

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

HEALTH and SAFETY SPECIFICATION

For Construction

NAMA KHOI MUNICIPALITY OKIEP VAALHOEK SEWER RETICULATION NETWORK PROJECT REF NO.: BID/NC062/12/2024-2025
--

This specification shall be used in conjunction with all other applicable safety specifications, legislation and regulations in force at the time of the contract. Where unique site specifications are in force, those site specifications shall take precedence over this specification

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

✓ Table of Content

Page

1.	INTRODUCTION	4
1.1	Scope	4
1.2	Preamble	4
1.3	Purpose	4
1.4	Interpretations	5
1.5	Definitions	5
2.	ADMINISTRATION	5
2.1	Legal Requirements	5
2.2	Health and Safety Policy	5
2.3	Mandatory Agreement	5
2.4	Supervision Responsibilities	5
2.5	OH&S Representatives	6
2.6	Risk Assessments	6
2.7	Incident/Accident Investigation and Reporting	7
2.8	Emergency Procedures	7
2.9	First Aid	8
2.10	Personal Protective Equipment	8
2.11	Training	9
2.12	Audits by Client (Construction Regulation 1(d))	9
3.	CONSTRUCTION	10
3.1	Client	10
3.2	Principal Contractor	10
3.3	Supervision of Construction Work	13
3.4	Excavations	14
3.5	Water Environments	15
3.6	Public Safety and Awareness	16
4.	CONSTRUCTION EQUIPMENT	16
4.1	Tools and Equipment	16
4.2	Cranes and Lifting Equipment	17
4.3	Construction Vehicles and Mobile Plant	18
4.4	Use and Temporary Storage of Flammable Liquids	20
4.5	Good Housekeeping	20

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

4.6	Stacking and Storage	21
4.7	Fire Precautions	22
4.8	Transport of Workers	22
4.9	Penalties and Offense	23
4.10	Construction Welfare	35

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

1. INTRODUCTION

1.1 Scope

This Specification covers the requirements for preventing incidents and accidents and eliminating injuries on the OKIEP VAALHOEK SEWER RETICULATION NETWORK.

The specification will provide the requirements that Principal Contractor and Contractors will have to comply with in order to reduce the risks associated with the above mentioned contract work that may lead to incidents causing injury and/or ill health, damage to property, equipment and the environment to a level as low as reasonably practicable.

1.2 Preamble

Every effort has been made to ensure that this Specification is accurate in all respects, however, should it contain any errors or omissions they may not be considered as grounds for claims under the contract for additional reimbursement or extension of time.

1.3 Purpose

The purpose of this Specification is to brief contractors on the significant safety aspects of the project. It provides information and requirements on *inter alia*:

- ✓ safety considerations affecting the site and its environment;
- ✓ health and safety aspects of the associated structures and equipment;
- ✓ submissions on health and safety matters; and
- ✓ the Principal Contractor's health and safety plan.

1.4 Interpretations

Occupational Health and Safety Act, Act 85 of 1993 shall apply to this contract and the Construction Regulation applies to any person involved in construction work. These regulations are hereinafter referred to as "the Construction Regulation" and the said Act as "the Act".

Construction work is defined as any work in connection with:

- ✓ the erection, maintenance, renovation, repair, demolition or dismantling of or addition to a building or to 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, the making of an excavation, piling, or any similar type of work.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

1.5 Definitions

Definitions as listed in the Occupational Health and Safety Act No 85 of 1993 and Construction Regulation 2014, shall apply.

2. ADMINISTRATION

2.1 Legal Requirements

All Contractors entering into a Contract with THE CLIENT shall, as a minimum, comply with the -

- ✓ Occupational Health & Safety Act and Regulations (Act 85 of 1993). A current, up-to-date copy of the OHS Act must be available on site at all times.
- ✓ Compensation for Occupational Injuries & Diseases Act (Act 130 of 1993). The Principal Contractor will be required to submit a letter of Registration and "good-standing" from the Compensation Insurer before being awarded the contract.
- ✓ The Principal Contractor shall notify the Provincial Director of the department of Labour in writing before construction work commences. A copy of this notification and proof of submission must be held in the Safety File on site.

2.2 Health and Safety Policy

- (1) The contractor shall prepare a written policy concerning the protection of the health and safety of his employees at work, including a description of the organization and the arrangements for carrying out and reviewing that policy.
- (2) The contractor shall prominently display a copy of the policy referred to in point 1, signed by the Chief Executive Officer, in the workplace where his employees normally report for service and keep a copy in the safety file.

2.3 Mandatory Agreement

- (1) The Principal Contractor must ensure that he signs the 37 (1) and (2) mandatory agreement with the Client.
- (2) The Principal Contractor must ensure that the 37 (1) and (2) mandatory agreement is signed with all contractors appointed by him.

