

**THE OCCUPATIONAL HEALTH AND
SAFETY SPECIFICATION**

FOR

(PROJECT NAME)

FOR

THE UNIVERSITY OF SOUTH AFRICA

(THE “CLIENT”)

AND

(THE “PRINCIPAL CONTRACTOR”)

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CONSTRUCTION HEALTH AND SAFETY SPECIFICATION

PROJECT MANAGEMENT/SUPERVISION

SUPERVISION BY THE UNIVERSITY OF SOUTH AFRICA:

- _____ - **PROJECT MANAGER**
- _____ - **HEALTH AND SAFETY OFFICER (UE)**
(Monitoring the Project Health and Safety)
- _____ - **ENVIRONMENTAL CONTROL OFFICER**
- _____ - **QUALITY CONTROL OFFICER**

SUPERVISION BY AGENT/DESIGNER (As appointed):

- _____ - **DESIGNER/AGENT REPRESENTATIVE**

SUPERVISION BY THE PRINCIPAL CONTRACTOR (As appointed):

- _____ - **CONTRACTOR REPRESENTATIVE**
- _____ - **HEALTH AND SAFETY OFFICER**
- _____ - **ENVIRONMENTAL CONTROL OFFICER**
- _____ - **QUALITY CONTROL OFFICER**

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1. PREAMBLE

- 1.1. In terms of Construction Regulation 5(1)(b) as amended in 2014 and incorporated in the Occupational Health and Safety Act, (Act No. 85 of 1993) hereinafter referred to as ‘the Act’, the University of South Africa, as the Client and/or its Construction Health and Safety Agent on its behalf, shall be responsible to prepare Health & Safety Specification document for any intended construction project and provide any Principal Contractor who is making a bid or is appointed to perform construction work for the Client and/or its Construction Health and Safety Agent on its behalf with same.
- 1.2. The Client’s duties are as described in the Act, its Regulations and the Standards incorporated in the Act.
- 1.3. The Principal Contractor shall ensure compliance with the Act, its Regulations and the Standards incorporated in the Act.
- 1.4. Due to the wide scope and definition of construction work, every construction activity and site will be different, and circumstances and conditions may change even on a daily basis. Therefore, due caution is to be taken by the Principal Contractor when drafting the Health and Safety Plan, based on this Health and Safety Specification. Prior to drafting the Health and Safety Plan, and in consideration of the information contained here-in, the contractor shall set up a Risk Assessment Program to identify and determine the scope and details of any risk associated with any hazard at the construction site, in order to identify the steps that need to be taken to remove, reduce or control such hazard. This Risk Assessment and the steps identified will be the basis or point of departure for the Health and Safety Plan.
- 1.5. The preservation of the health and safety of the personnel, students, visitors and contractors in and on the premises of the University of South Africa is a high priority.
- 1.6. Every effort has been made to ensure that this Health and Safety Specification document is accurate and adequate in all respects. Should it however, contain any errors or omissions they may not be considered as grounds for claims under the contract for additional reimbursement or extension of time, or relieve the Principal Contractor of his/her responsibilities and accountability in respect of the project to which this specification document pertains. Any such inaccuracies, inconsistencies and/or inadequacies must immediately be brought to the attention of the Agent and/or Client.

2. SCOPE OF HEALTH AND SAFETY SPECIFICATION DOCUMENT

- 2.1. The Health and Safety Specification pertaining to this project, as referred to in the tender documentation, covers the subjects contained in the index and is intended to outline the normal as well as any special requirements of the University of South Africa, pertaining to the health and safety matters, including the environmental aspects, applicable to this project. These Health and Safety Specifications should be read in conjunction with the Act, the Construction Regulations 2014 as amended and all other Regulations and Standards incorporated in the Act.
- 2.2. The Health and Safety Specification pertaining to this project, as referred to in the tender documentation, covers the subjects contained in the index and is intended to outline the normal as well as any special requirements of the University of South Africa, pertaining to the health and safety matters, including the environmental aspects, applicable to this project. These Health and Safety Specifications should be read in conjunction with the Act, the Construction Regulations 2014 as amended and all other Regulations and Standards incorporated in the Act.
- 2.3. The Health and Safety Specification pertaining to this project, as referred to in the tender documentation, covers the subjects contained in the index and is intended to outline the normal as well as any special requirements of the University of South Africa, pertaining to the health and safety matters, including the environmental aspects, applicable to this project. These Health and Safety

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Specifications should be read in conjunction with the Act, the Construction Regulations 2014 as amended and all other Regulations and Standards incorporated in the Act.

