

# Health and Safety Legal Framework and Expected Changes

## Department of Mineral Resources and Energy

Presented By:

**Mrs Constance Kekana**

**SACESHA ONLINE CONFERENCE 2021**  
**30 June 2021**



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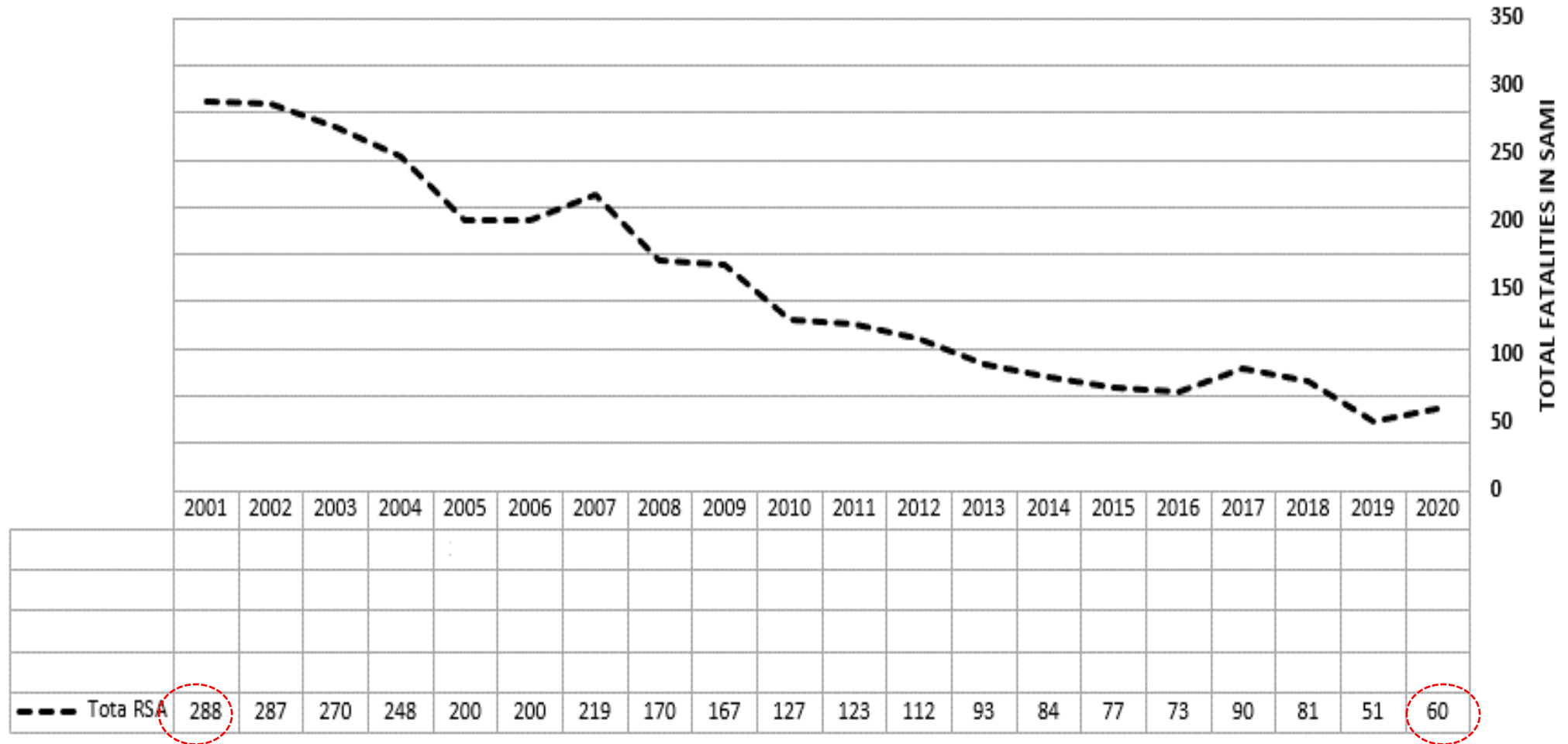
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# OVERVIEW OF SAFETY PERFORMANCE