2.4 Further (Specific) Supervision Responsibilities for OH&S

- (1) Depending on the activities associated with the Construction work the Contractor shall appoint designated competent employees and/or other competent persons as required by the Act and Regulations.
- (2) The appointments must be in writing and the responsibilities clearly stated together with the period for which the appointment is made. This information must be communicated and agreed with the appointees.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- (3) Copies of appointments must be submitted to THE CLIENT together with concise CV's of the appointees. All appointments must be officially approved by THE CLIENT and any changes in appointees or appointments must be communicated to THE CLIENT forthwith.
- (4) The Principal Contractor must, furthermore, provide THE CLIENT with an organogram or schedule of all Contractors that he/she has appointed or intends to appoint and keep this record updated on a weekly basis.
- (5) Where necessary, or when instructed by THE CLIENT or an Inspector of the Department of Labour, the Principal Contractor must appoint a competent OH&S Officer subject to the approval of THE CLIENT.
- (6) The Principal Contractor must ensure that the site is safe at all times and that unauthorised entry is prevented by fencing off the site. Dangerous areas must be barricaded with a solid barricade.

2.5 Designation of OH&S Representatives (Section 18 of the OHS Act)

Where the Principal Contractor employs more than 20 persons (including the employees of other Contractors (sub-contractors) he has to appoint one OH&S Representatives for every 50 employees or part thereof. General Administrative Regulation 6 requires that the appointment or election and subsequent designation of the OH&S Representatives be executed in consultation with Employee Representatives or Employees. (Section 17 of the Act and General Administrative Regulation 6&7.)

OH&S Representatives have to be designated in writing and the designation must include the area of responsibility of the person and term of the designation.

2.6 Risk Assessment (Sect 8 & CR 9)

- (1) Every contractor performing construction work shall before the commencement of any construction work and during construction work, cause a risk assessment to be performed by a competent person appointed in writing and the risk assessment shall form part of the health and safety plan to be applied on the site and shall include at least -
 - (a) the identification of the risks and hazards to which persons may be exposed to;
 - (b) the analysis and evaluation of the risks and hazards identified;
 - (c) a documented plan of safe work procedures to mitigate, reduce or control the risks and hazards that have been identified.
 - (d) a monitoring plan; and
 - (e) a review plan.
- (2) A contractor shall ensure that a copy of the risk assessment is available on site for inspection by an inspector, client, client's agent, contractor, employee, representative trade union, health and safety representative or any member of the health and safety committee.
- (3) Every contractor shall consult with the health and safety committee or, if no health and safety committee exists, with a representative group of employees, on the development, monitoring and review of the risk assessment.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- (4) A contractor shall ensure that all employees under his or her control are informed, instructed and trained by a competent person regarding any hazard and the related work procedures before any work commences, and thereafter at such times as may be determined in the risk assessment.
- (5) A principal contractor shall ensure that all contractors are informed regarding any hazard as stipulated in the risk assessment before any work commences, and thereafter at such times as may be determined in the risk assessment.
- (6) A contractor shall ensure that as far as is reasonably practicable, ergonomic related hazards are analysed, evaluated and addressed in the risk assessment.
- (7) Notwithstanding the requirements laid down in Construction Regulation 7 (5) & (6), no contractor shall allow or permit any employee or person to enter any site, unless such employee or person has undergone health and safety induction training pertaining to the hazards prevalent on the site at the time of entry.
- (8) A contractor shall ensure that all visitors to a construction site undergoes health and safety induction pertaining to the hazards prevalent on the site and shall be provided with the necessary personal protective equipment.
- (9) Every employee on site shall –
 - (a) be in possession of proof of the health and safety induction training, issued by a competent person prior to the commencement of construction work; and
 - (b) carry the proof contemplated in paragraph (a) for the duration of that project or for the period that the employee will be on the construction site.

2.7 Incident/Accident Investigation and Reporting

- (1) Investigate each incident, accident or near miss occurring at work or arising out of or in connection with the activities of persons at work, or in connection with the use of plant or machinery.
- (2) Any incident/accident at the workplace in which any person is injured to the extent that death results, or a limb or part of a limb is lost, or the injury is such that the person is likely to die or suffer permanent disability, or that for a period of at least fourteen days the person is unable to continue with the activity with which he was busy at the time of the incident/accident, or if a person becomes unconscious because of heat stroke, exhaustion or exposure to any hazard at the workplace, then this is required to be reported to the Inspector.

2.8 Emergency Procedures

The Principal Contractor must prepare a detailed emergency Procedure. The procedure must include the following:

- List of key competent personnel
- Details of emergency services
- Actions to be taken in the event of an emergency.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

Emergency Procedure shall include, but is not limited to: major incidents/accidents, injury to employees, damage to property/equipment/plant, incidents involving hazardous substances, fires, floods.

The Principal Contractor shall advise the Client in writing forthwith, of any emergency, together with a record of action taken.

A contact list of Fire department, Ambulance, SAPD, Hospital and contractors contact person must be maintained, available and displayed on site.

2.9 First Aid (General Safety Regulation 3)

- (1) The Principal Contractor must provide First Aid equipment (including a stretcher) and have qualified First Aider/s as required by General Safety Regulation 3 of the OHS Act.
- (2) The Contingency Plan of the Principal Contractor must include the arrangements for speedily and timeously transporting injured/ill person/s to a medical facility or of getting emergency medical aid to person/s that may require it.
- (3) The Principal Contractor must have firm arrangements with his other Contractors in place regarding the responsibility of the other Contractors injured/ill employees.

2.10 Personal & Other Protective Equipment (Sections 8/15/23 or the OHS Act)

- (1) The Contractor is required to identify the hazards in the workplace and deal with them. He must either remove them or, where impracticable take steps to protect workers and make it possible for them to work safely and without risk to health under the hazardous conditions.
- (2) Personal Protective equipment (PPE) should, however, be the last resort and there should always first be an attempt to apply engineering and other solutions to mitigating hazardous situations before the issuing of PPE is considered.
- (3) Where it is not possible to create an absolutely safe and healthy workplace the Principal Contractor is required to inform employees regarding this and issue, free of charge, suitable equipment to protect them from any hazards being present and that allows them to work safely and without risk to health in the hazardous environment.
- (4) It is a further requirement that the said equipment be maintained by the Contractor, that he instructs and trains the employees in the use of the equipment and ensures that the prescribed equipment is used by the employee/s.
- (5) Employees do not have the right to refuse to use/wear the equipment prescribed by the employer and, if it is impossible for an employee to use or wear prescribed protective equipment through health or any other reason, the employee cannot be allowed to continue working under the hazardous condition/s for which the equipment was prescribed but an alternative solution has to be found that may include relocating or discharging the employee.
- (6) The Contractor may not charge any fee for protective equipment prescribed by him/her but may charge for equipment under the following conditions:

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- a) Where the employee requests additional issue in excess of what is prescribed.
- b) Where the employee has patently abused or neglected the equipment leading to early failure.
- c) Where the employee has lost the equipment.

(7) All employees shall, as a minimum, be required to wear the following PPE on any of THE CLIENT'S projects:

- Protective overalls.
- Protective footwear.
- Protective headwear.
- Eye/face protection.
- Hand protection
- Hearing Protection

2.11 Training

- (1) All employees of the Principal and other Contractors to be in possession of proof of General Induction training.
- (2) All operators, drivers and users of construction vehicles, mobile plant and other equipment to be in possession of valid proof of training.
- (3) The Principal Contractor shall ensure that his and other Contractors' personnel appointed are competent and that all training required doing the work safely and without risk to health, has been completed before work commences.
- (4) The Principal Contractor shall ensure that follow-up and refresher training is conducted as the contract work progresses and the work situation changes.
- (5) Records of all training must be kept on the OH&S File for auditing purposes.

2.12 Audits by Client (Construction Regulation 5 (1)(0))

- (1) THE CLIENT will be conducting a Monthly Audit to comply with Construction Regulation 5 (1) (o) to ensure that the principal Contractor has implemented and is maintaining the agreed and approved OH&S Plan as per CR 5 (1) (s).
- (2) THE CLIENT reserves the right to conduct other ad hoc audits and inspections as deemed necessary. This will include Site Safety Walks
- (3) A representative of the Principal Contractor must accompany THE CLIENT on all Audits and Inspections and may conduct his/her own audit/inspection at the same time. Each party will, however, take responsibility for the results of his/her own audit/inspection results.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- (4) The Principal Contractor is to conduct his own monthly internal audits to verify compliance with his own OH&S Management system as well as of with this specification.
- (5) OH&S Representatives must conduct weekly inspections of their areas of responsibility and report thereon to their foreman or supervisor whilst other appointees must conduct inspections and report thereon as specified in their appointments e.g. vehicle, plant and machinery drivers, operators and users must conduct daily inspections before start-up.
- (6) All the results of the above-mentioned inspections to be in writing, reviewed at OH&S committee meetings, endorsed by the chairman of the meeting and placed on the OH&S File.
- (7) The Principal Contractor is required to provide the Client with a monthly report.

3. CONSTRUCTION

3.1 Client

- (1) The Client will legally appoint the Principal Contractor in writing for the execution of the works.
- (2) The Client will take reasonable steps to ensure that the Principal Contractor's health and safety plan is implemented and maintained. The steps taken will include periodic audits at intervals of at least once a month.
- (3) The Client or his representative/Principal agent will stop the contractor from executing construction work should the contractor at any stage in the execution of the works;
 - a) fail to implement or maintain his health and safety plan;
 - b) execute construction work which is not in accordance with his health and safety plan;
 - c) act in any way which may pose a threat to the health and safety to persons, damage to property/equipment or the environment.

3.2 Principal Contractor

- (1) A principal contractor shall provide and demonstrate to the client a suitable and sufficiently documented health and safety plan, based on the client's documented health and safety specifications contemplated in regulation 5(1)(b), which shall be applied from the date of commencement of and for the duration of the construction work.
- (2) A principal contractor shall take reasonable steps as are necessary to ensure co-operation between all contractors to enable each of those contractors to comply with the provisions of these regulations.
- (3) A principal contractor shall be responsible for the following in order to ensure compliance with the provisions of the Act –
 - (a) to provide any contractor who is making a bid or appointed to perform construction work for the principal contractor, with the relevant section of the health and safety specifications contemplated in regulation 5(1)(b) pertaining to the construction work which has to be performed;

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- (b) to appoint each contractor contemplated in paragraph (a) in writing for the part of the project on a construction site;

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- (c) to take reasonable steps to ensure that each contractor's health and safety plan contemplated in CR 7(1)(c)(vi) is implemented and maintained on the construction site: Provided that the steps shall include periodic audits at intervals mutually agreed upon between the principal contractor and contractor(s), but at least once every month;
 - (d) to stop any contractor from executing construction work, which is not in accordance with, the principal contractor's and/or contractor's health and safety plan for the site or which poses a threat to the health and safety of persons;
 - (e) to ensure that where changes are brought about to the design and construction, sufficient health and safety information and appropriate resources are made available to the contractor to execute the work safely;
 - (f) to ensure that every contractor is registered and in good standing with the compensation fund or with a licensed compensation insurer prior to work commencing on site; and
 - (g) to ensure that potential contractors submitting tenders have made provision for the cost of health and safety measures during the construction process.
- (4) A contractor shall provide and demonstrate to the principal contractor a suitable and sufficiently documented health and safety plan, based on the relevant sections of the principal contractor's health and safety specification contemplated in regulation 7(2) (a) provided by the principal contractor, which plan shall be applied from the date of commencement of and for the duration of the construction work.
 - (5) A principal contractor shall discuss and negotiate with the contractor the contents of the health and safety plan contemplated in CR 7(1)(c)(x), and shall finally approve that plan for implementation.
 - (6) A principal contractor shall ensure that a copy of his or her health and safety plan contemplated in CR 7(1)(a), as well as the contractors health and safety plan contemplated in CR 7(1)(d), is available on request to an employee, inspector, contractor, client or client's agent.
 - (7) Every contractor shall ensure that a health and safety file, which shall include all documentation required in terms of the provisions of the Act and these Regulations, is opened and kept on site and made available to an inspector, client, client's agent or principal contractor upon request.
 - (8) A principal contractor shall hand over a consolidated health and safety file to the client upon completion of the construction work and shall, in addition to the documentation referred to in sub-regulation (7), include a record of all drawings, design, materials used and other similar information concerning the completed structure.
 - (9) A principal contractor shall ensure that in addition to the documentation required in the health and safety file as determined in CR 7(1)(b) & CR 7(1)(f), a comprehensive and updated list of all the contractors on site accountable to the principal contractor, the agreements between the parties and the type of work being done are included and available.
 - (10) No principal contractor shall appoint a contractor to perform construction work unless the principal contractor is reasonably satisfied that the contractor he or she intends to appoint, has the necessary competencies and resources to perform the construction work safely.
 - (11) Where a contractor appoints another contractor to perform construction work, the responsibilities as determined in Construction Regulations that apply to the principal contract or shall apply to the contractor as if he or she were the principal contractor.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- (12) No contractor shall appoint another contractor to perform construction work unless he or she is reasonably satisfied that the contractor he or she intends to appoint has the necessary competencies and resources to perform the construction work safely.
- (13) Contractors shall co-operate with the principal contractor as far as is necessary to enable each of them to comply with the provisions of the Act.
- (14) Every contractor shall as far as is reasonably practicable, promptly provide the principal contractor with any information which might affect the health and safety of any person at work carrying out construction work or any person who might be affected by the work of such a person at work or which might justify a review of the health and safety plan.
- (15) If the number of employees employed by the CONTRACTOR in terms of this contract exceeds 20 (twenty), the CONTRACTOR shall within 14 (fourteen) days of the commencement of the contract works provide the CLIENT with full particulars of the safety representatives at the contract works. The CONTRACTOR shall simultaneously confirm that it complied with section 17(2) of the Act in the appointment of the safety representatives and that such health and safety representatives received the necessary facilities, assistance and training to fulfil their duties and functions as health and safety representatives.
- (16) If there are two or more health and safety representatives involved in the contract works, the CONTRACTOR shall, within 7 (seven) days from the date of a meeting of such health and safety representatives, send a copy of the minutes of such a meeting, as well as a copy of any recommendation made by the health and safety committee.
- (17) The CONTRACTOR shall not make any deduction from any employee's remuneration or require or permit any employee to make any payment to him or her or any other person in respect of anything which the CONTRACTOR is in terms of the Act, or this contract, required to provide or to do in the interest of the health and safety of any employee on the contract works.
- (18) The CONTRACTOR shall immediately report to the CLIENT any incidents occurring at the place or places where the CONTRACTOR performs any work in terms of this contract, in which or in consequence of which:
 - (a) any person dies, becomes unconscious, suffers the loss of a limb or part of a limb or is otherwise injured or becomes ill to such a degree that he or she is likely either to die or to suffer a permanent physical defect or is likely to be unable for a period of at least 14 (fourteen) days either to work or to continue with the activity for which such employee was employed or is usually employed;
 - (b) an occurrence of catastrophic proportions, as defined in the Act and resulting from the use of plant or machinery or from any activity in the performance of this contract; or
 - (c) the health or safety of any person was endangered and where:
 - (i) the uncontrolled release of any substance or pressure took place;
 - (ii) machinery or any part thereof fractured or failed, resulting in flying, falling or uncontrolled moving objects; or
 - (iii) machinery ran out of control.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

3.3 Supervision of construction work (CR 8)

- (1) The contractor shall appoint a full-time competent employee in writing as the construction supervisor, with the duty of supervising the construction work.
- (2) The contractor may in writing appoint one or more competent employees to assist the appointed construction supervisor contemplated in Construction Regulations, and every such employee shall, to the extent clearly defined by the contractor in the letter of appointment, have the same duties as the construction supervisor: Provided that the designation of any such employee shall not relieve the construction supervisor contemplated in CR 8 of any personal accountability for failing in his supervisory duties referred to in terms of this regulation.
- (3) Where the contractor has not appointed an employee as referred to, or, in the opinion of an inspector, not a sufficient number of such employees, that inspector may require the employer to appoint the number of employees indicated by the inspector, and the provisions of CR 8 shall apply in respect of those employees as if they had in the first instance been appointed under CR 8 (7).
- (4) No construction supervisor appointed in terms of CR 8 shall supervise any construction work on or in any construction site other than the site in respect of which he or she has been appointed.
- (5) The principal contractor is also responsible to Appoint a Construction Manager under CR 8(1):
- (6) A contractor shall upon having considered the size of the project, the degree of dangers likely to be encountered or the accumulation of hazards or risks on the site, appoint a full-time or part-time construction safety officer in writing under CR 8(5) to assist in the control of all safety related aspects on the site: Provided that, where the question arises as to whether a construction safety officer is necessary, the decision of an inspector shall be decisive.
- (7) The appointed constructions safety officer as contemplated in CR 8(5) shall as far as is reasonably practicable be utilised to give input at the early design stage and where not appointed at this stage, he or she shall be given the opportunity to input into the health and safety plan when wanting to do so, and a record of such shall be kept in the health and safety file contemplated in CR 7.
- (8) No contractor shall appoint a constructions safety officer to assist in the control of safety related aspects on the site unless he or, she is reasonably satisfied that the construction safety officer he or she intends to appoint has the necessary competencies and resources to assist the contractor. The appointed Construction Health and Safety Officer must be registered with the SACPCMP
- (9) The contractor must ensure that the required inspections are conducted and records kept and that the safety file is kept up to date.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

3.4 Excavations (Construction Regulation 13)

- (1) Where excavations will exceed 1,5 m in depth the Contractor will be required to submit a Method Statement to THE CLIENT for approval before commencing with the excavation and THE CLIENT will issue a permit to proceed once the Risk Assessment and method Statement is approved.
- (2) Excavation work must be carried out under the supervision of a competent person who has been appointed in writing.
- (3) Before excavation work begins, the stability of the ground must be evaluated.
- (4) Whilst excavation work is being performed, the contractor must take suitable and sufficient steps to prevent any person from being buried or trapped by a fall or dislodgement of material.
- (5) No person may be required or permitted to work in an excavation that has not been adequately shored or braced or where:
 - a) the excavation is in stable material or where,
 - b) the sides of the excavation are sloped back to at least the maximum angle of repose measured relative to the horizontal plane.
- (6) The shoring or bracing may not be left out unless written permission has been obtained from the appointed competent person and shoring and bracing must be designed and constructed to safely support the sides of the excavation.
- (7) Where uncertainty exists regarding the stability of the soil the opinion of a competent professional engineer or professional technologist must be obtained whose opinion will be decisive. The opinion must be in writing and signed by the engineer or technologist as well as the appointed excavator.
- (8) No load or material may be placed near the edge of an excavation if it is likely to cause a collapse of the trench unless suitable shoring has been installed to be able to carry the additional load.
- (9) Any neighboring building, structure or road that may be affected or endangered by the excavation must be protected.
- (10) Every excavation must be provided with means of access that must be within 6 meters of any worker within the excavation.
- (11) The location and nature of any existing services such as water, electricity, gas etc. must be established before any excavation is commenced with and any service that may be affected by the excavation must be protected and made safe for workers in the excavation.
- (12) Every excavation including the shoring and bracing or any other method to prevent collapse must be inspected by the appointed competent person as follows:
 - a) Daily before work commences.
 - b) After every blasting operation.
 - c) After an unexpected collapse of the excavation.
 - d) After substantial damage to any supports.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

e) After rain.

- (13) The results of any inspections must be recorded in a register kept on site.
- (14) Every excavation accessible to the public or that is adjacent to a public road or thoroughfare or that threatens the safety of persons, must be adequately barricaded or fenced to at least one meter high and as close to the excavation as practicable, and
- (15) Provided with warning lights or visible boundary indicators after dark or when visibility is poor.
- (16) Upon entering an excavation the requirements of General Safety Regulation 5 must be observed:
- a) any confined space may only be entered after the air quality has been tested to ensure that it is safe to breathe and does not contain any flammable mixture, or
 - b) the confined space has been purged and ventilated of any hazardous or flammable gas, vapour, dust or fumes, and
 - c) the safe atmosphere must be maintained, or
 - d) employees have to be provided with breathing apparatus and wear safety harnesses attached to a rope with the free end of the rope being attended to by a person outside the confined space, furthermore,
 - e) an additional person trained in resuscitation to be in full-time attendance immediately outside the confined space, and
 - f) additional breathing and rescue apparatus is kept immediately outside the confined space for rescue purposes.
 - g) all pipes, ducts etc. that may leak into the confined space to be blanked off sufficiently to prevent any leakage or seepage.
 - h) the employer must ensure that all employees have left the confined space after the completion of work.
 - i) where flammable gas is present on a confined space no work may be performed in close proximity to the flammable atmosphere that may ignite the flammable gas or vapour.

3.5 Water Environments

- (1) A contractor shall ensure that where construction work is done over or in close proximity to water, provision is made for—
- (a) preventing workers from falling into water; and
 - (b) the rescuing of workers in danger of drowning.
- (2) A contractor shall ensure that where a worker is exposed to the risk of drowning by falling into the water, a lifejacket is provided to and worn by the worker.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

3.6 Public Safety and Awareness

- (1) 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 unauthorised persons.
- (2) 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 are kept safe in the case of danger or possibility of persons being struck by falling objects.

4. CONSTRUCTION EQUIPMENT

4.1 Tools and Equipment

4.1.1 Hand Tools

- (1) Each employer is responsible for the safe condition of tools and equipment used by employees.
- (2) Select the right tool for the job. Every hand tool has a purpose and proper selection will prevent misuse.
- (3) Maintain tools. Inspect tools regularly to be sure that they are in good condition and repair or discard broken, worn or damaged tools. Records must be kept.
- (4) The wooden handles of tools must be kept free of splinters or cracks.

4.1.2 Electrical Power Tools

- (1) Select the right tool for the job.
- (2) Maintain tools. Inspect tools regularly to be sure that they are in good condition. Records must be kept.
- (3) All portable electric tools that are damaged shall be removed from use and tagged "Do Not Use."
- (4) Electric tools should not be used in damp or wet locations.
- (5) Portable grinding tools need to be equipped with safety guards to protect workers not only from the moving wheel surface, but also from flying fragments in case of breakage.

4.1.3 Pneumatic Tools

- (1) Select the right tool for the job.
- (2) Maintain tools. Inspect tools regularly to be sure that they are in good condition. Records must be kept.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- (3) Air-hose. Hose and hose connections used for conducting compressed air to utilization equipment shall be designed for the pressure and service to which they are subjected.
- (4) Compressed air shall not be used for cleaning purposes.
- (5) Working with noisy tools such as jackhammers requires proper, effective use of hearing protection.

4.2 Cranes & Lifting Equipment (Construction Regulation 22)

- (1) Cranes and Lifting equipment must be designed and constructed in accordance with generally accepted technical standards and operated, used, inspected and maintained in accordance with the requirements of Driven Machinery Regulation 8 of the OHS Act:
- (2) to be clearly and conspicuously marked with the maximum mass load (MML) that it is designed to carry safely. When the MML varies with the conditions of use, a table should be used by the driver/operator.
- (3) each winch on a lifting machine must at all time have, at least, three full turns of rope on the drum when the winch has been run to its lowest limit.
- (4) fitted with a brake or other device capable of holding the MML. This brake or device to automatically prevent the downward movement of the load when the lifting power is interrupted.
- (5) fitted with a load limiting device that automatically arrest the lift when the load reaches its highest safe position, or
- (6) when the mass of the load is greater than the MML.
- (7) every chain or rope on a lifting machine that forms an integral part of the machine must have a factor of safety as prescribed by the manufacturer of the machine and where no standard is available the factor of safety must be:

Chains	:	4 (four)
steel wire ropes	:	5 (five)
fiber ropes	:	10 (ten)
- (8) every hook or load attaching device must be designed such or fitted with a device that will prevent the load from slipping off or disconnecting every lifting machine must be inspected and load tested by a competent person every time it has been dismantled and re-erected and every 12 months after that. The load test must be in accordance with the manufacturer's prescription or to 110% of the MML.
- (9) in addition all ropes, chains, hooks or other attaching devices, sheaves, brakes and safety devices forming an integral part of a lifting machine must be inspected every 6 months by a competent person.
- (10) all maintenance, repairs, alterations and inspection results must be recorded in a log book and each lifting machine must have its own log book.
- (11) no person may be lifted by a lifting machine not designed for lifting persons unless in a cradle approved by the inspector of the Department of Labour.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- (12) every jib crane with an MML of 5 000 kg or more at minimum jib radius must be provided with a load indicator or a load lifting limiting device.

4.2.1 Lifting Tackle

- (1) to be manufactured of sound material, well constructed and free from patent defects,
- (2) to be clearly and conspicuously marked with id and MML.
- (3) Factor of safety:

Natural fiber ropes	-	10 (ten)
Man-made fiber-ropes & woven webbing	-	06 (six)
Steel wire ropes – single rope	-	06 (six)
Steel wire ropes – combination slings	-	08 (eight)
Mild Steel chains	-	05 (five)
High tensile/alloy steel chains	-	04 (four)
- (4) Steel wire ropes must be discarded (not used any further for lifting purposes) when excessive wear and corrosion is evident and must be examined by a competent person every three months for this purpose and the results recorded.

4.2.2 Operator

- (1) Every lifting machine operator must be trained specifically for the type of lifting machine that he/she is operating.
- (2) Operators of Jib cranes with a MML of 5 00 kg or more must be in possession of a certificate of training issued by an accredited (by The Department of Labour) training provider.
- (3) are physically and psychologically fit to operate such lifting machine by being in possession of a medical certificate of fitness.

4.3 Construction vehicles and Mobile Plant (Construction Regulation 23)

- (1) A contractor shall ensure that all construction vehicles and mobile plants -
 - (a) are of an acceptable design and construction;
 - (b) are maintained in a good working order;

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- (c) are used in accordance with their design and the intention for which they were designed, having due regard to safety and health;
- (d) are operated by workers who -
 - (i) have received appropriate training and been certified competent and been authorized to operate such machinery; and
 - (ii) are physically and psychologically fit to operate such construction vehicles and mobile plant by being in possession of a medical certificate of fitness;
- (e) have safe and suitable means of access;
- (f) are properly organized and controlled in any work situation by providing adequate signaling or other control arrangements to guard against the dangers relating to the movement of vehicles and plant, in order to ensure their continued safe operation;
- (g) are prevented from falling into excavations, water or any other area lower than the working surface by installing adequate edge protection, which may include guardrails and crash barriers;
- (h) where appropriate, are fitted with structures designed to protect the operator from falling material or from being crushed should the vehicle or mobile plant overturn;
- (i) are equipped with an electrically operated acoustic signaling device and a reversing alarm; and
- (j) are on a daily basis inspected prior to use, by a competent person who has been appointed in writing and the findings of such inspection is recorded in a register.

(2) A contractor shall furthermore ensure that-

- (a) no person rides or is required or permitted to ride on any construction vehicle or mobile plant otherwise than in a safe place provided thereon for that purpose;
- (b) every construction site is organized in such a way that, as far as is reasonably practicable, pedestrians and vehicles can move safely and without risks to health;
- (c) the traffic routes are suitable for the persons using them, sufficient in number, in suitable positions and of sufficient size;
- (d) every traffic route is, where necessary indicated by suitable signs for reasons of health or safety;
- (e) all construction vehicles and mobile plant left unattended at night, adjacent to a freeway in normal use or adjacent to construction areas where work is in progress, shall have appropriate lights or reflectors, or barricades equipped with appropriate lights or reflectors, in order to identify the location of the vehicles or plant;
- (f) bulldozers, scrapers, loaders, and other similar mobile plant are, when being repaired or when not in use, fully lowered or blocked with controls in a neutral position, motors stopped and brakes set;
- (g) whenever visibility conditions warrant additional lighting, all mobile plant is equipped with at least two headlights and two taillights when in operation.
- (h) Tools and material are secured in order to prevent movement when transported in the same compartment with employees.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- (i) Vehicles used to transport employees have seats firmly secured and adequate for the number of employees to be carried; and
- (j) When workers are working on or adjacent to public roads, reflective indicators are provided and worn by the workers.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

4.3.1 Hired Plant and Machinery

The Principal Contractor/Contractor shall ensure that any hired plant and machinery used on site is safe for use and complies with the minimum legislated requirements. The necessary requirements as stipulated by the OHS Act 85/1993 and Construction Regulations July 2014, shall apply. The Principal Contractor shall ensure that operators hired with the plant/machinery are competent; in possession of a valid medical certificate of fitness and that certificates are kept on site in the Safety file. Any load test requirements and inspections in terms of legislation must be complied with and copies of load test certificates and inspections must be kept in the Safety File.

4.4 Use and Temporary Storage of Flammable Liquids on Construction sites (CR 25)

The contractor shall ensure that-

- (a) where flammable liquids are being used, applied or stored at the workplace concerned, this is done in such a manner which would cause no fire or explosion hazard, and that the workplace is effectively ventilated: Provided that where the workplace cannot effectively be ventilated-
 - (i) every employee involved is provided with a respirator, mask or breathing apparatus of a type approved by the chief inspector, and
 - (ii) steps are taken to ensure that every employee, while using or applying flammable liquid, uses the apparatus supplied to him or her;
- (b) no person smokes in any place in which flammable liquid is used or stored, and such contractor shall affix a suitable and conspicuous notice at all entrances to any such areas prohibiting such smoking;
- (c) flammable liquids on a construction site is stored in a well-ventilated reasonably fire resistant container, cage or room and kept locked with proper access control measure in place;
- (d) an adequate amount of fire-fighting equipment is installed in suitable locations around the flammable liquids store with the recognised symbolic signs;
- (e) only the quantity of flammable liquid needed for work on one day is to be taken out of the store for use;
- (f) all containers holding flammable liquids are kept tightly closed when not in actual use and, after their contents have been used up, to be removed from the construction site and safely disposed of;
- (g) where flammable liquids are decanted, the metal containers are bonded or earthed; and
- (h) no flammable material such as cotton waste, paper, cleaning rags or similar material is stored together with flammable liquids.