3. PURPOSE

- 3.1. The University of South Africa is obligated to implement measures to ensure the health and safety of all persons and properties affected under its custodianship or contractual commitments and is further obligated to monitor that these measures are structured and applied according to the requirements of this Health and Safety Specification.
- 3.2. This Specification is not intended to supersede the Act nor the Construction Regulations 2014 or any part of either. Those sections of the Act and the Construction Regulations 2014 which apply to the scope of works to be performed by the Principal Contractor in terms of this contract (entirely or in part) will continue to be legally required of the Principal Contractor to comply with. The Principal Contractor will in no manner or means be absolved from the responsibility of complying with all applicable Sections of the Act, the Construction Regulations 2014 or any other Regulations and Standards incorporated in the Act or which may perceivably be applicable to this contract.
- 3.3. The purpose of this specification document is to:-
 - 3.3.1. provide the appointed Principal Contractor and his/her Contractor/s with any information, other than the standard conditions pertaining to construction work, which might affect the health and safety of persons at work and the health and safety of persons in connection with the use of plant and machinery and to protect persons other than persons at work against hazards to health and safety arising out of or in connection with the activities of persons at work during the carrying out of construction work for the University of South Africa,
 - 3.3.2. ensure that the appointed Principal Contractor and his/her Contractor/s are informed and fully aware of the fact that they need to comply with the legislative requirement of the Act, the Construction Regulations 2014 as amended and all other Regulations and Standards incorporated in the Act.

4. DEFINITIONS

For any definition related to expressions in this document please refer to the definition sections of the respective legislation.

5. MANDATARY AGREEMENT

The Principal Contractor will be expected to sign the Mandatary Agreement in terms of the OHS Act, Section 37(2). The Principal Contractor, on appointment of a Contractor, must also enter into a Mandatary Agreement with his/her Contractor.

6. HEALTH AND SAFETY GOALS AND OBJECTIVES

The University of South Africa strives to ensure that all projects undertaken in or on the premises of the university, are managed in such a way as to prevent injuries and diseases which may stem from the activities in the work environment.

We encourage all the role players in our projects to adopt of a positive health and safety culture, and continuously search for innovative techniques that will enable us to enhance the quality of human life.

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7. MANAGEMENT AND SUPERVISION OF CONSTRUCTION WORK

7.1. Construction Management

- 7.1.1. A Construction Manager must be appointed, as required by Construction Regulation 8(1) and be delegated the OHS Act, Section 16(2) duties of the Employer.
- 7.1.2. Assistant Construction Manager/s must be appointed in accordance with Construction Regulation 8(2).
- 7.1.3. Construction Management must have proof of competence in the construction field and health and safety. **(Refer to Clause 8.)**

7.2. Health and Safety Management

- 7.2.1. A Registered Construction Health and Safety Officer must be appointed in accordance with Construction Regulation 8(5).
- 7.2.2. A competent Risk Assessor must be appointed, as required by Construction Regulation 9(1).
- 7.2.3. An Incident Investigator, in line with the OHS Act, Section 24, read with General Administrative Regulations 8 and 9, must be appointed.
- 7.2.4. Health and Safety Management must have proof of competence in Construction Health and Safety. **(Refer to Clause 8.)**

7.3. Supervision of Construction Work

- 7.3.1. Construction Supervisor must be appointed as required by Construction Regulation 8(7).
- 7.3.2. Assistant Construction Supervisor must be appointed as required by Construction Regulation 8(8).
- 7.3.3. All other relevant Supervisors on the Construction Site, based on the Scope of Work, must be appointed.
- 7.3.4. Construction Supervision must have proof of competence in the construction field and health and safety. **(Refer to Clause 8.)**

7.4. Organisational Chart of Legal Appointees for the Project

An Organisational Chart (Organogram) of the Construction Work Management Team is a requirement. This Organogram must map out the Construction Management Team for the project.

