



OCCUPATIONAL HEALTH AND SAFETY POLICY

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| POLICY NUMBER | 3/P |
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| RESPONSIBLE MANAGER | HEAD: CORPORATE SERVICES |

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1. PREAMBLE

The Entity is committed to establishing and maintaining a safe working environment and well-being of all staff members and non-staff members at work. The Entity pledges to protect everyone against hazards and risks associated with Entity's daily operations, and to provide a safe and healthy work environment in accordance with the Occupational Health and Safety Act of 1993.

The Entity shall identify, analyse, evaluate and mitigate hazards or reduce risk causing incidents and accidents.

PSJDA shall use communication strategies in order to prevent personal injury, ill health, or property damage, and to safeguard the environment.

2. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Skills Development Act, (Act No. 97 of 1998)
- South African Local Government Bargaining Council: Collective Agreements
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- Disaster Management Act 57 of 2000 as amended
- Tobacco control act 83 of 1993 as amended
- Health Professions Act, 1974 (Act No. 56 of 1974)
- Nursing Act, 2005 (Act No. 33 of 2005)
- National Building Regulation act 103 of 1977
- Any other applicable laws and regulations, codes and standards.

3. DEFINITIONS

- a) **Act** refers to the Occupational Health and Safety Act 85 of 1993;
- b) **Accident** means an incident arising out of and in the course of an employee's employment and resulting in a personal injury, illness or death of the employee.
- c) **Entity** refers to Port St Johns Development Agency SOC Ltd and an employer
- d) **Employee** refers to any person who is employed by or works for the employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of the employer.
- e) **DoEL** refers to Department of Employment and Labour;
- f) **CEO** refers to the Chief Executive Officer;
- g) **HRM** refers to Human Resources Management
- h) **OHS** refers to Occupational Health & Safety;
- i) **SAPS** refers to South African Police Service;
- j) **PPE** refers to Personal Protective Equipment;

- k) **PPC** refers to Personal Protective Clothing;
- l) **SANS** refers to South African National Standards;
- m) **SABS** refers to South African Bureau of Standards;
- n) **SHE** refers to Safety, Health and Environment;
- o) **Hazard** refers to a source of or exposure to danger;
- p) **Health and Safety Equipment** refers to any article or part thereof which is manufactured, provided or installed in the interest of the health or safety of any person;
- q) **Medical Practitioner** refers to a registered health care professional on the General Medical Council list of registered Medical Practitioner with a licence to practice;
- r) **Health and Safety Representative** refers to a person designated in terms of section 17 (1) (2) of the Act;
- s) Risk means the probability that injury or damage to property will occur.

4. PROBLEM STATEMENT

All employers are obligated to provide and maintain as far as is reasonably practicable a working environment that is safe and without risk to the health of his employees and visitors.

This policy aims to ensure a safe work environment by identifying and mitigating all hazards and risks in pursuance of compliance obligations and for protection of employees and visitors from injuries and diseases stemming from the work environment and or work related activities.

5. PURPOSE

- 5.1 To Identify, analyse, evaluate and mitigate hazards or reduce risk causing incidents and accidents and occupational diseases for the employees and non-employees on work premises.
- 5.2 To take full account of health and safety considerations in all planning, decision making and execution of processes.
- 5.3 • To encourage worker involvement on matters relating to their health and safety while performing their employment duties or being at work.
- 5.4 To communicate and train everyone in the Entity on matters pertaining to risks and hazards associated with work;
- 5.5 To create and implement programmes that ensure a safe working environment.

6. SCOPE OF APPLICATION

This policy applies to all staff members of the Entity, Board members, visitors and contractors whilst within the premises of the Entity.

7. ROLES AND RESPONSIBILITIES

7.1 Responsibilities of an employer

An employer has in general the following obligations

- a) the provision and maintenance of systems of work, plant and machinery that, as far as is reasonably practicable; are safe and without risks to health;

