

REPUBLIC OF SOUTH AFRICA

MINE HEALTH AND SAFETY ACT

REGULATIONS

EXECUTIVE SUMMARY

Prepared for Contractors Operating on South African Mines

Mine Health & Safety Compliance Series

Compiled by: Paragon Compliance (Pty) Ltd

SHEQ Specialists & ISO Lead Auditors

1. Introduction

The Mine Health and Safety Act Regulations are the subordinate legislation issued under the Mine Health and Safety Act 29 of 1996. While the Act establishes the overarching legal framework and duties, the Regulations prescribe the specific technical, operational, and administrative standards that must be met at every mine.

Organised into 18 regulation groups, these regulations cover the full spectrum of mine operational hazards – from electricity, explosives and fires, to machinery, occupational health, environmental engineering, emergency response, and tripartite institutions. For mining contractors, the Regulations define the practical standard of care required across all work activities.

Key Fact	Detail
Issued under	Mine Health and Safety Act No. 29 of 1996
Regulation Groups	18 Groups covering all operational disciplines
Table of Contents Inserted by	GN R1573 of 13 December 2002
Primary Obligation	Employer must take all reasonably practicable measures to comply
Enforcement Authority	Chief Inspector of Mines and appointed Inspectors

2. Summary of the 18 Regulation Groups

Regulation 1 – Appointments and Administration

Prescribes requirements for the formal appointment of competent persons to key health and safety roles. All appointments must be in writing, with clear scope of responsibility. Recordkeeping of appointments is mandatory and must be available for inspector review.

Regulation 3 – Electricity

One of the most detailed regulation groups, covering electrical safety from design to decommissioning:

- All electrical apparatus must be designed, installed, operated, and maintained by competent persons.
- No person must be exposed to electric shock, arc flash, or electrocution.
- Electrical substations must have up-to-date single-line diagrams displayed, clearly identified, and access-controlled.
- Isolation, earthing, and lock-out/tag-out procedures are mandatory before any work on electrical apparatus.
- Flexible and trailing cables must be screened and earthed; maximum of 15 joint repairs permitted.
- MV/HV switching may only be performed by competent persons authorised in writing.
- Underground coal mine substations must vent into return airways.

Regulation 4 – Explosives

Provides extensive controls for the acquisition, storage, transport, handling, and use of explosives at mines:

- Only authorised and certificated persons (blasters) may handle and fire explosives.
- Explosives magazines must meet prescribed construction, ventilation, and distance standards.
- Strict controls govern the issuing, accounting, and disposal of all explosive materials.
- Misfires and unexploded charges must be handled by prescribed procedures by competent persons only.
- Electronic detonators and initiation systems are subject to specific compatibility and testing requirements.
- Transport of explosives must comply with prescribed loading, securing, and signage requirements.

Regulation 5 – Fires and Explosions

Controls relating to fire prevention, detection, suppression, and emergency response:

- Employers must identify all fire and explosion hazards and implement appropriate controls.
- Fire suppression systems, extinguishers, and detection equipment must be installed, tested, and maintained.
- Underground fire emergency procedures and evacuation routes must be established and practised.
- Flammable and combustible materials must be stored and handled per prescribed requirements.

Regulation 6 – Health and Safety Representatives and Committees

Prescribes the operational detail for the HSR and committee system established by Chapter 3 of the Act:

- Full-time HSRs must be designated in accordance with Schedule 1 of the Act.
- HSRs must be trained for their role and given adequate time and resources.
- Committee meeting frequency, quorum requirements, agenda items, and recordkeeping are prescribed.
- Dispute resolution processes for HSR and committee disputes are defined.

Regulation 7 – Inspectorate of Mine Health and Safety

Provides the administrative and operational framework for Inspectors exercising their statutory powers under Chapter 5 of the Act, including prescribed notice formats, reporting requirements, and procedures for formal inspections, investigations, and inquiries.

Regulation 8 – Machinery and Equipment

The most operationally significant regulation group for most contractors, covering all mechanical plant and equipment at mines:

- All machinery must be designed, installed, operated, and maintained by competent persons.
- Pre-operational checks and scheduled maintenance programmes are mandatory.
- Guarding of moving parts, pinch points, and dangerous machinery is prescribed.
- Lifting equipment (hoists, cranes, conveyors) must be load-tested, certified, and inspected at prescribed intervals.

- Trackless mobile machines (TMMs) must undergo daily inspections and be operated only by authorised persons.
- Winding plants and shaft conveyances are subject to stringent design, examination, and test requirements.
- Pressure vessels and boilers must be tested and certified by authorised inspectors.

Regulation 9 – Mine Environmental Engineering and Occupational Hygiene

Covers ventilation, thermal environment, dust, noise, and occupational hygiene monitoring:

- Mines must have a ventilation system providing adequate airflow to all working areas.
- Temperature and humidity at working places must not exceed prescribed limits.
- Dust (including silica and coal dust) levels must be monitored and controlled below occupational exposure limits (OELs).
- Noise exposure must be assessed and controlled; hearing conservation programmes are mandatory.
- Occupational hygiene surveys must be conducted at prescribed frequencies with results recorded.