8. TRAINING & QUALIFICATION

- 8.1. Competence certificates of all appointed persons must be valid and relevant and included in the H&S File.
- 8.2. Proof of Professional Registration, where required, must be included in the H&S File.
- 8.3. All training certificates must be issued by a training provider who is accredited for the specific training.
- 8.4. The Client shall determine whether the competence of appointee is suitable.

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9. COMMUNICATION

- 9.1. Health and Safety communication between all parties involved in the project will be via the Principal Agent or Client’s Project Manager in writing.
- 9.2. Health and Safety communication on site will be directly through the Principal Agent/Client’s Project Manager/Construction Manager and followed up in writing.
- 9.3. The Principal Agent or Client’s Project Manager will be responsible for the dissemination of all relevant Health and Safety information to all other parties involved in the project.
- 9.4. The Client’s Health and Safety Office may direct or instruct the Principal Contractor and Contractors verbally on Health and Safety matters and follow up such directions and instructions in writing.
- 9.5. Where a dispute, regarding health and safety matters needs to be resolved, the Client’s Health and Safety Office must be involved.

10. RESPONSIBILITIES

10.1. Client

- 10.1.1. Where application for a permit to carry out construction work is required, the Client or his/her appointed Construction Health and Safety Agent on his/her behalf will prepare a Baseline Risk Assessment for the construction work.
- 10.1.2. The Client or his/her appointed Construction Health and Safety Agent on his/her behalf will prepare a suitable, sufficiently documented and coherent site-specific Health and Safety Specification for the construction project, based on the Baseline Risk Assessment.
- 10.1.3. The Client or his/her appointed Construction Health and Safety Agent on his/her behalf will provide the Designer with the Health and Safety Specification, to take into consideration during the design stage, as well as to carry out all the responsibilities as contemplated in Construction Regulation 6.
- 10.1.4. The Client or his/her appointed Construction Health and Safety Agent on his/her behalf will ensure that the potential Principal Contractor submitting a tender for the intended construction work has made adequate provision for the cost of Health and Safety measures, including the cost of human resources.
- 10.1.5. The Client or his/her appointed Construction Health and Safety Agent on his/her behalf will ensure that the Principal Contractor to be appointed, has the necessary competencies and resources to carry out the construction work safely.
- 10.1.6. The Client or his/her appointed Construction Health and Safety Agent on his/her behalf will ensure that, before any construction work commences, the Principal Contractor and Contractor are registered and in good standing with the Compensation Commissioner or with a licensed compensation insurer, as contemplated in the Compensation for Occupational Injuries and Diseases Act, (Act No. 130 of 1993).
- 10.1.7. The Client or his/her appointed Construction Health and Safety Agent on his/her behalf will appoint the Principal Contractor for the project or phase/section of the project in writing in compliance with Construction Regulation 5(1) (k).

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- 10.1.8. The Client or his/her appointed Construction Health and Safety Agent on his/her behalf shall discuss and negotiate with the Principal Contractor the contents of the Health and Safety Plan of both the Principal Contractor and Contractor for approval.
- 10.1.9. The Client or his/her appointed Construction Health and Safety Agent on his/her behalf will take reasonable steps to ensure that the Health and Safety Plan of both the Principal Contractor and Contractor is implemented and maintained. The steps taken will include periodic audits at intervals of at least once every month.
- 10.1.10. The Client or his/her appointed Construction Health and Safety Agent on his/her behalf will require the Principal Contractor to ensure that weekly Health and Safety Inspections are carried out by a competent Health and Safety Officer and that the findings are reported to the Client in writing.
- 10.1.11. The Client or his/her appointed Construction Health and Safety Agent on his/her behalf may prohibit the Principal Contractor and/or the Contractor from commencing or continuing with construction work should the Principal Contractor and/or the Contractor at any stage of the construction work be found to:
 - 10.1.11.1. have failed to comply with any of the administrative requirements in preparation for the construction work;
 - 10.1.11.2. have failed to implement or maintain their Health and Safety Plan;
 - 10.1.11.3. have executed construction work which is not in accordance with their Health and Safety Plan; or
 - 10.1.11.4. have acted in any way which may pose a threat to the health and safety of any person present on the site of the works or in its vicinity, irrespective of him/her being employed or legitimately on the site of the works or in its vicinity. Where construction work has been stopped due to failure to comply with the requirements of paragraph 8.1.11 above, the client may impose penalties for the delays due to construction stoppage.
 - 10.1.11.5. The Client or his/her appointed Construction Health and Safety Agent on his/her behalf may impose penalties and fines for non-compliance by the Principal Contractor and Contractor.
 - 10.1.11.6. The Client may impose penalties and fines in accordance with **TABLE 1 (Refer to Clause 14.2.)**, where the penalties and fines schedule is listed.