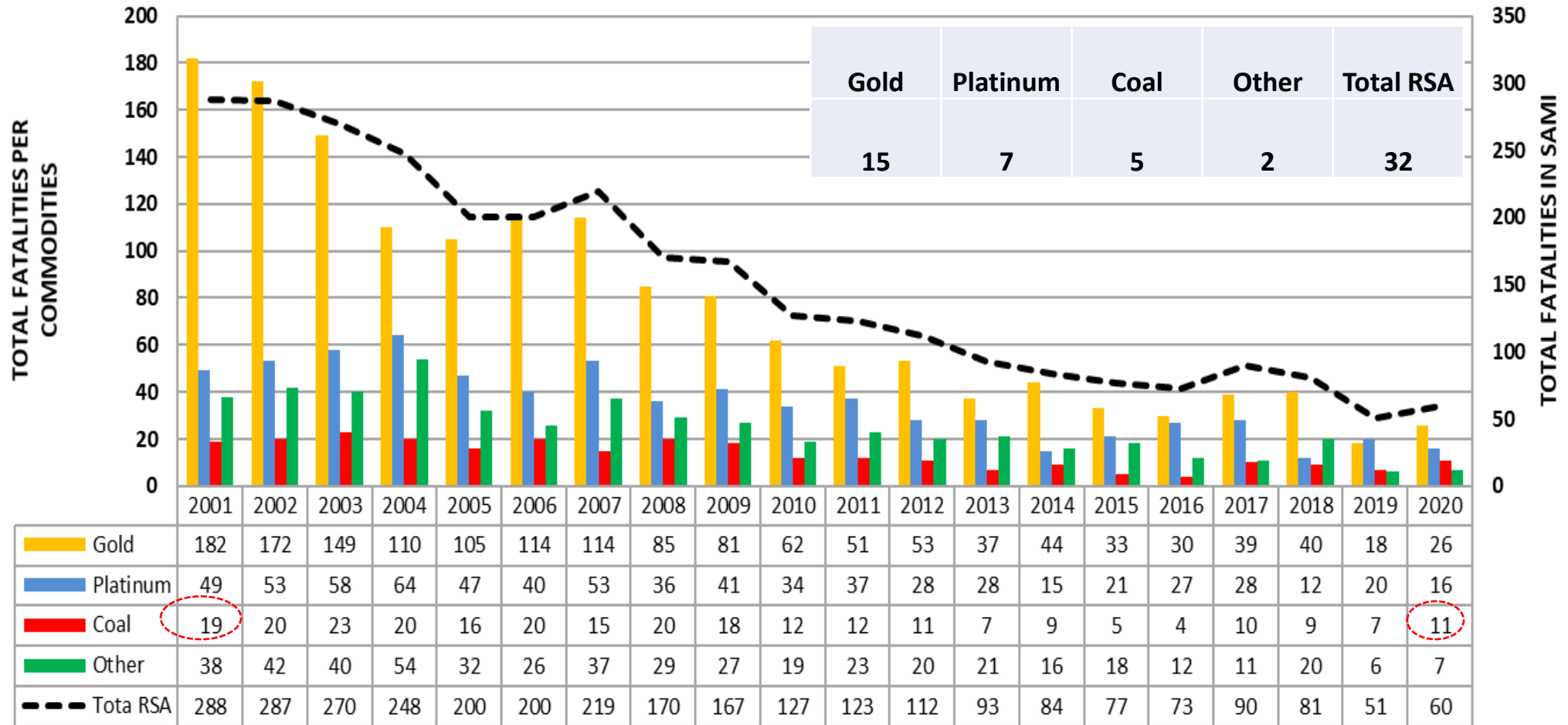
TOTAL FATALITIES IS RSA  
2001 - 2020



# OVERVIEW OF SAFETY PERFORMANCE

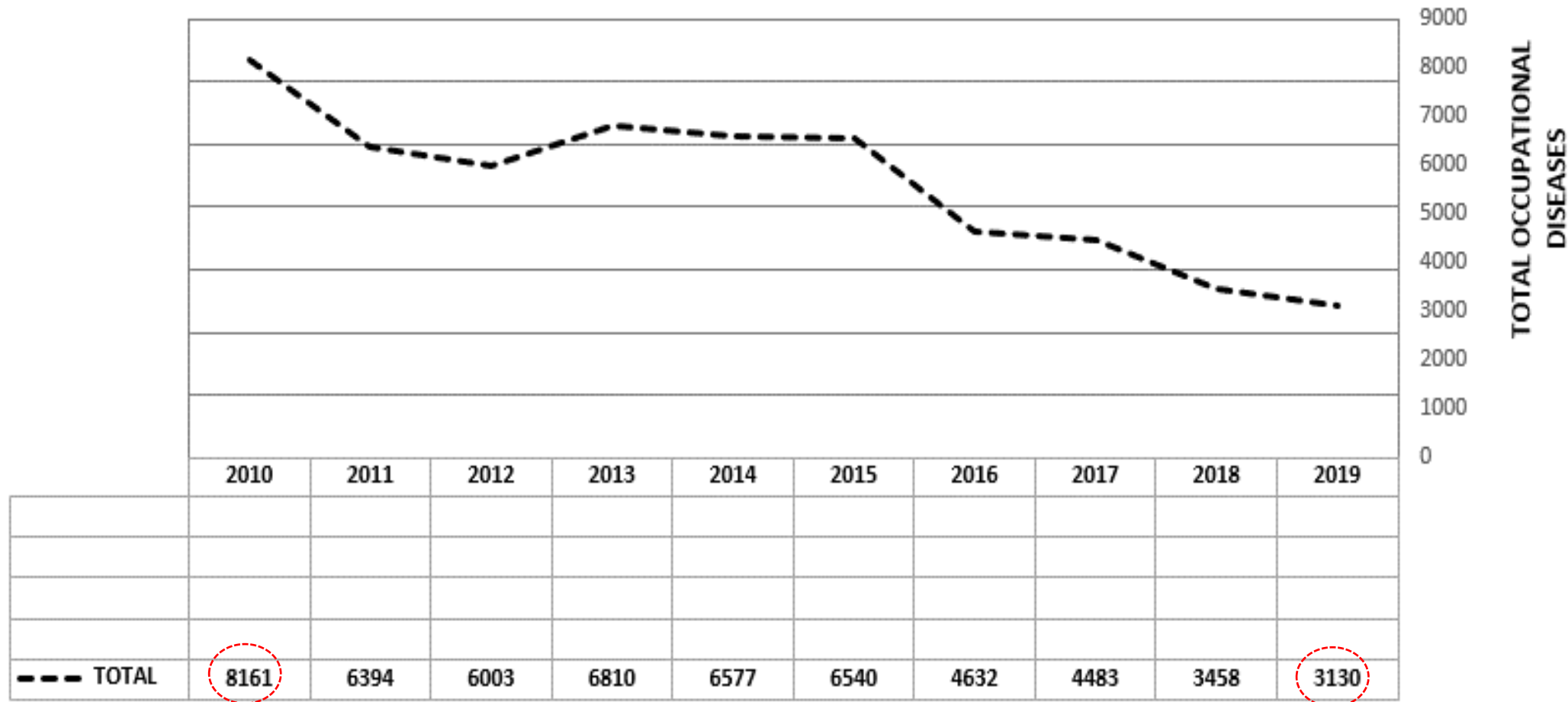


## TOTAL FATALITIES IS RSA 2001 - 2020



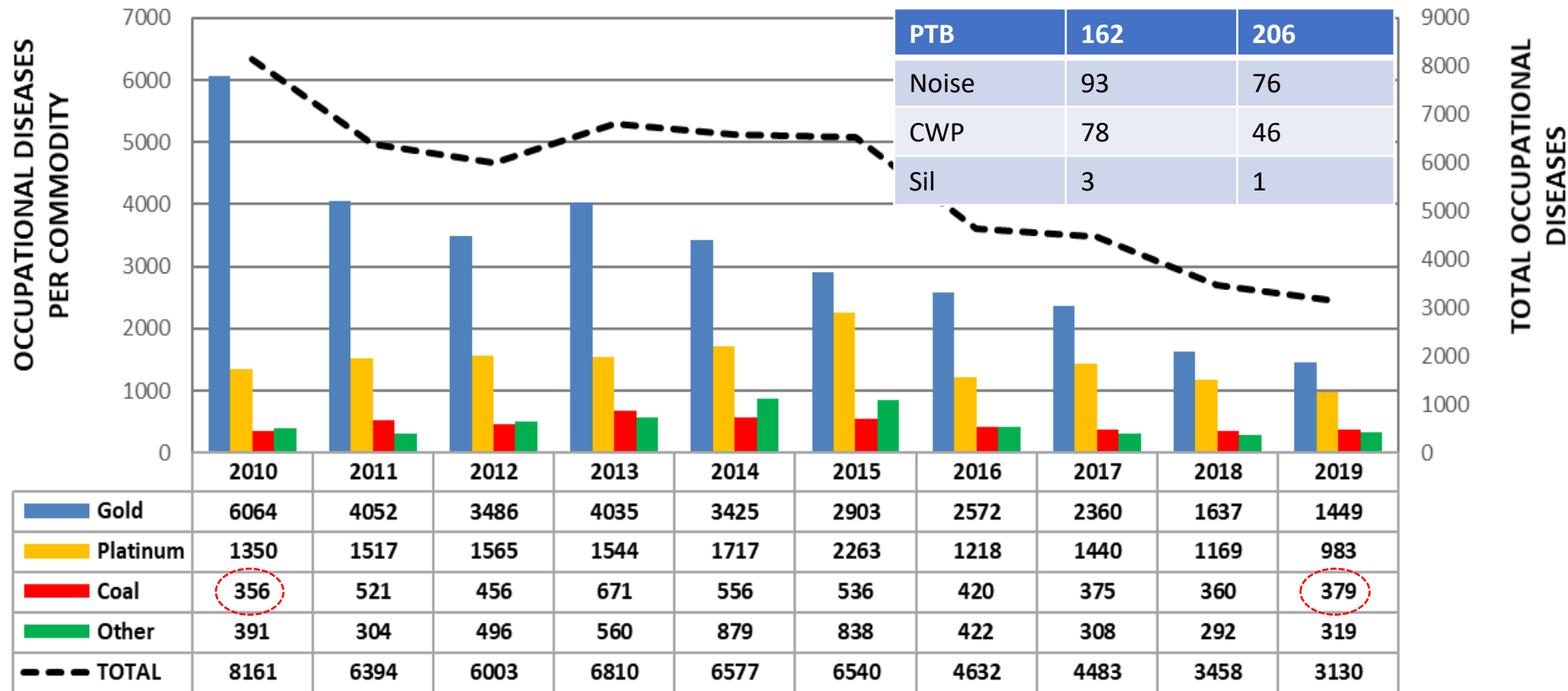
# OVERVIEW OF HEALTH PERFORMANCE

## Total Occupational Diseases in RSA 2010 - 2019



# OVERVIEW OF HEALTH PERFORMANCE

## Total Occupational Diseases in RSA 2010 - 2019



# OUTLINE

1. Introduction
2. Legislative Framework
  - 2.1 Health Legislative framework
  - 2.2 Safety Legislative framework
3. Conclusion



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# INTRODUCTION

- ❑ The MHSA was established with the sole purpose of regulating and improving health and safety in SAMI

## Main important provision

Statutory health and safety obligations to on the employer;

General health and safety rights and obligations of employees;

