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01 Feb 2024	28 Feb 2026	SHEQ Warehouse (Pty) Ltd	Neville
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Certificate of Competency Regulation, 1990

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1. Definitions

Defines key terms used in the regulations including "certificate of competency" or "certificate" (a certificate of competency as a mechanical or electrical engineer issued under regulation 2(1)), and "Commissioner of Examiners" or "Commission" (the commission established under regulation 5(1)).

2. Issue of certificates

2(1) Certificates of competency are issued by the chief inspector in accordance with recommendations of the Commission of Examiners. 2(2) A person who has been issued a certificate of competency is deemed to be a certificated engineer as per the General Machinery Regulations. 2(3) Persons wishing to obtain a certificate must apply to the Commission of Examiners. 2(4) The Commission shall not recommend issuing a certificate unless the candidate has passed the qualifying examination or the Commission is satisfied the candidate possesses sufficient knowledge of design, assembly, erection, running and maintenance of machinery, apparatus and installations, and of the Act and regulations. 2(5) A certificate of competency as mechanical engineer shall be in the form of Annexure 1 and a certificate of competency as electrical engineer shall be in the form of Annexure 2. 2(6) Any certificate with amendments or erasures made by anyone other than the chief inspector shall be null and void.

3. Suspension or cancellation of certificates

3(1) The chief inspector may suspend or cancel a certificate if, after investigation, the holder is found guilty of gross negligence or misconduct in their duties. The chief inspector may also refer the matter to the Commission of Examiners for investigation and recommendation. 3(2) The chief inspector must immediately advise the certificate holder of the decision. 3(3) A suspended or cancelled certificate must be returned to the chief inspector within one month of notification.



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4. Substitution of lost, damaged or destroyed certificates

4(1) If a certificate is lost, damaged or destroyed, the person to whom it was issued may apply to the chief inspector for a duplicate. 4(2) Applications must be accompanied by uncanceled revenue stamps of R130 value affixed to the application. 4(3) After proof of loss, damage or destruction has been submitted satisfactorily, the chief inspector shall issue a duplicate certificate. 4(4) The chief inspector shall ensure that every duplicate certificate is marked with the words "duplicate/duplikaat".

5. Commission of examiners

5(1) The chief inspector shall appoint a Commission of Examiners after consultation with the Government Mining Engineer and subject to subregulation (4). 5(2)(a) Commission members are appointed for a period determined by the chief inspector and may be reappointed after their term expires. 5(2)(b) The chief inspector may discharge any member of the Commission. 5(3) The functions of the Commission are:

- Evaluating candidates' suitability for certificates of competency
- Making recommendations regarding qualifying examination curricula
- Reporting to the chief inspector
- Performing other prescribed functions

5(4) The Commission shall be constituted as follows:

- Two inspectors designated under section 20 of the Act
- Two officers appointed under section 3 of the Mining Rights Act, 1967
- At least two persons with mechanical engineer certificates of competency
- At least two persons with electrical engineer certificates of competency

5(5) Meetings are held at times and places fixed by the chief inspector after consultation with the Government Mining Engineer. 5(6) Meetings are chaired by a member appointed by the chief inspector after consultation with the Government Mining Engineer. 5(7)(a) A quorum consists of the chairman and two members. 5(7)(b) Decisions are made by majority vote, with the chairman having a casting vote in case of a tie. 5(8) An officer of the Department designated by the chief inspector serves as secretary and keeps minutes. 5(9) Directives, rules for acceptance, and curricula for examinations are drawn up and amended by the chief inspector in consultation with the Government Mining Engineer. 5(10) Appeals process: (a) Candidates may appeal to the chief inspector against Commission decisions (b) Appeals must be lodged within 60 calendar days of the decision (c) Appeals must clearly state the grounds and include any representations (d) The chief inspector shall confirm, set aside, amend the decision, or substitute another decision (e) The chief inspector's decision is final

6. Qualifying examination

6(1) The qualifying examination is conducted by the Department of Education and Culture at times and places determined by that Department. 6(2) The rules for conducting qualifying



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examinations are determined by the Department of Education and Culture. 6(3) The qualifying examination covers two subjects: (a) Plant engineering (b) The Act and regulations issued thereunder The Commission may grant exemptions from examination in any of these subjects. 6(4) No person may apply to be examined unless accepted as a candidate by the Commission of Examiners. 6(5) Persons wishing to enter the qualifying examination must apply through the Department of Education and Culture and pay the examination fees set by that Department.

7. Acceptance as candidate

7(1) Applicants for the qualifying examination will not be accepted unless they provide satisfactory proof to the Commission: (a) That they are at least 23 years of age (b) That they have the required practical experience as provided in the rules under regulation 5(9) 7(2) Applications must be accompanied by R130 in uncanceled revenue stamps affixed to the application form.

8. Withdrawal of regulations

Withdraws specific regulations (E1-E9) and Annexures (F26, F26(a), F27, F27(a)) from the regulations published by Government Notice No. R.929 of 28 June 1963.

9. Short title

These regulations are called the Regulations concerning the Certificate of Competency, 1990.