

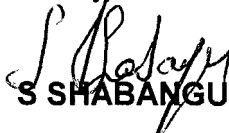
DEPARTMENT OF MINERAL RESOURCES

No. R. 1068

19 November 2010

MINE HEALTH AND SAFETY ACT, 1996 (ACT NO 29 OF 1996)**REGULATIONS RELATING TO MACHINERY AND EQUIPMENT**

I **S SHABANGU** Minister of Mineral Resources under section 98 (1) of the Mine Health and Safety Act, 1996 (Act No. 29 of 1996), after consultation with the Council, hereby amends the Regulations in terms of the Mine Health and Safety Act, as set out in the in the Schedule.



S SHABANGU

MINISTER OF MINERAL RESOURCES

SCHEDULE**REGULATIONS AMENDMENTS****CHAPTER 22****Amendment of Chapter 22 of the regulations**

Chapter 22 of the principal regulations is hereby is hereby amended-

SCHEDULE

1. by the insertion after sub-regulation 22.8.7 (2) of the following sub-regulations:

22.8.10 Hazardous Location

22.8.10.1 The competent person referred to in regulation 8.10.1 means a person who-

- (i) is the holder of a Certificate of Competency for mechanical or electrical engineering issued by the Chief Inspector of Mines and has knowledge and experience in the design, construction and maintenance of equipment in the Hazardous Location and is conversant with the relevant SANS Standards; or
- (ii) has been assessed competent against a qualification recognised by the MQA this purpose.

22.8.10.2 The competent person referred to in regulation 8.10.2(f) means a person who -

- (i)(a) is in possession of an Electrician Trade certificate issued by the Department of Labour under the Manpower Training Act or who has been assessed competent against a skills programme or qualification recognised for this purpose by the Mining Qualifications Authority;
- (b) has the experience in the design, construction, installation, operation and maintenance of the type of electrical apparatus used in a hazardous location on which he is required to work at the mine; and
- (c) is conversant with the relevant SANS Standards referred to in the regulations; or
- (ii) has been assessed competent against a qualification recognised by the MQA this purpose.

22.8.10.3 The competent person referred to in regulation 8.10.2(n) means a person who-

- (i)(a) is in possession of Diesel Mechanic Trade certificate issued by the Department of Labour under the Manpower Training Act or who has been assessed competent against a skills programme or qualification recognised for this purpose by the Mining Qualification Authority;

- (b) has the experience in the design, construction, installation, operation and maintenance of type of diesel equipment on which he is required to work at a mine; and
 - (c) is conversant with the relevant SANS Standards referred to in the regulations; or
- (ii) been assessed competent against a qualification recognised by the MQA this purpose.

22.8.13 VESSELS UNDER PRESSURE

22.8.13 The competent person¹ referred to in regulation 8.13(9), 8.13(11), 8.13.(17) means a person –

- 1.1 who is the holder of a Certificate of Competency for Mechanical or Electrical Engineers (Mines and Works) issued by the Department; or
- 1.2 who has been assessed competent against a qualification, skills programme or unit standards recognised by the Mining Qualification Authority for this purpose; or
- 1.3 who is the holder of a valid certificate of registration: “Competent Person Pressure Vessels” issued by the South African Qualification and Certification Committee for competent persons (pressure vessels and boilers).

2. by the addition of the following sub-regulations:

22.10.3 Water Storage and Pumping

22.10.3.1 The “competent person¹” referred to in 10.3(2)(a) means a person who is registered as a professional engineer with the Engineering Council of South Africa.

22.10.3.2 The “competent person²” referred to in regulations 8.10.(2)(b) and (c) means a person who-

- (a) is the holder of a Certificate of Competency for mechanical or electrical engineering issued by the Chief Inspector of Mines and has knowledge and experience in the design, construction and maintenance of dams and plugs; and
- (b) has been assessed competent against a qualification recognised by the MQA for this purpose.

22.10.4 Draw Points, Tipping Points, Rock Passes and Box Fronts

22.10(4)(1)(a) The “competent person¹” referred to in regulation 10.4(1)(a) means a person who:

- (a) is registered with the Engineering Council of South Africa as a professional engineer or professional technologist; or
- (b) has been assessed competent against a qualification recognised by the Mining Qualification Authority for this purpose.

22.10.4(2)(b) The “competent person²” referred to in regulation 10.4(2)(b) means a person who:

- (a) is the holder of a Certificate of Competency for Mechanical or Electrical Engineers (Mines and Works) issued by the Department; or
- (b) who has been assessed competent against a qualification recognised.