Tripartite Institution; and  
Investigations and Inquiries

## Incorporated Principles

Detailed risk assessment  
Disclosure and access to information

Employee participation  
Right to refuse work in dangerous places

## Guiding Prescripts

Sections of the Act

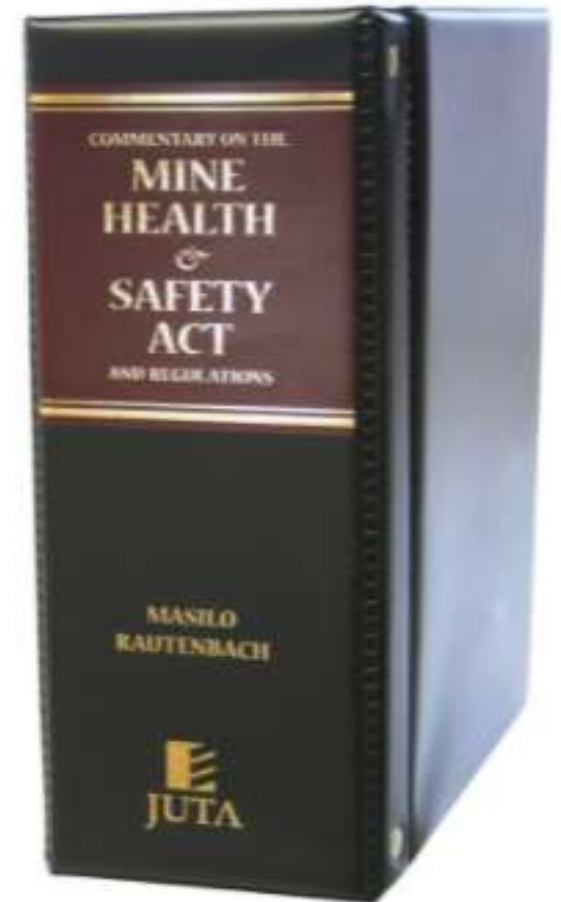
Regulations of the Act

Mandatory guidelines

# Legislative Framework - Chapters

## Chapters of the Act

1. Objects of the Act
  2. Health and safety at mines
  3. Health and safety representatives and committees
  4. Tripartite Institutions
  5. Inspectorate of mine health and safety
  6. Minister's powers
  7. Legal proceedings and offences
  8. General provisions
- Schedules





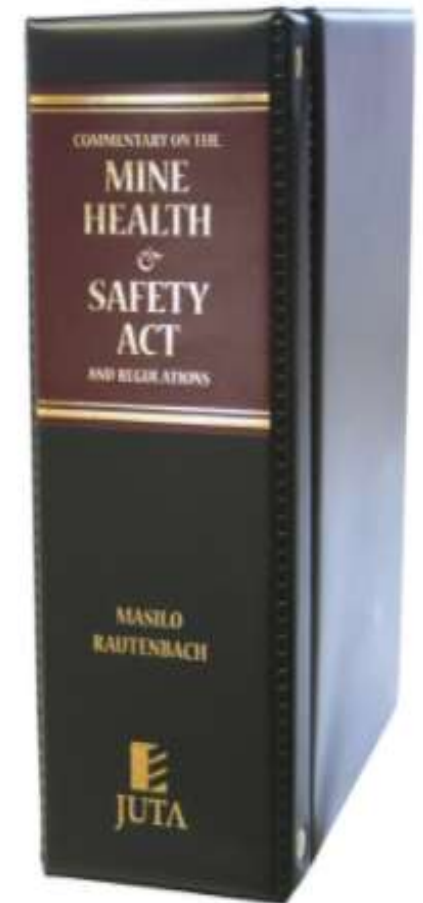
# Legislative Framework - Regulations

1. Appointment and administration
2. Duties and responsibilities
3. Electricity
4. Explosives
5. Fires and explosives
6. Health and safety representatives and committees
7. Inspectorate of mine health and safety
8. Machinery and equipment
9. Mine environmental engineering and occupational hygiene
10. Miscellaneous and general provision



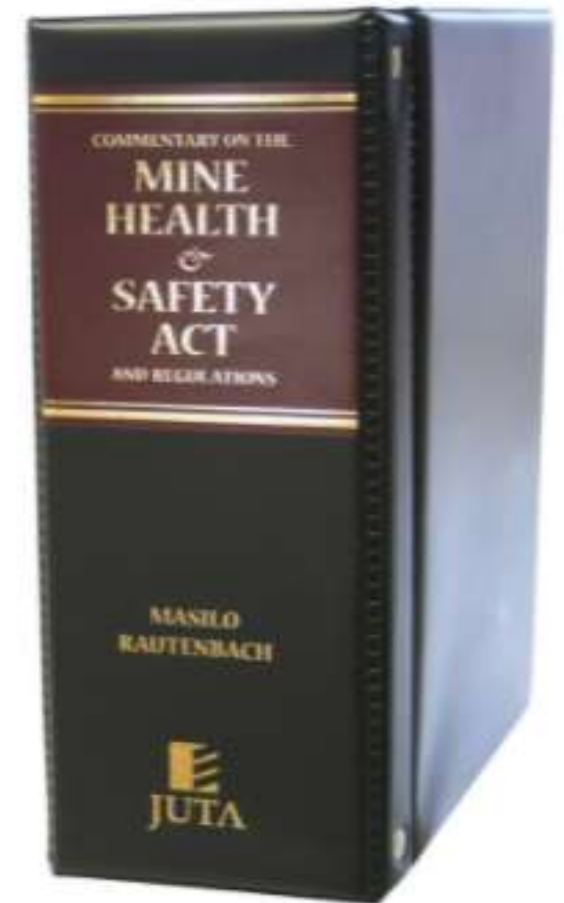
# Legislative Framework - Regulations

1. Appointment and administration
2. Duties and responsibilities



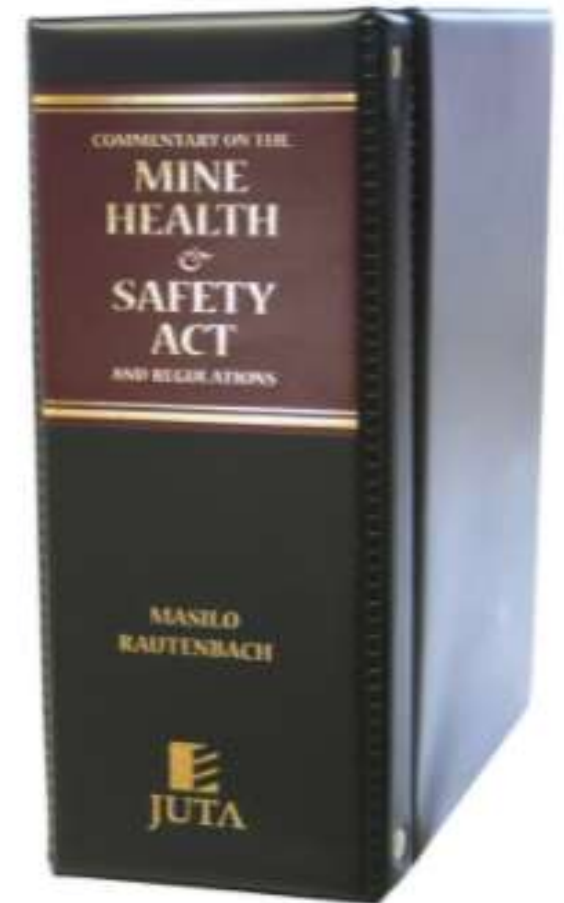
# Legislative Framework - Regulations

11. Occupational health
12. Offshore Installations
13. Outlets ladderways and travelling ways
14. Protection of the surface and the workings
15. **Qualifications and competences**
16. Rescue, first aid, emergency preparedness and response
17. Surveying, mapping and mine plans
18. Tripartite institutions
19. Underwater mining
20. Definitions; 22. Forms; and
21. 23 Reporting of accidents and dangerous occurrences



# Legislative Framework - Regulations

## 15. Qualifications and competences



# Legislative Framework- Review of Regulations

## REGULATION 2

**Duties and responsibilities**

*To be promulgated*

## REGULATION 8

**Machinery & Equipment**

*8.9 Conveyor Belt*

## REGULATION 9

**Mine environmental  
engineering &  
occupational hygiene**

*9.2 Illumination*

## REGULATION 16

**Rescue, first aid,  
emergency preparedness  
& response**

## REGULATION 15

**Qualifications and  
competences**



# Mine Legislative Framework- guidelines

Airborne  
Pollutants  
**2002**

Hearing Conservation  
for noise  
**2002**

Thermal Stress  
**2002**

Prevention of  
Flammable gas and  
coal dust for collieries  
**2002**

Lung function test  
(Guidance Note)  
**2003**

Tuberculosis control  
programme  
(Guidance Note)  
**2003**

Risk based  
fatigue  
**2014**

Risk based  
emergency care  
**2016**

Minimum standard to  
perform work  
**2016**

Prevention  
of Mine Fires  
**2017**

**HEALTH GUIDELINES**  
**FIRST EDITION**

Standard threshold  
shift I medical  
surveillance  
**2016**

Medical  
Incapacity  
**2016**

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Airborne Pollutants  
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**HEALTH GUIDELINES**  
**FIRST EDITION**

Standard threshold shift I medical surveillance  
**2016**

Confined Spaces  
**2020**

Self contained Self rescuers  
**2020**

COVID Management guideline  
**2020**

Strengthening HTC in SAMI guidance Note  
**2020**

Medical Incapacity  
**2016**

Implementation of HIV self testing in SAMI  
**2020**

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Airborne  
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Prevention of  
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Prevention  
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**HEALTH GUIDELINES**  
***UNDERWENT REVISION***

