

OHSA: DRAFT CONSTRUCTION REGULATIONS, 2025

Hi there

The Minister of Employment and Labour gave notice, i.t.o section 43 of the Occupational Health and Safety Act 85 of 1993, of the intention to make the Construction Regulations, 2025. Interested persons who wish to comment on the Draft Regulations are invited to do so in writing within 90 days from the date of publication of the Notice, to the Director-General of the Department of Employment and Labour.

More information:

The Department of Employment and Labour identified gaps in the 2014 regulations and as a result, stricter requirements are introduced into the Draft Regulations to prevent construction-related incidents.

Key changes to the current construction regulations include:

- (a) revision of existing definitions
- (b) addition of new definitions
- (c) redefining the scope of construction work
- (d) introduction of construction health and safety manager appointment
- (e) acceptance of electronic health and safety files

The Regulations are applicable to-

- all persons involved in construction work for the duration of the project life cycle;
- Regulation 11(2) is applicable to owners of structures for the future lifetime of the structures. Regulation 11(2) deals with periodic inspections of structure by a competent person.
- Regulations 3 (*application of construction work permit*) and 5 (*duties of client*) are not applicable where the construction work is carried out in relation to a single storey dwelling for a client who intends to reside in such dwelling upon completion thereof.

The Regulations deal with, inter alia, the following matters:

- Application for construction work permit
- Notification of construction work
- Duties of client
- Duties of designer
- Duties of principal contractor and contractor
- Management and supervision of construction work
- Risk assessment for construction work
- Fall protection
- Structures
- Temporary works
- Excavation
- Demolition work
- Tunnelling
- Scaffolding
- Suspended platforms
- Rope access work
- Material hoists
- Bulk mixing plant
- Explosive actuated fastening device
- Cranes
- Construction vehicles and mobile plant
- Electrical installations and machinery on construction sites
- Use and temporary storage of flammable liquids on construction sites
- Water environments
- Housekeeping and general safeguarding on construction sites
- Stacking and storage on construction sites
- Fire precautions on construction sites

- Construction employees' facilities
- Construction health and safety technical committee
- Offences and penalties

The Regulations will repeal the Construction Regulations, 2014.

Publication details:

Published under Government Notices 5983. Government Gazette 52267 of 12 March 2025.

Where do I access this information?

<https://implex.co.za/ohsa/>

How can I find out more about these and other OHSa changes?

Join us for the Implex Online OHSa Legal Update Workshop scheduled for Friday 4 April 2024, from 08h00 – 16h00. The scope of this workshop includes discussions on-

- Draft Construction Regulations, 2024;
- Physical Agents Regulations, 2024, published on 6 March 2025
- General Safety Regulations, 2024, published on 6 March 2025.
- Noise Exposure Regulations, 2024, published on 6 March 2025.

For more information on this, and registration forms, contact Lebo Sedupane by email on lebo@implex.co.za or you can call or WhatsApp Lebo on +27716098977. Space is limited, so make sure that you do not miss out on this online update workshop.

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

Implex regards,
Marlize



"Innovation comes only from readily and seamlessly sharing information rather than hoarding it." Tom Peters