10.2. Principal Contractor

- 10.2.1. The appointed Principal Contractor must accept the written appointment in terms of Construction Regulation 5(1) (k).
- 10.2.2. The Principal Contractor must ensure that, before any construction work commences, a valid letter of good standing with the Compensation Commissioner or with a licensed compensation insurer, as contemplated in the Compensation for Occupational Injuries and Diseases Act, 1993 is submitted to the Client and kept in the Health and Safety File.
- 10.2.3. The Principal Contractor must ensure that he/she is fully conversant with the requirements of this Specification and the Act and the Regulations and incorporated Standards.

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- 10.2.4. The Principal Contractor must provide and demonstrate to the Client, a suitable, sufficiently documented and coherent site-specific Health and Safety Plan, based on the documented Health and Safety Specification.
- 10.2.5. The Principal Contractor must compile and keep, on site, a Health and Safety File for the construction work, which must include all documentation required in terms of the Act and the Regulations and incorporated Standards.
- 10.2.6. The Principal Contractor must ensure that a valid Medical Certificate of Fitness is provided for every employee who will be deployed on site, specific to the construction work to be performed by the employee and issued by an Occupational Health Practitioner in the form of Annexure 3.
- 10.2.7. The Principal Contractor must apply and maintain the Health and Safety Plan from commencement to completion of the construction work.
- 10.2.8. The Principal Contractor must review and update the Health and Safety Plan as the construction work progresses.
- 10.2.9. The Principal Contractor must conduct and maintain the Risk Assessment to be applied for the duration of the construction work.
- 10.2.10. The Principal Contractor must review and update the Risk Assessment on a monthly basis or following an incident or scope change, as the construction work progresses.
- 10.2.11. The Principal Contractor shall ensure that a copy of his/her Health and Safety File is available on site and is presented upon request to the Client, an Inspector, Employee or Contractor.
- 10.2.12. The Principal Contractor must, before commencing work, notify the Provincial Director of the Department of Labour where the construction site is located, of this intended construction work in terms of Construction Regulation 4, in the form of Annexure 2. The acknowledgement of receipt from the Department of Labour shall be kept in the Health and Safety File.
- 10.2.13. The Principal Contractor must, on appointing another Contractor, ensure compliance with these Health and Safety Specifications and the provision of the Act and the Regulations and incorporated Standards, including the Compensation for Occupational Injuries and Diseases Act, (Act No. 130 of 1993).
- 10.2.14. The Principal Contractor must, throughout the execution of the construction work, ensure that all conditions imposed on his/her Contractors in terms of the Act and the Regulations and incorporated Standards, are complied with as if they were the Principal Contractor.
- 10.2.15. The Principal Contractor must consistently demonstrate his/her competence and the adequacy of his/her resources to perform the duties imposed on the Principal Contractor in terms of this Specification, the Act and the Regulations and incorporated Standards.
- 10.2.16. The Principal Contractor must, upon completion of the construction work, hand over a consolidated Health and Safety File and a comprehensive Health and Safety close-out report to the Client.
- 10.2.17. The Principal Contractor must demonstrate legislative compliance for all activities listed in the Scope of Works for the construction work and further demonstrate how he/she will implement and maintain the afore-mentioned compliance.

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10.3. Contractors

Responsibilities of all Contractors appointed by the Client or the Principal Contractor in terms of the contract and Health and Safety Specification, are as per **Clauses 7. & 10.2.** above, as and where applicable or as indicated in the letter of appointment.

11. SCOPE OF WORKS

- 11.1. The Health and Safety Specification is applicable to the Scope of Works pertaining to the above-mentioned Project, as detailed in the Tender Documents, Bill of Quantities (BOQ) or Purchase Order (PO).
- 11.2. The Scope of Works must be provided with clear description of the activities, including the equipment to be used on site.

