

# **MHSA: AMENDMENT OF CHAPTER 8 MACHINERY AND EQUIPMENT REGULATIONS & GUIDELINE FOR A MANDATORY CODE OF PRACTICE FOR ROAD AND RAIL SAFETY MANAGEMENT IN THE SOUTH AFRICAN MINING INDUSTRY**

Hi there

The Minister of Mineral and Petroleum Resources, under sections 98(1)(g) and (h) of the Mine Health and Safety Act, 1996, amended Chapter 8.13 relating to Shafts and Winders.

The Chief Inspector of Mines, in terms of section 49(6) read together with sections 9(2) and 9(3) of the Mine Health and Safety Act, 1996, issued the Guideline for a Mandatory Code of Practice for Road and Rail Management Safety in the South African Mining Industry.

## **More Information**

### **CHAPTER 8 - Machinery and Equipment Regulations**

Paragraph 8.13 relating to *Shafts and Winders* were added to the Regulations under the MHSA, in GN 6054/2025 w.e.f 28 March 2025. It was thereafter substituted with new Regulations on 30 May 2025. The new Regulations appear to be a republication of the Regulations published in GN 6054, incorporating Regulations 8.13.117 – 8.13.122 regarding “**Requirements for loading of winding plant conveyances**”, which was omitted in the initial Notice.

The Regulations (par 8.13) deal with, inter alia-

- Requirements for conveyance of persons in shafts and winzes
- Design of winding engine
- Brakes and holding power;
- Statutory test for brakes;
- Winder and shaft safety measures;
- Statutory requirements for winding ropes;
- Requirements at shafts being sunk;
- Construction requirements of winding plant conveyances;
- Connection to winding plant conveyances;
- Winding plant signalling arrangements;
- Requirements at shafts and winzes;
- Requirements for loading of winding plant conveyances;
- Notices required at winding plants;
- Requirements for winding engine drivers;
- Banksmen and onsetters;
- Winding plant record and logbooks;
- Trial run of winding plant;
- **Requirements for loading of winding plant conveyances;**
- Requirements for examination of winding plant and shaft;
- Access to conveyance;
- Small winding plants.

## 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 a mine when the CIOM requires it.

The COP must comply with any relevant guidelines issued by the CIOM in accordance with section 9(3) of the MHSA.

Failure by the employer to prepare or implement a COP in compliance with this guideline is a breach of the MHSA.

## GUIDELINE FOR A MANDATORY CODE OF PRACTICE FOR ROAD AND RAIL SAFETY MANAGEMENT IN THE SOUTH AFRICAN MINING INDUSTRY

Reference number: DMPR 16/3/2/2-B4

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This guideline addresses significant health and safety hazards and risks associated with the design, application, organisational work methods, driver competency criteria and the provision of PPE in the context of road and rail safety management within the control of the mine. It also considers potential impacts on areas beyond the mining right that may affect the health and safety of mine employees without necessarily imposing legal obligations on employers other than the obligations already imposed on the employers by the MHSA.

The employer must take reasonable measures to liaise with the appropriate department or authority to improve road and/or rail safety where employees and commodities are being transported.

The objective of this guideline is to enable the employer to compile a COP to address hazards and risks associated with the usage of roads and railway lines used for activities associated with the mines. This COP must be implemented in conjunction with the system of risk assessment and management put in place in terms of Section 11 of the MHSA. These road and railway line activities include the passenger transportation services of mine employees as well as the transportation of minerals and materials to and from the mine.

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## Where do I access this information?

<https://implex.co.za/category/library/>

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

Implex regards,  
Marlize