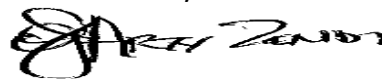


**37.2 Agreement in terms of Occupational
Health and Safety Act No. 85 of 1993**



Document Title	37.2 Agreement in terms of OHS Act of 1993
Client	eThekweni Municipality – Architectural Dept.
Project Name	Ammonia Refrigeration Plant Maintenance, Servicing and Repairs Contract for 36 months
Contract Number	1B - 34283
Revision	01
Date	15/07/2026
Internal Reference no.	37.2 AGM/067/07/2026
Compiled by (Safety officer)	Name and surname: Siya Nkosi Signature:  Date: 15 July 2026
Reviewed by (Manager: Safety& Risk)	Name and surname: Arty Zondi Signature:  Date: 15 July 2026



ETHEKWINI MUNICIPALITY

OCCUPATIONAL HEALTH AND SAFETY

OCCUPATIONAL HEALTH AND SAFETY ACT 1993, (ACT NO. 85 OF 1993) MANDATORY AGREEMENT – 37.2

Contractor Acknowledgement of Responsibility in terms of the Occupational Health and Safety Act

Written agreement between ETHEKWINI Municipality (the “employer”)

And

(the “Contractor”)

as provided for in terms of Section 37 (2) of the Occupational Health and Safety Act No.85 of 1993 as amended by Act 181 of 1993.

I hereby declare that I,, am authorised to represent the “mandatary” and acknowledge that the “Contractor” is an employer in its own right with all duties and responsibilities as prescribed in the Occupational Health and Safety Act no. 85 of 1993.

I agree to ensure that all work performed, or machinery and plant used by the “Contractor” on any ETHEKWINI Municipality premises shall be in accordance with the provisions of the said Act.

Furthermore, I agree the “Contractor” shall comply with all ETHEKWINI Municipality site rules and safety, health, and environmental requirements as may be communicated or stipulated by ETHEKWINI Municipality prior to and during any Contract awarded to the “Contractor” by ETHEKWINI Municipality.

Furthermore, I undertake to ensure that ETHEKWINI Municipality is timeously informed should the “Contractor”, for whatever reason, be unable to perform in terms of this agreement.

The Contractor must compile a health and safety file that would be approved by Occupational Health and Safety Unit.

The Contractor must develop activity risk assessments and written safe working procedures and train all its employees on risk assessment and safe working procedure.

The Contractor’s driver must obey the traffic signs and speed limit within eThekwini Municipality premises.

The Contractor shall ensure his/her vehicle is in good working condition and safe for use, and

that they are used in accordance with their design and intended use.

The Contractor must ensure that all his or her employees have a valid medical certificate of fitness.

The Contractor shall ensure that all employees under his/her control are always wearing the appropriate Personal Protective Equipment.

The Contractor must be provided a fully equipped first aid box with a trained employee to administer first aid treatment.

The Contractor shall ensure a high level of housekeeping on site, adequate care must be taken by the contractor to ensure that storage and stacking is correctly and safely carried out, on completion the work.

The Contractor must be registered and in good standing with the Compensation for Occupational Injuries and Diseases Commissioner.

The Contractor is expected to comply with the SANS 10147 when servicing the ammonia plant.

The Contractors must ensure that appropriate safety symbolic signs are displayed when working.

The Contractor shall provide and develop an effective fall protection plan and fall rescue plan whilst working on heights.

The Contractor must be familiar with the Markets Emergency Evacuation Plan and appoint his/her emergency team.

The Contractor must be familiar with proper lock out and permit to work system to ensure that work done considering health and safety requirements

The Contractor must hire a full time Safety officer to oversee this project to ensure health and safety compliance.

The eThekweni Municipality Safety Officer must conduct a health and Safety induction for all employees before commencing the work.

Signed thisday of20.....

On behalf of the “mandatary” (print).....

(sign)

On behalf of the “employer” (print).....

(sign)