12. SPECIAL NOTES TO PRINCIPAL CONTRACTOR AND CONTRACTORS

- 12.1. If at any time after commencement of the project, changes are brought about to the design or construction, the Health and Safety Office of the Client must immediately be informed thereof.
- 12.2. If at any time after commencement of the project, changes are brought about to the appointment of employees represented on the Organogram (**Refer to Clause 7.4.**) of the project, the Health and Safety Office of the Client or the appointed Construction Health and Safety Agent, as the case may be, must immediately be informed thereof, so that arrangements can be made for a review and update of the Health and Safety File.
- 12.3. The information in **Clause 13** below is included as a guideline for the compilation of the Health and Safety File. The final contents of the Health and Safety File will be determined by the Scope of Works of the project as detailed in the tender documents. (**Refer to Clause 13. below**)
- 12.4. The Principal Contractor is required to notify the Client and the Construction Health and Safety Agent immediately of any Incident/Accident, including all Near-Misses, in writing, as well as report on a monthly basis, the status of Health and Safety Incidents/Accidents in the workplace.
- 12.5. The Principal Contractor is responsible for overseeing the investigation of all Incidents/Accidents and Near-Misses in the workplace. The Health and Safety Representative must be included in and be part of the Incident/Accident investigations.
- 12.6. The Principal Contractor shall inspect his/her workplace on a monthly basis and report the findings, in writing, to the Client/Agent.
- 12.7. All Contractors shall immediately notify the Principal Contractor of any Incident/Accident, including all Near-Misses, in writing, as well as report on a monthly basis, in writing, the status of Health and Safety Incidents/Accidents in the workplace.
- 12.8. All Contractors shall inspect their workplace on a monthly basis and report the findings, in writing, to the Principal Contractor.
- 12.9. The Client/Construction Health and Safety Agent shall conduct Health and Safety Audits of the construction site on a monthly basis and report the findings to the Principal Contractor in writing.
- 12.10. The Principal Contractor is required to develop Risk Assessments, Standard Operating Procedures (SOP) and Precautionary Measures for each activity executed during the project.

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- 12.11. The Health and Safety Plan, Fall Protection Plan (where applicable) and all the Risk Assessments must be monitored on an ongoing basis and reviewed at least once a month.
- 12.12. The Principal Contractor is required to ensure and prove that all persons have attended an Occupational Health and Safety Induction session, prior to accessing the construction site.
- 12.13. The Principal Contractor is required to ensure that all persons wear the required Personal Protective Equipment (PPE) when accessing the construction site.
- 12.14. The Principal Contractor must ensure that visitors and non-employees, prior to entering the site, receive a site-specific Health and Safety Induction session. Records of such sessions and a completed and signed attendance register must be kept in the Health and Safety File.
- 12.15. The Principal Contractor must ensure that visitors and non-employees, prior to entering the site, are issued with the proper Personal Protective Equipment (PPE) as and when necessary.
- 12.16. All operators, drivers and users of construction vehicles, mobile plant and other equipment must be in possession of valid proof of training, in accordance with the relevant legislative requirement.
- 12.17. At no stage shall employees be transported on the back of LDV's, Trucks or Lorries in or on the premises of the Client nor on site.
- 12.18. The Principal Contractor must appoint Health and Safety Representatives in the workplace and establish a Health and Safety Committee. The Health and Safety Representatives must conduct weekly inspections of their respective areas of responsibility by means of a checklist and report their findings to the Health and Safety Committee. The Health and Safety Committee must meet once a month and submit the Minutes of the Meeting to the Client, within 7 days after the meeting.
- 12.19. The Health and Safety File will remain the property of the Client and/or its Agent on its behalf throughout the duration of the project and shall be consolidated by the Contractor and handed over to the Client and/or its Agent on its behalf at the time of completion of the project as required by Construction Regulation 7(1) (e).

13. HEALTH AND SAFETY FILE

- 13.1. The Principal Contractor must, in terms of Construction Regulation 7(1) (b), keep a Health and Safety File on site at all times that must include all documentation required in terms of the Act, the Regulations and incorporated Standards.
- 13.2. The Health and Safety File must be compiled for the project and presented to the Health and Safety Office of the Client or the appointed Construction Health and Safety Agent, as the case may be, prior to the commencement of any work on site.
- 13.3. The information listed below forms part of the list of items that are required in the Health and Safety File and is in no way conclusive. The Health and Safety File must contain all the information as indicated below as well as any additional information relevant to the project. The final content of the Health and Safety File will be determined by the Scope of Works of the project. **(Refer to Clause 12.3. above)**
- 13.4. **The Health and Safety File must include:**
 - 13.4.1. The Health, Safety and Environmental Policy, signed by the CEO.
 - 13.4.2. The Mandatary Agreements between the parties and Letter of Appointment of the Contractor.

