

(27 July 2012 – to date)

OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993

(Gazette No. 14918, Notice No. 1158, dated 2 July 1993. Commencement date: 1 January 1994, except section 1(3)(b): to be proclaimed)

NOTICE OF EXEMPTION IN TERMS OF SECTION 40(1) OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

Government Notice R570 in Government Gazette 35536 dated 27 July 2012. Commencement date: 27 July 2012

Under section 40(3)(b) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), I, Thobile Lamati, appointed as chief inspector in terms of section 27(1) of the said Act, and by virtue of the powers delegated to me by the Minister of Labour, in terms of section 42(1) of the said Act, hereby grant exemption in terms of section 40 of the said Act to employers and users of machinery who operate a train or a train of tramway-trucks, as the case may be, from compliance with the following regulations of the General Safety Regulations, 1986, published under Government Notice No. R.1031 of 30 May 1986:

General Safety Regulation 10(1)(a), (b) and 10(2), on condition that the employer or user of machinery who operates a train or a train of tramway-trucks has a valid safety permit issued by the Railway Safety Regulator and complies with the relevant requirements of the National Railway Safety Act (Act No. 16 of 2002), as amended, SANS 3000-2-2-1 Technical requirements for engineering and operational standards - Track, civil and electrical infrastructure - Level Crossings and Chapter 7 volume 2 of the South African Road Traffic Signs Manual; and

General Safety Regulation 10(4), on condition that the person is certified as competent by the operator to operate a locomotive and the operator has a valid safety permit as an operator issued by the Railway Safety Regulator.

Thobile Lamati
Chief Inspector

Prepared by: