

This is a brief summary of the contents of the relevant legislation. The intention of the summary is to make easily understandable to product users and management the otherwise complex contents of the legislation. Only a selection of content that may be useful to the user or management is included here. A complete copy of the relevant legislation can be purchased at Hortors.

### Summary

1. To provide for protection of the health and safety of employees and other persons at mines and, for that purpose to promote a culture of health and safety; to provide for the enforcement of health and safety measures (and other matters).
2. To regulate employers and employees duties to identify hazards and to eliminate, control and minimize the risk to health and safety.
3. Owner to ensure safety: The owner of every mine must ensure that the mine is designed, constructed and equipped to provide conditions for safe operation and a healthy work environment and ensure that the mine is operated in such a way that employees can perform their work without endangering the health and safety of themselves or of any other person, and
4. to provide equipment as necessary to achieve those conditions.
5. OHS Act not applicable to mines: The Occupational Health and Safety Act, 1993 is not applicable to any matter in respect of which any provision of the Mine Health and Safety Act is applicable.
6. Manager to supply health and safety equipment: Every manager must supply all necessary health and safety equipment to each employee in sufficient quantities.
7. Manager to supply health and safety training: As far as reasonably practicable, every manager must provide employees with any information, instruction, training or supervision that is necessary to enable them to perform their work safely; and
8. ensure that every employee becomes familiar with work-related hazards and risks and the measures that must be taken to eliminate, control and minimise those hazards and risks.
9. Manager to supply health and safety training: As far as reasonably practicable, every manager must ensure that every employee is properly trained to deal with anticipated risks and in the measures necessary to eliminate, minimize and control those risks, and in relevant emergency procedures.
10. Manager to assess and respond to risk: Every manager must identify and assess any risks to employees health and safety while they are at work, and must determine all measures to eliminate, control and minimise the risk, and in so far as the risk remains to provide the necessary PPE.
11. Manufacturers and suppliers duty to health for safety: Any person who manufactures or supplies an article for use at a mine must ensure, as far as is reasonably practicable, that the article is safe and without risk to health and safety when used properly.
12. Duty of employees: Every employee at a mine, while at the mine, must take reasonable care to protect their own health and safety, use and take proper care of protective clothing and equipment provided for the protection, health or safety of that employee and other employees.
13. Furthermore, in terms of section 91 of the Act it is an offence to fail to comply with a duty under the Act.

Reference: SANS Mine Health & Safety Act 29 of 1996