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- 13.4.3. A list of all Contractors on site that are accountable to the Principal Contractor.
- 13.4.4. A clear description of the Scope of Works of the project, corresponding with the activities listed in Bill of Quantities in the tender document.
- 13.4.5. A copy of a valid Letter of Good Standing with the Compensation Commissioner or with a licensed compensation insurer, as contemplated in the Compensation for Occupational Injuries and Diseases Act, (Act No. 130 of 1993).
- 13.4.6. A site-specific SHE Risk Assessment for all the activities on site with detailed applicable precautionary measures.
- 13.4.7. A site-specific and project-specific Health and Safety Plan.
- 13.4.8. An Environmental Management Plan which includes a comprehensive site-specific Waste Management Plan.
- 13.4.9. A Fall Protection Plan must be included in the File (where applicable).
- 13.4.10. An Organizational Chart (Organogram) of the Construction Work Management Team clearly displaying the following details:
 - 13.4.10.1. The Health and Safety Management Structure within the Contractor's organization and on site.
 - 13.4.10.2. The full names of the incumbents.
 - 13.4.10.3. Proper reference to the relevant Regulations and Sections of the legislation.
- 13.4.11. All applicable letters of mandatory appointment, in accordance with the Health and Safety Management Structure, referred to in **Clause 13.4.10.1.** above, must be filled out and signed prior to presenting the Health and Safety File to the Client/Construction Health and Safety Agent.
- 13.4.12. A CV demonstrating the required competence of the appointed incumbents and proof of qualification in the form of certificates, as well as proof of professional registration with the SACPCMP where legally required or specified by the Client/ Construction Health and Safety Agent during the demonstration of the Health and Safety File.
- 13.4.13. Site-specific Safe Work Procedures detailing the relevant tasks and specific methodology to be adopted during performance of the tasks on site.
- 13.4.14. A valid Medical Certificate of Fitness for every employee/person, who will be deployed on site, specific to the construction work to be performed and issued by an occupational health practitioner in the form of Annexure 3.
- 13.4.15. A list of all persons who will be deployed on site, kept updated at all times.
- 13.4.16. A list of all Tools, Plant and Equipment that will be utilized on site.
- 13.4.17. The Inspection Checklists for the Tools, Plant and Equipment listed in **Clause 13.4.16.** above, must be included in the Health and Safety File and must make provision for inspecting and recording of the respective parts and components of the Tools, Plant and Equipment, with the results thereof indicated. The inspections must be carried out on a daily basis before use, by a competent person appointed by the Principal Contractor or Contractor in writing.

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- 13.4.18. An issue register of all Personal Protective Equipment (PPE) that will be utilized on site. This register must include a written acknowledgement of receipt of the PPE and a declaration by the recipients that they have been instructed in the correct use, storage, replacement/exchange, care and the limitations of the PPE and that they will wear the PPE at all times where required.
- 13.4.19. Records of Health and Safety Talks with site-/project-relevant topics and written acknowledgement of having attended the sessions.
- 13.4.20. Emergency Preparedness Response Procedure, including Emergency Evacuation Procedure and Route, as well as Emergency Contact Details and Assembly Points which must be displayed on site.
- 13.4.21. Incident/Accident Management Procedure including Incident/Accident reporting forms (Annexure 1) and COID Act Forms as well as provision for incident investigation report.

14. MONITORING AND REVIEWING HEALTH AND SAFETY PERFORMANCE

14.1. Internal/External Audits

- 14.1.1. The Principal Contractor must conduct monthly Safety, Health and Environmental Audits and such records must be kept in the Health and Safety File. The Principal Contractor must ensure that corrective measures are taken to ensure compliance.
- 14.1.2. The Principal Contractor must conduct monthly Safety, Health and Environmental Audits on his/her Contractors and the findings must be discussed with the Contractor for remedial action.
- 14.1.3. The Client or his/her appointed Construction Health and Safety Agent shall conduct monthly audits and the findings noted must be discussed with the Principal Contractor for remedial action. Inspections must be conducted by the Client or his/her appointed Construction Health and Safety Agent and non-conformances noted must be recorded and provided to the relevant Principal Contractor for remedial action.
- 14.1.4. The Client or his/her appointed Construction Health and Safety Agent shall stop any Principal Contractor or Contractor from executing any Construction Work which is not in accordance with the Health and Safety Plan or any unsafe work that may pose imminent danger to a person.
- 14.1.5. The Principal Contractor must ensure that all necessary documents stipulated in the Health and Safety Specification are kept in the Health and Safety File and made available when requested.

14.2. Offences, Penalties and Fines

- 14.2.1. The Client or his/her appointed Construction Health and Safety Agent may recommend penalties for legislative non-compliance by the Principal Contractor and Contractors.
- 14.2.2. Penalties will be imposed by the Client or his/her appointed Construction Health and Safety Agent on a Principal Contractor who are found to be infringing these specifications, legislation and safety plans.
- 14.2.3. The Principal Contractor will be advised in writing of the nature of the infringement and the amount therefor.
- 14.2.4. The Principal Contractor must determine how to recover the fine from the relevant employee and/or sub-contractor.

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- 14.2.5. The Principal Contractor must also take the necessary steps (e.g. training) to prevent a recurrence of the infringement and must advise UNISA accordingly.
- 14.2.6. The Principal Contractor is also advised that the imposition of penalties does not replace any legal proceedings.
- 14.2.7. Penalties will be between R200 and R20 000, depending upon the severity of the infringement.
- 14.2.8. The decision on how much to impose will be made by the Client or his/her appointed Construction Health and Safety Agent and will be final.
- 14.2.9. In addition to the penalties, the Principal Contractor must be required to make good any damage caused as a result of the infringement at his/her own expense.
- 14.2.10. The preliminary list below outlines typical infringements against which the Client or his/her appointed Construction Health and Safety Agent may impose penalties; however, this list must in no way be construed as final:

PENALTIES AND FINES SCHEDULE	
Offence or non-compliance	Amount
Failure to keep a copy of OHSACT on site.	
Failure to maintain an up-to-date letter of good standing with the Compensation Commissioner / FEM.	
Working on site without attending Safety Induction Training.	
Failure to conduct Safety Induction for personnel and visitors on site.	
Failure to issue and wear Personal Protective Clothing and Equipment.	
Failure to fully stock first aid box in accordance to the risks identified.	
Failure to disclose or report first aid cases and /or minor/major/fatalities as prescribed by the OHSACT.	
Failure to adhere to written safe work procedure as stipulated in the Hazard Identification and Risk Assessment and safety plan.	
Failure to maintain records and registers as per the OHS Act of 1993 and its regulations.	
Failure to conduct audits and inspections as required by legislation.	
Keeping un-serviced fire equipment on site.	
Failure to make use of ablution facilities.	
Failure to remove personnel on site who appears to be under the influence of intoxicating liquor or drugs.	
Failure to close out previously raised non-conformances.	
Failure to make and update legislative appointments.	
Failure to adhere to the OHS Act of 1993 and its regulations.	

TABLE 1

I,, representing (Company),

Upon receipt of this specification, agree and acknowledge UNISA's right to impose penalties should I or any of my employees or contractors fail to comply with these conditions.

Signature:

Date:

Doc. No.	CHS-SPEC-01	Owner	FM SHEQ Office
Rev. No.	03	Next revision date	2022-12-31

CONSTRUCTION HEALTH AND SAFETY SPECIFICATION

15.ACKNOWLEDGEMENT OF RECEIPT OF THE HEALTH AND SAFETY SPECIFICATION

I,, representing (Company),
as the Principal Contractor/Contractor (***please indicate***), hereby acknowledge receipt of the Health and
Safety Specification from the Client or his/her appointed Construction Health and Safety Agent, at tender
stage, for the following project:

I have familiarized myself with the contents of the site-specific Health and Safety Specification and will
ensure that I, as the Principal Contractor/Contractor (***please indicate***) and my employees will, at all times,
comply with the requirements of this Health and Safety Specification and the Health and Safety Plan for
this Project.

Signature:
Principal Contractor/Contractor (***Please indicate***)

Date: