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|  | <b>Annexure B: Eskom<br/>Acknowledgement Form for<br/>OHS legal and other<br/>requirements</b> | Template Identifier | 240-43921804 | Rev | 5 |
|   |  | Document Identifier | 240-77471499 | Rev | 3 |
|   |  | Effective Date      | May 2021     |     |   |

## AnnexureB: Acknowledgement Form for Eskom OHS legal and other requirements

**NOTE: the Supplier/ Contractor/ Tenderer has to ensure that he/she understands the OHS requirements listed hereunder.**

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| <p>1. The <b>Supplier/ Contractor/ Tenderer</b> is expected to comply to the following documents when working at and/or rendering a service to Eskom but not limited to the following:</p> <ul style="list-style-type: none"> <li>a. Eskom Occupational Health and Safety requirements provided for this contract (240-73416879).</li> <li>b. <u>Occupational Health and Safety Act</u>, 1993 and Regulations (Act No. 85 of 1993)</li> <li>c. <u>Compensation for Occupational Injuries and Diseases Act</u>, 1993 (Act No. 130 of 1993)</li> <li>d. <u>Basic Conditions of Employment Act</u>, 1997 (No. 75 of 1997)</li> <li>e. <u>Employment Equity Act</u>, 1998 (Act No. 55 of 1998)</li> <li>f. <u>Labour Relations Act</u>, 1995 (Act No. 66 of 1995)</li> <li>g. <u>National Environmental Management Act</u>, 1998 (Act No.107 of 1998)</li> <li>h. <u>National Road Traffic Act</u>, 1996 (Act No. 93 of 1996)</li> <li>i. <u>Tobacco Products Control Act</u>, 1993 (Act No. 83 of 1993) – Updated 2011.05.19</li> <li>j. <u>National Building Regulations &amp; Building Standards Act</u>, 1977 (Act No. 103 of 1977)</li> <li>k. <u>Companies Act</u>, 2008 (Act No. 71 of 2008)</li> </ul> <p><b>Note: Please note that after contract award, it is your responsibility to fully align the company's processes to Eskom's OHS requirements (policies, procedures, standards etc).</b></p>  |
| <p>2. Penalties shall be enforced on the main supplier for non-conformance/s (identified for the main Supplier and/or its Contractor and/or Supplier) pertaining to Eskom and/or Statutory OHS requirement/s.</p>  |
| <p>4. Ensure that all employees (Contractors/ Suppliers) undergo the relevant Eskom induction and the company's</p>  |
| <p>5. Management of Contractors/ Suppliers</p> <p>The main Contractor/ Supplier:</p> <ul style="list-style-type: none"> <li>a) Has to demonstrate to Eskom the process and selection criteria applied when appointing Contractors and Suppliers.</li> <li>b) Has to provide notification to Eskom, prior to the appointment of contractors or Suppliers for the commencement of work.</li> <li>c) Has to ensure that contractors/ suppliers have adequate resources and competencies.</li> <li>d) Is accountable for the management of its Contractors/ Suppliers in order to ensure that the applicable legal and Eskom requirements (that are applicable to the main Supplier during contract execution) are complied with by the Contractors or Suppliers.</li> <li>e) The main Supplier shall monitor Contractors or Suppliers through audits and assessments with regard to OHS compliance during the execution of the work.</li> <li>f) The grounds for the termination of work done by Contractors/ Suppliers shall be provided by the main Supplier.</li> <li>g) All non-conformances/non-compliance by the Contractors/ Suppliers (all tiers) to the main Supplier shall be dealt with directly with the main Contractor/ Supplier in terms of performance and penalty processes.</li> <li>h) Eskom reserves the right to verify this when deemed necessary. The Contractor may be instructed to provide copies of testimonials/references and the contact detail of clients (including Eskom) for whom the Company has done previous work of a similar nature</li> </ul> |

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I, the undersigned, hereby acknowledge that I have obtained copies of the above documents and confirm that I fully understand them and the consequences of non-compliance.

Signed at ..... on ..... day of ..... 20.....

Company/Supplier Name: -----

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Name of Authorised person (CEO/Director/ Managing Director)

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Signature

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Date

Witness 1 .....

Witness 2 .....

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