Medical  
Incapacity



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# Mine Legislative Framework- guidelines

Airborne  
Pollutants  
**2018**

Hearing Conservation  
for noise  
**Currently under  
revision**

Thermal Stress  
**2016-  
currently under  
revision**

Prevention of  
Flammable gas and  
coal dust for collieries  
**2020**

Tuberculosis control  
programme  
(Guidance Note)  
**2018**

Prevention of  
Mine Fires  
**Planned for  
revision**

**HEALTH GUIDELINES**  
***REVISION DATES***

Medical Incapacity  
**Currently under  
revision**

# Mine Legislative Framework- guidelines

Combat rock fall and slope instability related accident in surface mines  
**2003**

Combat roof fall accident in underground coal mines  
**2003**

Emergency preparedness and response  
**2011**

Safe use of conveyor belt installation for transportation of minerals or personnel  
**2014**

**SAFETY GUIDELINES**  
**FIRST EDITION**

Right to refuse dangerous work  
**2016**

Trackless Mobile Machinery  
**2014**

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Instructions to protect the health or safety of persons prior the removal/extraction of pillars at a mine.  
**2018**

Instructions to protect health or safety of persons prior gaining access into abandoned and/or old mined out areas underground at a mine.  
**2018**


# Mine Legislative Framework- guidelines



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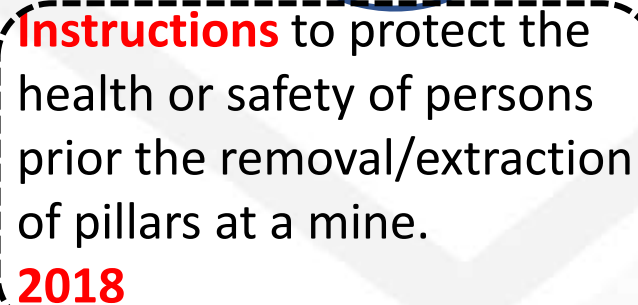


## **SAFETY GUIDELINES** **FIRST EDITION**

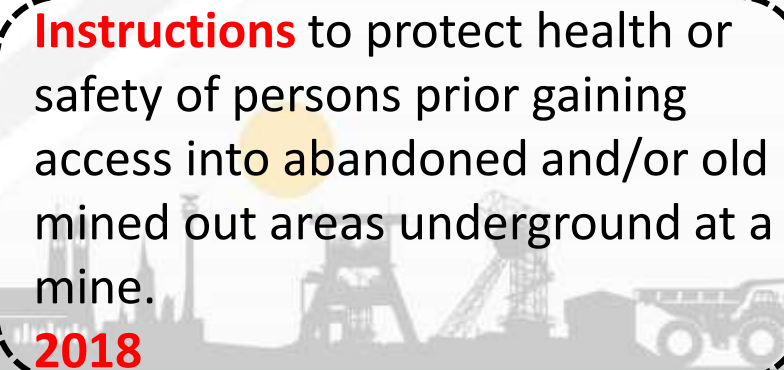
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# Mine Legislative Framework- guidelines

**Guidance note** -on minimum standards on ground vibration and noise air-blast and fly rock

Safe use of conveyor belt installation for transportation of minerals or personnel

**Planned for revision**

**SAFETY GUIDELINES**

***Development***



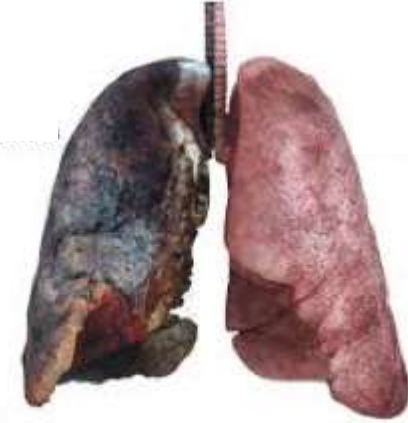
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# Conclusion

- ❑ SAMI Industry is encouraged to continue striving for zero harm.
- ❑ This should be done in collaboration with all stakeholders because legislative framework and enforcement alone is not enough.
- ❑ Let us join hands together and work towards continuous improvement with the aim of achieving....





# BEYOND COMPLIANCE



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***THANK YOU***



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