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- b) taking such steps as may be reasonably practicable to eliminate or mitigate any hazard or potential hazard to the safety or health of employees, before resorting to personal protective equipment;
- c) making arrangements for ensuring, as far as is reasonably practicable, the safety and absence of risks to health in connection with the production, processing, use, handling, storage or transport of articles or substances.
- d) establishing, as far as is reasonably practicable, what hazards to the health or safety of persons are attached to any work which is performed, any article or substance which is produced, processed, used, handled, stored or transported and any plant or machinery which is used in his business, and he shall, as far as is reasonably practicable, further establish what precautionary measures should be taken with respect to such work, article, substance, plant or machinery in order to protect the health and safety of persons, and he shall provide the necessary means to apply such precautionary measures;
- e) providing such information, instructions, training and supervision as may be necessary to ensure, as far as is reasonably practicable, the health and safety at work of his employees;
- f) as far as is reasonably practicable, not permitting any employee to do any work or to produce, process, use, handle, store or transport any article or substance or to operate any plant or machinery, unless the precautionary measures contemplated in paragraphs (b) and (d), or any other precautionary measures which may be prescribed, - have been taken.
- g) taking all necessary measures to ensure that the requirements of this Act are complied with by every person in his employment or on premises under his control where plant or machinery is used;
- h) enforcing such measures as may be necessary in the interest of health and safety.
- i) ensuring that work is performed and that plant or machinery is used
- j) under the general supervision of a person trained to understand the hazards associated with it and who have the authority to ensure that precautionary measures taken by the employer are implemented; and
- k) causing all employees to be informed regarding the scope of their authority as contemplated in section 37(1)(b).
- l) to conduct his undertaking in such a manner as to ensure, as far as is reasonably practicable, that persons other than those in his employment who may be directly affected by his activities are not thereby exposed to hazards to their health or safety.
- m) as far as is reasonably practicable, cause every employee to be made conversant with the hazards to his health and safety attached to any work which he has to perform, any article or substance which he has to produce, process, use, handle, store or transport and any plant or machinery which he is required or permitted to use, as well as with the precautionary measures which should be taken and observed with respect to those hazards.
- n) inform the health and safety representatives concerned beforehand of inspections, investigations or formal inquiries of which he has been notified by an inspector, and of any application for exemption made by him in terms of section 40; and
- o) inform a health and safety representative as soon as reasonably practicable of the occurrence of an incident in the workplace or section of the workplace for which such representative has been designated.

- p) No employer shall in respect of anything which he is in terms of this Act required to provide or to do in the interest of the health or safety of an employee, make any deduction from any employee's remuneration or require or permit any employee to make any payment to him or any other person, provided that where an employee intentionally causes loss of or damage to health or safety equipment, his employer may, after a proper investigation, recover such loss or damage from that employee.
- q) No employer shall dismiss an employee, or reduce the rate of his remuneration, or alter the terms or conditions of his employment to terms or conditions less favourable to him, or alter his position relative to other employees employed by that employer to his disadvantage, by reason of the fact, or because he suspects or believes, whether or not the suspicion or belief is justified or correct, that that employee has given information to the Minister or to any other person charged with the administration of a provision of this Act which in terms of this Act he is required to give or which relates to the terms, conditions or circumstances of his employment or to those of any other employee of his employer, or has complied with a lawful prohibition, requirement, request or direction of an inspector, or has given evidence before a court of law or the labour court, or has done anything which he may or is required to do in terms of this Act or has refused to do anything which he is prohibited from doing in terms of this Act.
- r) Each incident occurring at work or arising out of or in connection with the, activities of persons at work, or in connection with the use of plant or machinery, in which, or in consequence of which:
- (a) any person dies, becomes unconscious, suffers the loss of a limb or part of a limb or is otherwise injured or becomes ill to such a degree that he is likely either to die or to suffer a permanent physical defect or likely to be unable for a period of at least 14 days either to work or to continue with the activity for which he was employed or is usually employed;
 - (b) a major incident occurred; or
 - (c) the health or safety of any person was endangered and where-
 - (i) a dangerous substance was spilled.
 - (ii) the uncontrolled release of any substance under pressure took Place.
 - (iii) machinery or any part thereof fractured or failed resulting in flying, falling or uncontrolled moving objects; or
 - (iv) machinery ran out of control, shall, within the prescribed period and in the prescribed manner, be reported to an inspector by the employer or the user of the plant or machinery concerned, as the case may be.
- s) In the event of an incident in which a person died, or was injured to such an extent that he is likely to die, or suffered the loss of a limb or part of a limb, no person shall without the consent of an inspector disturb the site at which the incident occurred or remove any article or substance involved in the incident therefrom, provided that such action may be taken as is necessary to prevent a further incident, to remove the injured or dead, or to rescue persons from danger.
- t) The provisions of subsections (1) and (2) shall not apply in respect of
- (a) a traffic accident on a public road,
 - (b) an incident occurring in a private household, provided the householder forthwith reports the incident to the South African Police;
- or

- (c) any accident which is to be investigated under section 12 of the Aviation Act, 1962 (Act No. 74 of 1962).
- u) A member of the South African Police to whom an incident was reported in terms of subsection (3)(b), shall forthwith notify an inspector thereof.

7.2 Responsibilities of the Chief Executive Officer

- a) Every chief executive officer shall as far as is reasonably practicable ensure that the duties of his employer as contemplated in this Act, are properly discharged.
- b) Without derogating from his responsibility or liability in terms of Section 16(1) the CEO may assign any duty contemplated in the said subsection to any person under his control, which person shall act subject to his/her control and directions.
- c) The provisions of subsection (1) shall not, subject to the provisions of section 37, relieve an employer of any responsibility or liability under this Act.
- d) For the purpose of subsection (1), the head of department of any department of State shall be deemed to be the chief executive officer of that department.

7.3 Responsibilities of employees

- a) Every employee shall at work, take reasonable care for the health and safety of himself and of other persons, who may be affected by his acts or omissions.
- b) as regards any duty or requirement imposed on his employer or any other person by this Act, co-operate with such employer or person to enable that duty or requirement to be performed or complied with;
- c) carry out any lawful order given to him, and obey the health and safety rules and procedures laid down by his employer or by anyone authorized thereto by his employer, in the interest of health or safety;
- d) if any situation which is unsafe or unhealthy comes to his attention, as soon as practicable report such situation to his employer or to the health and safety representative for his workplace or section thereof, as the case may be, who shall report it to the employer; and
- e) if he is involved in any incident which may affect his health or which has caused an injury to himself, report such incident to his employer or to anyone authorised thereto by the employer, or to his health and safety representative, as soon as practicable but not later than the end of the particular shift during which the incident occurred, unless the circumstances were such that the reporting of the incident was not possible, in which case he shall report the incident as soon as practicable thereafter.
- f) Not to intentionally or recklessly interfere with or misuse anything which is provided in the interest of health or safety.

7.4 Establishment of Health and Safety Reps

- a) Subject to the provisions of Section 17(2), every employer who has more than 20 employees in his employment at any workplace, shall, within four months after the commencement of this Act or after commencing business, or from such time as the number of employees exceeds 20, as the case may be, designate in writing for a specified period health and safety representatives for such workplace, or for different sections thereof.
- b) An employer and his employees or their representatives shall consult in good faith regarding the arrangements and procedures for the nomination or election, period of office and subsequent designation of health and safety representatives in terms of Section 17 (1), provided that if such consultation fails, the matter shall be referred for arbitration to an inspector, whose decision shall be final.

- c) Only those employees employed in a full-time capacity at a specific workplace and who are acquainted with conditions and activities at that workplace or section thereof, as the case may be, shall be eligible for designation as health and safety representatives for that workplace or section.
- d) The number of health and safety representatives for a workplace or section thereof shall in the case of shops and offices be at least one health and safety representative for every 100 employees or part thereof, and in the case of all other workplaces at least one health and safety representative for every 50 employees or part thereof, provided that those employees performing work at a workplace other than that where they ordinarily report for duty, shall be deemed to be working at the workplace where they so report for duty.
- e) All activities in connection with the designation, functions and training of health and safety representatives shall be performed during ordinary working hours, and any time reasonably spent by any employee in this regard shall for all purposes be deemed to be time spent by him in the carrying out of his duties as an employee.

7.5 Responsibilities of health and safety representatives

8.5.1 A health and safety representative may perform the following functions in respect of the workplace or section of the workplace for which he has been designated, namely,

- (a) review the effectiveness of health and safety measures
 - (b) identify potential hazards and potential major incidents at the workplace
 - (c) in collaboration with his employer, examine the causes of incidents at the Workplace.
 - (d) investigate complaints by any employee relating to that employee's health or safety at work.
 - (e) make representations to the employer or a health and safety committee on matters arising from paragraphs (a), (b), (c) or (d), or where such representations are unsuccessful, to an inspector.
 - (f) make representations to the employer on general matters affecting the health or safety of the employees at the workplace
 - g) inspect the workplace, including any article, substance, plant, machinery or health and safety equipment at that workplace with a view to the health and safety of employees, at such intervals as may be agreed upon with the employer, provided that the health and safety representative shall give reasonable notice of his intention to carry out such an inspection to the employer, who may be present during the inspection;
 - (h) participate in consultations with inspectors at the workplace and accompany inspectors on inspections of the workplace.
 - (i) receive information from inspectors as contemplated in section 36; and
 - (j) in his capacity as a health and safety representative attend meetings of the health and safety committee of which he is a member, in connection with any of the above functions .
- k) A health and safety representative may, in respect of the workplace or section of the workplace for which he has been designated-
- (i) visit the site of an incident and attend any inspection in loco;
 - (ii) attend any investigation or formal inquiry held in terms of this Act;
 - (iii) in so far as is reasonably necessary to perform his functions, inspect any document which the employer is required to keep in terms of this Act.
 - (iv) accompany an inspector on any inspection;
 - (v) with the approval of the employer (which approval shall not be unreasonably withheld), be accompanied by a technical adviser, on any inspection; and
 - (vi) participate in any internal health or safety audit.

- l) An employer shall provide such facilities, assistance and training as a health and safety representative may reasonably require and as have been agreed upon for the carrying out of his functions.
- m) A health and safety representative shall not incur any civil liability by reason of the fact only that he failed to do anything which he may do or is required to do in terms of this Act.

7.6 Establishment of Health and Safety Committee

- 7.6.1 An employer shall in respect of each workplace where two or more health and safety representatives have been designated, establish one or more health and safety committees and, at every meeting of such a committee as contemplated in subsection (4), consult with the committee with a view to initiating, developing, promoting, maintaining and reviewing measures to ensure the health and safety of his employees at work.
- a) A health and safety committee shall consist of such number of members as the employer may from time to time determine, provided that
 - b) if one health and safety committee has been established in respect of a workplace, all the health and safety representatives for that workplace shall be members of the committee;
 - c) if two or more health and safety committees have been established in respect of a workplace, each health and safety representative for that workplace shall be a member of at least one of those committees; and
 - d) the number of persons nominated by an employer on any health and safety committee established in terms of this section shall not exceed the number of health and safety representatives on that committee.
 - e) The persons nominated by an employer on a health and safety committee shall be designated in writing by the employer for such period as may be determined by him, while the health and safety representatives shall be members of the committee for the period of their designation in terms of section 17(1).
 - f) A health and safety committee shall hold meetings as often as may be necessary, but at least once every three months, at a time and place determined by the committee, provided that an inspector may by notice in writing direct the members of a health and safety committee to hold a meeting at a time and place determined by him, provided further that, if more than 10 per cent of the employees at a specific workplace has handed a written request to an inspector, the inspector may by written notice direct that such a meeting be held.
 - n) The procedure at meetings of a health and safety committee shall be determined by the committee.
 - o) A health and safety committee may co-opt one or more persons by reason of his or their particular knowledge of health or safety matters as an advisory member or as advisory members of the committee.
 - p) An advisory member shall not be entitled to vote on any matter before the committee.
 - q) If an inspector is of the opinion that the number of health and safety committees established for any particular workplace is inadequate, he may in writing direct the employer to establish for such workplace such number of health and safety committees as the inspector may determine.

7.7 Responsibilities of Health and Safety Committee

- (1) A health and safety committee-
 - (a) may make recommendations to the employer or, where the recommendations fail to resolve the matter, to an inspector regarding any matter affecting the health or safety of persons at the workplace or any section thereof for which such committee has been established;
 - (b) shall discuss any incident at the workplace or section thereof in which or

in consequence of which any person was injured, became ill or died, and may in writing report on the incident to an inspector; and

(c) shall perform such other functions as may be prescribed.

(2) A health and safety committee shall keep record of each recommendation made to an employer in terms of Section 20(1)(a) and of any report made to an inspector in terms of (1)(b).

(3) A health and safety committee or a member thereof shall not incur any civil liability by reason of the fact only that it or he failed, to do anything which it or he may or is required to do in terms of this Act.

(4) An employer shall take the prescribed steps to ensure that a health and safety committee complies with the provisions of section 19(4) and performs the duties assigned to it by subsections (1) and (2).

7.8 Responsibilities of company secretary/ legal Officer

- a) Incident Investigations;
- b) Internal audits;
- c) Monitoring of legal compliance;
- d) Training, development and facilitation of staff members, representatives, awareness, information, formal and informal training.
- e) Report any risks detected from the Audits to the HRCCC and the Board.

7.9 Responsibilities of Human Resource Management Unit

- a) Ensure that written appointments indicating duties, functions and responsibilities of the OHS Reps and Committee members are in place.
- b) Document all agreements relevant to occupational health and safety;
- c) Report all deviations, deficiencies and concerns raised by the Health and Safety Reps and Committee to the Chief Executive Officer (CEO) for authorization, action and implementation within reasonable timeframes; and
- d) Ensure that all occupational hazards and risks are identified, assessed, and that suitable risk control measures are implemented, maintained, evaluated and reviewed for efficiency and compliance.
- e) Ensure that Health and Safety committee meetings are held and that occupational health and safety information, records and database.
- f) Receive occupational injuries and diseases incident reports from employees, lodge and follow up claims with the Compensation Commissioner.
- g) Ensure that procedures are developed for implementation of this policy.

7.10 Responsibilities of Medical Practitioners

Any medical practitioner who examines or treats a person for a disease described in the Second Schedule to the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), or any other disease which he believes arose out of that persons employment, shall within the prescribed period and in the prescribed manner report the case to the person's employer and to the chief inspector.

8. NON COMPLIANCE WITH THE POLICY

Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Disciplinary Policy Procedure.

Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

7. POLICY REVIEW

This policy must be reviewed every three (3) years from its effective date to determine its effectiveness and appropriateness.

This policy may be assessed before that time as and when necessary to reflect substantial organisational changes at the Entity or any change required by law.

8. POLICY APPROVAL

This policy shall be implemented on being approved by Board.

10. APPROVAL AND SIGNATURES

Chief Executive Officer



Signature

19 January 2026
Date

Board Chairperson



Signature

19/01/2026
Date