Regulation 10 – Miscellaneous and General Provisions

General provisions applicable across all operational areas, including requirements for signage, lighting, housekeeping, PPE, and the duty to report accidents, dangerous occurrences, and occupational diseases. Reporting timelines and prescribed formats for incidents are specified.

Regulation 11 – Occupational Health

Prescribes the occupational health management system requirements:

- Medical surveillance programmes must be established for all employees exposed to occupational health hazards.
- Entry, periodic, and exit medical examinations are prescribed for designated occupations.
- Occupational diseases (pneumoconiosis, noise-induced hearing loss, etc.) must be identified, reported, and managed.
- Medical records must be maintained for the prescribed period and kept confidential.
- Employees declared medically unfit must be accommodated or assisted appropriately.

Regulation 13 – Outlets

Governs access and egress requirements for underground mines, including the number, dimensions, and maintenance of outlets (shafts, adits, and other access points) to ensure safe evacuation in emergencies.

Regulation 14 – Protection of the Surface and the Workings

Prescribes rock mechanics and geotechnical safety requirements, including support of underground workings, stability of surface infrastructure above underground excavations, and management of ground movement risks such as subsidence and seismicity.

Regulation 16 – Rescue, First Aid and Emergency Preparedness and Response

Sets out mandatory requirements for mine rescue, first aid, and emergency response:

- Mine rescue teams must be established and trained at prescribed ratios.
- Rescue equipment must be maintained, tested, and available at all times.
- First aid facilities and trained first aiders must be available at prescribed ratios.
- Emergency response plans must be developed, documented, tested through drills, and updated.
- Communication systems for emergencies must be installed throughout all working areas.

Regulation 17 – Surveying, Mapping and Mine Plans

Requires mines to maintain accurate and current survey data and mine plans:

- All mine workings must be surveyed at prescribed intervals by a certificated mine surveyor.
- Mine plans must be maintained in hardcopy and digital formats.
- Plans must show all excavations, hazard zones, infrastructure, and safety-critical features.
- Plans must be available to inspectors, employees, and HSRs on request.

Regulation 18 – Tripartite Institutions

Provides the operational detail for the Mine Health and Safety Council (MHSC) and the Mining Qualifications Authority (MQA), including meeting procedures, reporting obligations, funding arrangements, and governance requirements as established in Chapter 4 of the Act.

3. The 'Reasonably Practicable' Standard

A critical concept running through all 18 regulation groups is the standard of 'reasonably practicable measures'. The employer must take all measures that are reasonably practicable to comply with each regulation. This means:

- The risk must be weighed against the cost, time, and effort required to address it.
- Where the risk is significant, compliance is mandatory regardless of cost.
- Failure to implement a reasonably practicable control is a contravention of the Act and Regulations.
- The employer carries the burden of proving that a measure was not reasonably practicable.

4. Key Contractor Obligations Under the Regulations

REGULATION COMPLIANCE REQUIREMENTS FOR CONTRACTORS

ELECTRICAL (Reg. 3)

- ✓ Electrical installations designed and maintained by competent persons
- ✓ Isolation and earthing (lock-out/tag-out) procedures implemented
- ✓ Written authorisation for MV/HV switching operators

EXPLOSIVES (Reg. 4)

✓ Certificated blasters only | Controlled explosives magazine | Misfire procedures

MACHINERY AND EQUIPMENT (Reg. 8)

✓ Daily inspections | Load testing | Guarding | Competent operators
✓ Trackless Mobile Machine (TMM) operator authorisation in writing

OCCUPATIONAL HEALTH (Reg. 11)

✓ Medical surveillance for all exposed employees
✓ Noise, dust and heat monitoring records maintained

EMERGENCY PREPAREDNESS (Reg. 16)

✓ Emergency Response Plan | First aiders at required ratio | Rescue equipment

INCIDENTS (Reg. 10)

✓ All accidents, dangerous occurrences and near-misses reported within prescribed timelines

5. Conclusion

The Mine Health and Safety Act Regulations translate the broad duties established by the MHSA into specific, measurable, and enforceable standards. For contractors operating on South African mines, every regulation group applicable to the scope of work must be addressed within the Mine Health and Safety System.

Mine owners will scrutinise contractor safety files against these regulations during approval processes. Gaps in regulatory compliance are grounds for rejection of safety files and, more importantly, represent real risks to the health and safety of workers.

This executive summary should be read together with the Executive Summary of the Mine Health and Safety Act 29 of 1996 and the detailed summaries of both documents.

— END OF EXECUTIVE SUMMARY —

Paragon Compliance (Pty) Ltd | SHEQ Specialists & ISO Lead Auditors