

Portershoek Quarry	SAFETY HEALTH - MANAGEMENT SYSTEM (Doc No.5.3.1.8)	Effective Date: 15 May 2021 Revision No. ISO 45001 Date Reviewed: - Page: 1 of 5
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Sir Hilton Westerdale

Date 02/12/21

In recognition of, and in accordance with the provisions of Schedule 4 to the Mine Health and Safety Act no. 29 of 1996

APPOINTMENT AS COMPETENT PERSON IN GENERAL CHARGE OF ELECTRICAL INSTALLATIONS AND EQUIPMENT FOR PORTERSHOEK QUARRY IN TERMS OF SECTION 7(4), READ TOGETHER WITH REGULATION 2.13.2, OF THE MINE HEALTH AND SAFETY ACT, 29 OF 1996

In terms of Section 7(4), read together with Regulation 2.13.2, in force in terms of Schedule 4 of the Mine Health and Safety Act, 29 of 1996, you are hereby appointed as the Competent Person in General Charge of Electrical Installations and Equipment for Portershoek Quarry to be responsible for the day to day management and operations of the mine within your area of responsibility.

You are hereby referred to the addendum attached to this appointment insofar as it describes your area of responsibility. You are to ensure that you are familiar with the said area of responsibility, and understand and agree with the boundaries of your area of responsibility.

Your appointment will be with effect from the date of your signed acceptance until this appointment is cancelled or superseded by a new appointment.

Section 7(4) of the Mine Health and Safety Act, 29 of 1996 allows for the manager to assign to you functions and provisions under the Act and Regulations entrusted to the manager. You will be held responsible for compliance therewith in your area of responsibility. You are hereby referred to the addendum attached to this appointment insofar as it describes the functions and provisions assigned to you. Note that the addendum is illustrative, and highlights some areas for attention, but is not exhaustive in terms of your legal responsibilities under all mining legislation.

You are to report to me without delay any situation in conflict with the Act and with which you cannot properly deal.

In terms of Regulation 2.13.2, in force in terms of Schedule 4 of the Mine Health and Safety Act, 29 of 1996 you must take all reasonable measures to ensure the Safety and Health of employees and keep proper discipline.

Your attention is specifically directed to the Regulations as set out in the addendum attached to this appointment.

I wish to bring to your attention that your responsibilities as provided for in the appointment or addendum do not detract from your general responsibility as provided for in terms of section 7(4) and regulation 2.13.2 and that you have the same responsibilities as the manager for your area of responsibility.

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You are hereby authorized and obliged to take all reasonably practicable measures to comply with all applicable legislative requirements, in particular the requirements as set out under the Mine Health and Safety Act, 29 of 1996 and its attendant Regulations. It will be your responsibility to ensure that all persons under your charge in your area of responsibility discharge their duties as set out in their appointments.

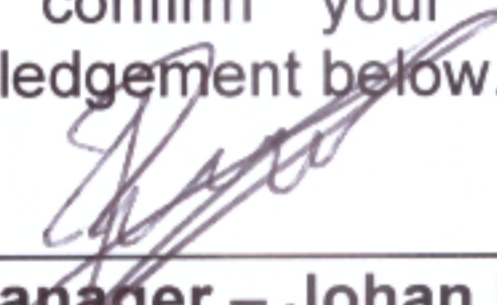
Instructions and procedures are from time to time issued by the manager and it will be your responsibility to ensure the implementation and adherence to these instructions and procedures at the Mine.

It is your responsibility to report any shortcomings, in relation to the implementation of applicable legislation which you are unable to rectify, immediately in writing to the appointed manager.

You are at all times to ensure that you are familiar with the provisions of the mining legislation and all amendments thereto, as well as of other legislation which may impact on the activities at the mine and your health and safety responsibilities as described above.

Please note that the delegation of responsibilities of the Mine Health and Safety Act, 29 of 1996 further down the line does not relieve you of accountability under the Act.

Please confirm your acceptance of this appointment in writing by signing the acknowledgement below.



Mine Manager – Johan Burger

18/11/21

Date

The above appointment and responsibilities are understood and accepted.

I acknowledge and accept the above appointment and declare that I am familiar with the duties, functions and responsibilities imposed on me by legislation and this appointment and undertake to ensure the implementation and adherence to these duties, functions and responsibilities.

SIGNED: 

DATE: 11-01-2022

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ANNEXURE "A"

ADDENDUM TO THE APPOINTMENT

This addendum is an integral part of your appointment.

SECTION A: **GEOGRAPHICAL AREA OF RESPONSIBILITY**

Your geographic area of responsibility is: Portershoek Quarry Matatiele mining Area

SECTION B: **FUNCTIONAL RESPONSIBILITY**

Within your geographic area of responsibility, your attention is drawn to, but not limited to the following specific legal duties, functions and activities. You will be held accountable/responsible for compliance to:

1. Legal reference: Mine Health and Safety Act, 29 of 1996 (Section; 7(4))

The following duties/functions are assigned to you:

In terms of Section 7(4) of the Mine Health and Safety Act, 29 of 1996 you are responsible for compliance with the following functions and provisions which are entrusted to the employer by the Act:

- Sections 5(1) and (2), 6, 7(1), 8(2) and (3), 9, 10, 11, 12, 13, 14, 15, 17, 19(1), 23(2), and 32.
- Mandatory Codes of Practice as applicable
- (Add further reference to those Sections that are applicable, dependant on exact function, including electrical, machinery etc.)

2. Legal reference: Minerals Act, 51 of 1991 – in force in terms of Schedule 4 of the Mine Health and Safety Act, 29 of 1996.

The following duties/functions are imposed on you:

Your attention is specifically directed to the following Chapters of Regulations:

- Regulation 8.10
- Chapter 3 – electricity;
- Chapter 23 – pressure vessels, compressors.
- Your attention is specifically directed to the following Regulations:
(Add reference to those Regulations that are applicable, dependent on exact function, including electrical, machinery etc.)

You will be responsible for ensuring that the provisions of the regulations relating to machinery are fully complied with, which include:

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- Safe installation and proper operation, running and maintenance of all machinery.
- The safe erection and proper maintenance of all buildings, structures and tanks.
- Taking all reasonable measures to ensure that all safety appliances, mechanisms and guards are maintained in good condition, that the provisions of the regulations relating to machinery are fully complied with.
- Ensuring that the work of any apparatus or machine, the use of which may constitute a danger to any person, is stopped immediately.
- Assisting and directing the subordinate engineer in the use, maintenance and supervision of machinery.

3. Legal reference: *Mine Health and Safety Act, 29 of 1996, Regulations:*

The following duties/functions are imposed on you:

Your attention is specifically directed to the following Chapters of Regulations:

- *Chapters 3, 4, 5, 8 and 10*
- (Add reference to those Regulations that are applicable, dependant on exact function, including electrical, machinery etc.)

SECTION C: AUTHORITY

You are given the authority to ensure proper discipline and compliance with the legal provisions and requirements.

- You are to familiarize yourself with the group and internal disciplinary codes and procedures and to apply them when required;
- You are to bring to my attention the need for any additional authority required by you to ensure compliance with the legal provisions/requirements;
- You are to bring to my attention the need for any means needed to ensure compliance with the legal provisions/requirements;
- You are required to bring any queries, difficulties or any issue that cannot be properly resolved by yourself to my attention;

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**SECTION D: SAFETY, HEALTH, ENVIRONMENTAL MANAGEMENT SYSTEM
("SHE MANAGEMENT SYSTEM") REQUIREMENTS**

In addition to your statutory responsibilities, you are required to comply with the SHE Management System within your area of responsibility.

You are to make yourself familiar with all mine Standards, Procedures, Codes of Practice, Mandatory Codes of Practice and Policies as they relate to the Safety, Health, Environmental Management Systems, and ensure compliance, within your scope of authority, therewith.

Should you be unable to comply, you will immediately bring this to my attention.

These responsibilities are consistent with, and supplementary to your legal duties.

GENERAL

Your attention is drawn to the fact that amendments occur from time to time both to the applicable legislation and the Regulations. It is your responsibility to ensure that you are up to date and, where appropriate, advise management on relevant changes to the legislation and Regulations as it impacts on your area of responsibility. You should note that your rights and powers are only in respect of the designated working area for which you have been appointed.

By attaching your signature to the bottom of this addendum you confirm that you have read and understand the requirements and accept the responsibilities as set out in the contents.

Signed _____

Date _____

Mr. _____