materials and equipment**

Any building or equipment demolished or material salvaged from the operation shall remain the property of Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) unless the contract specifically states otherwise.

## **5.6 Statutory obligations under the Occupational Health and Safety Act, Act 85 of 1993**

Contractors shall ensure that work is executed in all respects in accordance with the requirements of the Occupational Health and Safety Act and its regulations, as amended and all statutory regulations applicable, including the keeping of proper records, production of test certificates and appointment of "Competent Persons".

These general rules for Contractors only highlight general items. More in-depth and detailed requirements of the Act is included and attached hereto as follows:

### **5.6.1 Legal appointments**

### **5.6.2 OHS Act 85 of 1993 (Abridged Version) (see pages 19 – 28)**

### **5.6.3 Incorporated Regulations**

## **5.7 Sub-contractors**

Contractors shall ensure that any Sub-contractors engaged on the company site, receive copies of, and comply with these rules specified, and are introduced to the persons mentioned in these rules.

## **5.8 Risk Control Manager and Reporting of Accidents/Incidents**

The Risk Control Manager and his staff are available for consultation and will make periodic visits to the Contractors place of work to identify any unsafe acts or conditions. In such an event the responsible Engineer or Foremen will be contacted to liaise with the Principle Contractor on this matter.

It is not the primary function of the Risk Control Manager or his staff to inspect the Contractor's site for unsafe acts or conditions and this function remains the responsibility of the Contractor. Accidents or incidents involving failure or machinery must be reported to the Inspector of Department Of Labour (DOL).

Any incidents as determined under section 24 of the Act shall be reported in writing to the Risk Control Manager within twenty-four (24) hours and to the Department of Labour as specified under this section.

In the event of an incident causing loss of human life, the Risk Control Manager as well as the DOL Inspector shall be notified immediately and no person shall disturb the site at which the incident has occurred or remove any objects involved in the incident before the arrival of an inspector, or without his consent: provided such action may be taken as may be necessary to prevent a further incident, to remove the dead or injure, or to rescue persons from further danger.

It is recommended that the Contractor invite the Safety Manager to their Safety Committee Meetings to enhance communication on safety related matters.

Contractors and their staff who remain on site for periods longer than three (3) months, or carry out periodic work for the company, can link in with the Safety Department activities relating to Safety Production Training, Safety Video Shows, Clearance Certificate Courses dealing with hot work and vessel entry procedures, first aid courses and fire training.

### **5.9 Compensation Commissioner Requirements (COLD ACT)**

The Contractor is required to produce a “certificate of good standing” issued by the Workman Compensation Commissioner valid for the same month in which the contract is signed.

In the event of a severe injury, the medical station personnel will stabilise the injured person and arrange for transportation to hospital provided that a formal request by the Contractor or his representative is made to the Risk Control Manager for his service.

The Contractor will be responsible to administer his/her own Compensation Commissioner’s claims and report forms as per WCL 1 or WCL 2

### **5.10 Personal Safety Equipment and Facilities**

Contractors shall comply with the Personal Safety Equipment and facilities as required by the Act. (General Safety Regulation 2.)

Contractors shall also comply with the following regulations: -

- It is obligatory to wear eye protection when performing operations in eye protection zones as indicated by appropriate notices and regulations as per the Act (General Safety Regulation 2.)
- It is obligatory to wear hardhats in hardhat zones as indicated by appropriate notices or where danger of head injury exists.
- It is obligatory to wear ear protection if the noise level exceeds 85 decibels and in noise restricted areas.
- It is obligatory to wear approved foot protection. Bare feet, sand shoes (tekkies) and sandals are prohibited unless when working on corrugated iron roofs where the use of sandals is recommended.

### **5.11 Lock Out Regulations**

Wherever power driven machinery or equipment, electrical apparatus or pipe lines are being repaired, examined, cleaned, adjusted or oiled, isolating switches, levers or valves must be locked in the “off” position and a danger tag must be hung on the isolating switch, lever of valves by the person carrying out the work.

The lock and danger tag must remain in position for the duration of work carried out on the machinery or equipment. There are three exceptions to the above regulations:

(a) When the machinery attendant authorised by certificate is carrying out his special duties at unfenced machinery.

(b) When a machine is being lubricated and the lubricating points are outside the machine guards.

(c) Where a competent person is carrying out his duties as authorised by the Engineer in terms of General Safety Regulation 5.

Where more than one working group (eg. Fitter and labourer, machinery gangs etc.) Is working on a machine, the person in charge of each group must place a separate lock and tag on the switch. A lock and/or tag must not be removed by anyone except the person who placed it in position. Any person who contravenes any provision of the above regulations will be asked to leave the site immediately.

#### **5.12 Cranes, Vehicles and Lifting Gear (Driven Machinery Regulation 17, 18 and 19.**

For any crane or other lifting machine brought into the Works, the Contractors will produce for inspection by the Engineer the test certificate or other appropriate form showing the record of the last examination as defined by the OHS Act. Only authorised employees properly trained and certified are permitted to operate any overhead electrical crane, hydraulic or electric hoist, forklift truck, tractor or any other lifting machine or vehicle, which is the property of the company. No Contractor's employee shall work overhead, on or near cranes or crane tracks, on down shop leads or collector equipment, nor work on a hoist or a lift until:

- (a) Arrangements have been made with Management.
- (b) Permission to work has been obtained by the Engineer.
- (c) All relevant switches are locked out.
- (d) A work permit has been issued.

#### **5.13 Safe Guarding of Machines (General Machinery Regulation 3)**

No machine shall be operated without the necessary guards irrespective of whether this machine belongs to the Company or to a Contractor.

#### **5.14 Services and operating processes**

Where any work to be done by Contractors, are connected with or likely to affect any operating processes or machinery or any services to the same, a permit must first be obtained from the relevant Engineer or Process Personnel. Contractors shall not couple up to any compressed air, steam, or other service without previous arrangements having been made with the Engineer. Permission must be obtained from the Maintenance Manager before any equipment is connected to Champagne Sports Resort's electrical supply, insulated or provided with earth leakage protection.

#### **5.15 Portable electric tools and equipment**

Portable electrical tools must comply with Regulation EMR 9 and portable lights with Environmental Regulation 10 of the OHS Act. 14

These portable tools shall be inspected and tested at least once a week and the record book signed by the person undertaking such inspection.

All portable tools shall be maintained in good working order. The above record books shall be made available to responsible officials of Champagne Sports Resort on request.

Contractors must not allow repairs to be carried out on any electrical appliances; equipment or extension leads by unqualified persons.

### **5.16 Roads, throughfares and road traffic regulations**

The following traffic regulations will apply:

- a) Loads or material projecting from vehicles shall be properly secured and a red flag be attached to the extreme end of such projecting material.
- b) The overhanging portion of the weight of a load from a point over the hub of the rear wheels to the end of the projections may not exceed one-quarter of the total load.
- c) When drums are being conveyed, they must be securely fastened to prevent rolling or falling off.
- d) No passengers shall be conveyed or be elevated on cranes, forklifts or other vehicles not designated for passengers.
- e) All vehicles must be driven with due consideration to personnel, guests and property. A maximum speed limit of 20 kph is enforced on site.
- f) Contractor's vehicles must only be parked in approved areas. Private vehicles to be parked at the visitors parking area.

### **5.17 Work in confined spaces (General Safety Regulation 5)**

Entry shall not be made into any confined space where there may be dangerous fumes, vapours or lack of oxygen, without a clearance certificate.

No person shall enter a confined space, unless he is made fast to a lifeline and is controlled by a standby official on the outside.

No person shall work inside suspended ceilings.

### **5.18 Intoxication (General Administrative Regulation 12)**

In view of its importance, General Administrative Regulation 12 of the OHS Act is reproduced herein as follows:

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

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

### **5.19 Air compressors (Driven Machinery Regulation 14)**

Contractors shall adhere to the Act with regard to compressors above 8,5m<sup>3</sup> per minute of free air capacity. The compressors and receivers must be tested and the results of the test must be recorded in a logbook before being put to use on the company premises. Contractor must supply Pressure Vessel record book for each compressor on site.

### **5.20 Portable gas containers**

- a) Containers shall comply with Regulations as required by the Act.
- b) It is obligatory to use Flash Back Arrestors on all gas supply lines when welding or cutting is performed.
- c) All gas cylinders and hoses to be purged when not in use.
- d) All gas cylinders to be stored in a well-ventilated area under cover from the elements.

### **5.21 Indemnity**

Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) will take no responsibility whatsoever for any losses incurred by the Contractor, i.e. loss of tools, accidents, damage to equipment, etc. However, the Contractor must be insured against any losses incurred by a second or a third party as a result of a deed by the Contractor.

### **5.22 Welding**

No welding or cutting will be permitted in any building on the premises, except at the Engineering workshop, unless:

- a) Prior clearance certificate is obtained from the Engineer/Fire Chief.
- b) A proper fire extinguisher is within a 5 meter radius from the welding or cutting operation
- c) The area is free from dust and any foreign material
- d) Wet hessian bags are used to catch any sparks caused by the welding and cutting
- e) Oxygen and Acetylene bottles are in an upright position and safely secured.
- f) Necessary eye and body protection is used.

### **5.23 Housekeeping**

The contractor will adhere to Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) 's housekeeping programme and shall request a final clearance on completion of the contract/work. During the contract period the work place will be kept neat and tidy.

Notwithstanding the provisions of the Environmental Regulations for Workplaces, promulgated by Government Notice No. R 2281, dated 16 October 1987, as amended, a contractor shall ensure that

- a) suitable housekeeping is continuously implemented on each construction site, including provisions for the
- i) proper storage of materials and equipment; and



- ii) removal of scrap, waste and debris at appropriate intervals
- b) loose materials required for use, are not placed or allowed to accumulate on the site so as to obstruct means of access to and egress from workplaces and passageways;
- c) waste and debris are not disposed of from a high place with a chute, unless the chute complies with the requirements set out regulation 12(6);
- d) construction sites in built-up areas, adjacent to a public way, are suitably and sufficiently fenced off and provided with controlled access points to prevent the entry of unauthorized persons.
- e) a catch platform or net is erected above an entrance or passageway or above a place where persons work or pass under, or fence off the danger area if work is being performed above such entrance, passageway, or place so as to ensure that all persons Construction Regulation 38 are kept safe in the case of danger or possibility of persons being struck by falling objects.

#### **5.24 Facilities**

Under normal circumstances Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) will provide suitable sanitary washing and changing facilities as well as a space for materials storage. These areas must be kept clean and tidy. However, where a contract is of extended duration or of major proportions, arrangements will be made with the Contractor to partition off the contract area by fencing or some other means and to provide his own facilities.

#### **5.25 Notices and Safety Signs and Barriers**

The Contractor shall display the required notices and barriers in terms of safety at all the necessary positions to inform and warn members of the public to caution or to prohibit unauthorised entry into any work area or site.

#### **5.26 Storage and usage of flammable substances.**

The Contractor shall take particular precautions for providing suitable storage facilities for these substances. Designated storage cabinets or bins shall be used for storage and the required notices shall be displayed. Employees shall be properly trained and in the safe usage and first aid measures applicable and provided with the required personal protective clothing and apparatus whenever these substances are handled or used. The required fire fighting apparatus shall be available at places of storage and application. Specific attention shall be given to the provisions of the Hazardous Chemical Substances Regulations.

#### **5.27 Hot work and Fire Precautions.**

Before welding, Oxy-acetylene cutting of metals, burning of paint, asphalt lying on floors or roofs is undertaken, the Contractor must ensure he has a valid "Hot Work Permit" on his possession and the Chief Fire Officer must be informed so that the appropriate precaution measures may be taken. Contractors will remain responsible for taking the necessary fire precautions. The contractors Responsible Person shall familiarise himself and his fellow workers with the company's fire rules and precautions, which include the fire alarm signals and means of escape in case of fire and will ensure compliance by his employees thereof. With the exception of the area designated as the Contractors workshop area, no hot work shall be performed before a clearance certificate is used. No open fires are allowed anywhere on the premises. The Contractor must familiarise himself and employees with the Company's smoking policy and adhere to the rules thereof.

#### **5.28 Work on roofs, from ladders, suspended scaffolds or platforms and in elevated positions**

The Contractor shall comply with the requirements of the General Safety Regulations 2, 12, 13A, 13B, 13C, 13E, 13F and 13G and all workers shall be trained to carry out work in this regard. Equipment i.e. ladders, trestles and platforms shall comply with the applicable standard and shall be

inspected regularly by a Competent Person. The Contractor in this regard shall keep inspection records.

#### **5.29 Plant, Machinery, Equipment or Premises which is outsourced**

**By Champagne Sports Resort to Contractors or Persons for their use.**

##### **Scope of Application**

This clause applies to contractors or persons who utilises or occupies any plant, machinery, equipment or premises which belongs to Drakensberg Convention Centre (1 Shongweni Road (Pty) Ltd) . Special attention must be paid to Section 10, 22 and 37 of the Occupational Health and safety Act 85 of 1993 and the following definitions as contemplated under Section 1 of the Act:

- Machinery
- Plant
- Premises
- Sell
- Mandatory

##### **(a) Plant, Machinery and Equipment**

The Contractor is responsible for the maintenance, safe operation, examining and testing (including record keeping of major repairs, services and testing as required by the Act.) of all plant, machinery and equipment, unless otherwise agreed.

(b) Drakensberg Convention Centre's delegate will periodically inspect plant, machinery, equipment and records to ensure that the requirements of clause (a) are met.

This however does not release the Contractor from any responsibility imposed on him/her by the Occupational Health and Safety Act.

(c) If at any time it is found that the Contractor failed to comply with these requirements, Champagne Sports Resort reserves the right to issue a notice prohibiting the further use of such machinery, plant or equipment in question until such time and to the satisfaction of Drakensberg Convention Centre, the Contractor fully complies with the requirements and legal standards.

(d) The Contractor shall be responsible for ensuring that all drivers of vehicles and operators of plant, machinery or equipment are in possession of a valid drivers license or operators certificate, issued by an approved licensing organisation.

##### **(e) Public Liability Insurance**

The Contractor shall make provision for adequate coverage in terms of public liability.

#### **5.30 Hazardous Chemical Substances**

Whenever chemicals or substances of a hazardous nature are used or stored on the premises or being disposed of, the Contractor involved shall comply with the provisions of the hazardous Chemical Substances Regulations.

Before any of the above mentioned activities are carried out, the Contractor shall have available and be familiarised with the material Safety Data Sheet for the substance in question.

Special attention shall be given to the requirements of the General Safety Regulations 7, Handling of Hazardous Chemicals and all workers involved shall be properly trained in this regard.



### **5.31 Acknowledgement of these rules**

**The Contractors responsible person on site is required to sign an acknowledgement of receipt of these rules to certify they have been received and understood.**

**I, \_\_\_\_\_, responsible**

**Person and Supervisor of machinery on site for**

**\_\_\_\_\_ hereby acknowledge**

**Receipt of these general rules for Contractors to certify they have been received and understood.**

**Signature \_\_\_\_\_ Date \_\_\_\_\_ 20**

## 6 Legal Appointments

### 6.1 Summary of Legal Appointments

#### OHS Act &

| <b>No.</b>                         | <b>New Construct Reg.</b> | <b>Name Of Appointment</b> | <b>Appointee/s</b>                                      |
|------------------------------------|---------------------------|----------------------------|---|
| 1A                                 | Sec 16(1)                 |                            | Overall authority and accountability                    |
| 1B                                 | Sec 16(2)                 |                            | Assistant to Chief Executive                            |
| 2                                  | Sec 17                    |                            | Health and Safety Representative                        |
| 3                                  | Sec 19                    |                            | Health and Safety Committee Member/Chairman             |
| 4                                  | GAR 6 & 7                 |                            | Function of Health and Safety Representative            |
| 5                                  | GAR 5(a)(b)               |                            | Recording of Safety Committee Meetings and minutes      |
| 6                                  | GAR 9                     |                            | Incident investigator (Annex2 record keeping) Reporting |
| to COID / DOL on WCL 1 or 2 forms. |                           |                            |   |
| 7                                  | GSR 3(4)                  |                            | Valid Certificate First Aid Worker                      |
| 8                                  | GSR 8.1(a)                |                            | Person responsible for stacking                         |
| 9                                  | NCR 6(1)                  |                            | Construction work Supervisor                            |
| 10                                 | NCR 6(2)                  |                            | Subordinate Construction work Supervisor                |
| 11a                                | NCR 14                    |                            | Scaffold Supervisor                                     |
| 11b                                | NCR 14(2)                 |                            | Scaffold Inspector                                      |
| 11c                                | NCR 14                    |                            | Scaffold Erector  |
| 12                                 | NCR 11(1)                 |                            | Excavation Inspector                                    |
| 13A                                | NCR 21(f)                 |                            | Supervision of machinery (Competent Person)             |
| 13B                                | NCR 21(f)                 |                            | Assistant to Competent Person                           |