

MHSA: DMR PUBLISHES MANDATORY CODES OF PRACTICE GUIDELINES AND GUIDANCE NOTE

Hi there

On 2 August 2024 the Department of Mineral Resources published two (2) Guidelines for the Compilation of Mandatory Codes of Practices as well as a Guidance Note in terms of the Mine Health and Safety Act, Act 29 of 1996 in Government Gazette No.45903.

GUIDELINES FOR THE COMPILATION OF MANDATORY CODES OF PRACTICES:

Legal Status of Code of Practice

In accordance with section 9(2) of the MHSA, an employer must prepare and implement a COP on any matter affecting the health or safety of employees and other persons who may be directly affected by activities at the mines if the CIOM requires it. These COPs must comply with any relevant guideline issued by the CIOM [section 9(3)]. Failure by the employer to prepare or implement a COP in compliance with this guideline is a breach of the MHSA.

Gov. N 5097: Guideline for a mandatory Code of Practice for minimum standards on ground vibrations, noise, air-blast and flyrock near surface structures and communities to be protected

Reference number: DMRE 16/3/2/1-A8
Last Revision Date: First Edition
Date first issued: First Edition
Effective Date: 2024-11-01

This guideline (for minimum standards) has been developed to provide a framework within which to manage the risk associated with ground vibration, noise, air-blast and flyrock during blasting in surface mines of South Africa.

Considering the absence of any local guidelines in the South African mining industry, the USBM standard (Siskind, Stagg, Kopp & Dowding, 1989) is generally used to assess whether ground vibrations exceed safe limits. Consequently, community members surrounding the mining areas are unhappy with the standards used by the mines as damage and/or deterioration of buildings is noticed, which many people of South Africa (communities included) attribute to blasting operations that South African surface mines conduct.

This guideline has been designed around the best practice principles and standards, using the latest operational expertise and application of technology for the measurement, management and monitoring of ground vibration, noise, air-blast and flyrock. The objective of this guideline is to provide a framework with minimum standards for the employers at every mine to consider when compiling a COP to protect surface structures against impacts of ground vibration, noise, air-blast and flyrock emanating blasting operations.

Gov. N 5099: Guideline for a mandatory Code of Practice for a quality assurance programme for a system of occupational hygiene and ventilation engineering measurements

Reference number: DMRE 16/3/2/4-B8
Last Revision Date: First Edition
Date first issued: First Edition
Effective Date: 2024-11-01

The MHSA requires the employer to protect the health and safety of employees at mines. It further requires the employer, in terms of Regulation 9.2(2) read with Section 11(4)(a) and Section 12 of the MHSA, and in terms of its risk assessment, to establish and maintain a system of occupational hygiene measurements. The overall goal of a well-designed and well-implemented occupational hygiene measurement system (i.e. sampling and analysis) is to measure accurately the health hazards to which an individual might be exposed to in his or her workplace. Where the risk assessment of the employer indicates a need to establish and maintain either a system of occupational hygiene and ventilation engineering measurements, or where such a system is required by regulation, the employer must prepare and implement a quality assurance programme COP based on this guideline.

This guideline aims to assist employers with the establishment of an appropriate quality assurance programme on the occupational hygiene and ventilation engineering measurements but does not stipulate detailed requirements for specific circumstances, as the individual requirements of any employer will be guided by the risk assessment outcomes.

GUIDANCE NOTE:

Legal Status of Guidance Note

The guidance note was compiled specifically with the view to provide guidance to all stakeholders regarding their roles and responsibilities with reference to the management of GBVF, safety and security of women in the mining industry.

Gov. N 5098: Guidance note for the management of GBVF, safety and security challenges for women in the South African mining industry

Reference number: Reference number: DMRE 16/3/2/1-A7

Last Revision Date: First Edition

Date first issued: First Edition

Effective Date: 2024-11-01

GBVF is a profound and widespread problem in South Africa, impacting on almost every aspect of life. Violence and sexual harassment is a recurrent problem for and a threat to the health, safety and security of female workers in the South African mining industry.

Physical violence and sexual harassment at work, particularly at the mines, should be recognised as a serious prevalent problem requiring specific regulatory interventions. Effective prevention and management of workplace violence and sexual harassment in the mines, warrants the adoption, implementation and monitoring of robust multi-faceted preventive measures at primary, secondary and tertiary levels of prevention. Also, prevention strategies should include a combination of workplace policies and procedures based on a sound legislative, regulatory and enforcement framework. Good practices require organisations to emphasise the primary prevention by adopting proactive interventions that include raising awareness and training programmes.

This guidance note applies to the South African mining industry as well as the mining communities and was compiled specifically with the view to provide guidance to all stakeholders regarding their roles and responsibilities with reference to the management of GBVF, safety and security of women in the mining industry.

Publication details:

Published under Government Notices 5097, 5098 and 5099, Government Gazette 51003, dated 2 August 2024

Where do I access this information?

<https://implex.co.za/library-mhs/>

We trust that this information will serve to be of some assistance to you and look forward to your positive feedback!

Implex regards,
Marlize