4.5 Good Housekeeping on Construction sites (CR 27)

The contractor shall ensure that-

- (a) suitable good 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;

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- (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 in regulation 12(6).

4.6 Stacking and storage on Construction sites (CR 28)

Notwithstanding the provisions for the stacking of articles contained in the General Safety Regulations promulgated by Government Notice No R1931 dated 30 May 19865, as amended, a contractor shall ensure that-

- (a) a competent person is appointed in writing with the duty of supervising all stacking and storage on a construction site;
- (b) adequate storage areas are provided;
- (c) there are demarcated storage areas; and
- (d) storage areas are kept neat and under control.

4.7 Fire precautions on Construction sites (CR 29)

Every contractor shall ensure that-

- (a) all appropriate measures are taken to avoid the risk of fire;
- (b) sufficient and suitable storage is provided for flammable liquids, solids and gasses;
- (c) smoking is prohibited and notices in this regard are prominently displayed in all places containing readily combustible or flammable materials;
- (d) in confined spaces and other spaces in which flammable gasses, vaporous or dust can cause danger-
 - (i) only suitably protected electrical installations and equipment, including portable lights, are used;
 - (ii) there are no flames or similar means of ignition;
 - (iii) there are conspicuous notices prohibiting smoking;
 - (iv) oily rags, waste and other substances liable to ignite are without delay removed to a safe place; and
 - (v) adequate ventilation is provided;
- (e) combustible materials do not accumulate on the construction site;
- (f) welding, flame cutting and other hot work are done only after the appropriate precautions as required have been taken to reduce the risk of fire;
- (g) suitable and sufficient fire-extinguishing equipment is placed at strategic locations or as may be recommended by the Fire Chief or local authority concerned, and that such equipment is maintained in a good working order;
- (h) the fire equipment contemplated in paragraph (g) is inspected by a competent person, who has been appointed in writing, in the manner indicated by the manufacturer thereof;
- (i) a sufficient number of workers are trained in the use of fire-extinguishing equipment;

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

- (j) where appropriate, suitable visual signs are provided to clearly indicate the escape routes in the case of a fire;
- (k) the means of escape is kept clear at all times;
- (l) there is an effective evacuation plan providing for all-
 - (i) persons to be evacuated speedily without panic;
 - (ii) persons to be accounted for, and
 - (iii) plant and processes to be shutdown; and
- (m) a siren is installed and sounded in the event of a fire.

4.8 Transport of Workers

The Principal Contractor and any other contractor shall not;

- Allow persons to be transported together with tools and equipment unless there is an appropriate area or section to store the tools and equipment;
- Allow persons to be transported in a non-enclosed vehicle without a proper canopy covering the back and top and without proper sitting area. Workers shall not be permitted to stand or sit on the edge of the transporting vehicle;
- Allow workers to be transported in LDV's without canopies and the correct number of seats for the passengers.

4.9 Penalties and Offences

The Client's Health and Safety Agent will conduct site audits and ad-hoc visits. Penalties may be imposed for ongoing non-compliance of the provisions stated in the Client's health and safety specification or the Principal Contractor's safety plan.

Non-compliance items identified during audits/visits will be categorized into three levels;

(1) A Hazard

To be rectified immediately (Life threatening) and a notice to this effect will be issued. All activities must cease immediately and corrective action must be taken.

(2) B Hazard

To be rectified within 24 hours (Serious injury or property damage possible) and a notice to this effect will be issued.

(3) C Hazard

To be rectified within 48 hours (Minor or no injury) and a notice will be issued to this effect.

Definitions: Occupational Health & Safety Specification: means a documented specification of all occupational health & safety requirements pertaining to the associated works on a construction site, so as to ensure the health & safety of persons. Client: means any person for whom construction work is being performed. Act: means the OH&S Act (85/1993).	Occupational Health and Safety Act (85 of 1993) Construction Regulation 5 (1) (b): Occupational Health and Safety Specification
Abbreviations: OH&S means Occupational Health and Safety CR means Construction Regulation	

Note: The Client or his Agent has the right, in terms of regulation 5 (1) (b) of the Construction Regulations (Febr 2014) promulgated in terms of the Occupational Health and Safety Act 85 of 1993, to stop the Contractor from executing construction works which either:

- is not in accordance with the Health and Safety plan for the site

and/or

- poses a threat to the health and safety of persons

Should the Client invoke this right, the Client will, in addition to any other legal remedies, invoke its rights to claim penalties and/or cancel the contract between itself and the Contractor in terms of the relevant provisions thereof.

4.10 Construction welfare facilities

- (1) The 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;
 - (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.

NOTE:

- (1) Reference to the ACT in this document includes the CONSTRUCTION REGULATION