

24/02/25

Mr Marvill Juniad Myburgh
Dorning Crushers
Matatiele

MR Marvill Juniad Myburgh

**APPOINTMENT AS HEALTH AND SAFETY REPRESENTATIVE IN TERMS OF
REGULATION 6.9(a) OF THE MINE HEALTH AND SAFETY ACT, 29 OF 1996**

You have been nominated and elected by the employees in accordance with the collective agreement of mine as a Health and Safety Representative for the Mine, and accordingly, you are hereby appointed in terms of Regulation 6.9(a) of the Mine Health and Safety Act, 29 of 1996 as the Health and Safety Representative for your designated workplace.

You 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Your appointment will be with effect from the date you signed acceptance until this appointment is cancelled or superseded by a new appointment, or after three years since the date of appointment has passed, whichever occurs first.

You are hereby referred to the addendum attached to this appointment insofar as it describes your functional responsibility. You are to ensure that you are familiar with the said functional responsibility, and that you bring any queries therewith to my attention. You will be provided with all the means necessary to enable you to fulfil your responsibility. Note that the addendum is illustrative, and highlights some areas for attention, but is not exhaustive in terms of your legal responsibilities under the legislation.

Without detracting from your general responsibilities as set out in the addendum, and as described in this appointment, the duties and functions you are to perform with reference to your working place will also include the following:

You are to ensure that you remain conversant with the conditions at your working place and relevant legislation which may impact upon your responsibilities. You will be trained in the safety and health requirements applicable to the work place you are appointed for. If you are not clear on the scope and extent of your working place or your functions, you are to seek guidance from the person you report to, or from myself.

You are to take all reasonable measures, within your area of responsibility to ensure the safety and health of persons, proper discipline and compliance with the provisions of the Mine Health and Safety Act.

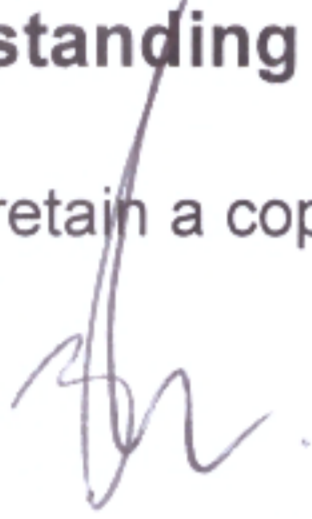
You are to conduct health and safety inspections and report all your findings and any threat or potential threat to the person you report to. You are to accompany

management and safety personnel on their inspection visits and form part of all incident investigations.

You must take reasonable measures to ensure that the functions and duties entrusted to you are complied with in accordance with the provisions of the Act, and you are to report to me without undue delay any situation in conflict with the Act and with which you cannot properly deal.

Please confirm your acceptance of this appointment and understanding of the duties involved, in writing by signing the acknowledgement below.

You are to retain a copy of your appointment letter for your records.



Section 3(1)(a) manager
Francois Smith

I declare that I was nominated and elected in accordance to the requirements of the Mine Health and Safety Act and the Collective agreement. 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 of and adherence to these rights and duties.

Marville Juniad Myburgh
99071155446088

SIGNED: _____



DATE: 25/2/2025

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:

NOTE; Describe area of responsibility in words and/or refer to a survey plan that may be attached as annexure "B".

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 the compliance to:

1. Legal reference: *Mine Health and Safety Act, 29 of 1996 (Section; 30) and (Section; 26 – Collective Agreement of the Mine)*

The following duties/functions are imposed on/assigned to you:

- you may represent employees on all aspects of health and safety;
- you may direct any employee to leave a working place which, with reasonable justification, appears to pose a danger to the employee's health and safety; and you may assist any employee who has left a working place because of serious danger;
- you will inspect working places with regard to the health and safety of employees at intervals agreed with the employer;
- you are to identify potential hazards and risks to health or safety and make representations or recommendations to the employer or to a health and safety committee on any matter affecting the health or safety of employees;
- you will participate in any health and safety inspection by the employer or person acting on behalf of an employer; or an inspector;
- participate in any internal health or safety audit;
- you must investigate complaints by any employee relating to health and safety at work;
- you will examine the causes of accidents and other dangerous occurrences in your area of responsibility in collaboration with the employer or person acting on behalf of the employer;
- visit the site of an accident or dangerous occurrence in your area of responsibility at any reasonable time;
- attend a post-accident inspection;

- co-operate with the employer in the conducting of investigations in terms of section 11 (5);
- participate in an inquiry held in terms of section 65; and
- you will perform the functions - agreed by the health and safety committee; or prescribed in the Collective agreement.

2. Legal reference: *Mine Health and Safety Act, 29 of 1996 (Section; 34(4) & 36) and (Section; 33 – Collective Agreement of the Mine)*

The following duties/functions are imposed on/assigned to you:

In accordance with the Mine Health and Safety Act 29, of 1996 Section 34(4) and the collective agreement on health and safety committees you are hereby appointed as a co-opted employee representative, health and safety committee member for the following committee; based on your designated workplace as described above.

These committee meetings take place no less than once a month. I wish to bring to your attention that your rights and powers are stipulated in section 36(1)(2)(3)(4) and the collective agreement regarding health and safety committees.

Your duties as a member are as follows, but not limited to:

- making recommendations to the employer regarding matters of health and safety of employees in the workplace;
- reporting of all incidents in a workplace regarding injuries, damage and occupational health occurrences;
- that you will act in accordance with the collective agreement and constitution and establish and support health and safety committees to promote the health and safety of employees in the area of work.

You are to take all reasonable measures, within your area of responsibility to ensure the health and safety of persons and compliance with all the provisions and requirements of applicable legal statutes and in particular but not limited to those as set out in this section.

SECTION C: AUTHORITY

You are given the authority and responsibility to:

- inspect any relevant document which must be kept in terms of this Act;
- request relevant information and reports from an inspector;
- with the approval of the employer, be assisted by or consult an adviser or technical expert who may be either another employee or any other person;

- attend any meeting of a health and safety committee of which you are a member; or which will consider a representation or recommendation made by that representative;
- request an inspector to conduct an investigation in terms of section 60; or the Chief Inspector of Mines to conduct an inquiry in terms of section 65;
- participate in consultations on health and safety with - the employer or person acting on behalf of the employer, or an inspector;
- give appropriate instructions relating to health and safety;
- implement corrective measures and/or report breaches of any of the appropriate regulations and any policies, practices, procedures, standards instructions and Codes of Practice;

**SECTION D: *SAFETY, HEALTH, ENVIRONMENTAL AND QUALITY
MANAGEMENT SYSTEM (“SHEQ MANAGEMENT SYSTEM”)
REQUIREMENTS***

In addition to your statutory responsibilities, you are required to comply with the SHEQ 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 and Quality 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. 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 at the bottom of this addendum you confirm that you have read and understood the requirements and accept the responsibilities set out in the contents.

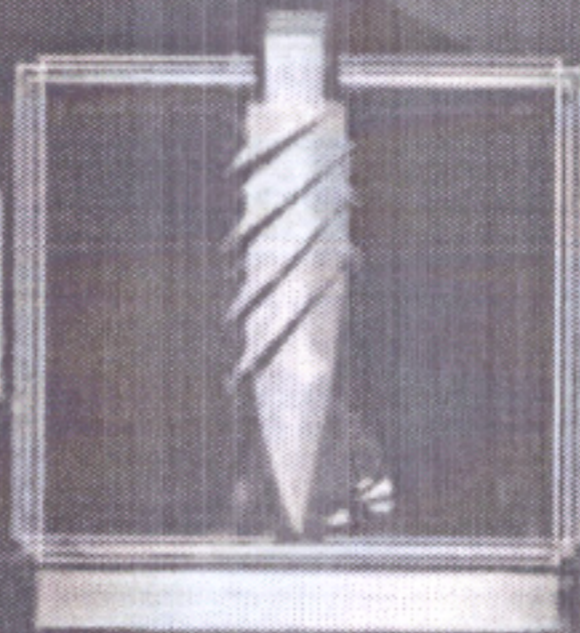
Signed



Date

25/2/25

Mr. Marvill Juniad Myburgh



MZILA INSTITUTE OF EXCELLENCE

Applied knowledge is the greatest

CERTIFICATE

Awarded to

Mirvill Junaid Myburgh
9907155446088

Has been trained, assessed and found Competent in
SHE REPRESENTATIVE.

Unit standard title: Describe the Functions of the Workplace Health and Safety Representative.

Credits: 03
Site:
Valid for 2 years

Unit standard number: 259622
Dorning Group (Pty) Ltd
Certificate No: MIE/2025/00403

05/02/2025

DATE



SIGNATURE



ACS QMS 0459/00



MINING QUALIFICATIONS AUTHORITY

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