
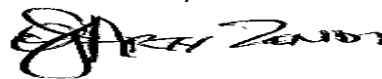


**37.2 Agreement in terms of Occupational  
Health and Safety Act No. 85 of 1993**



Document Title	37.2 Agreement in terms of OHS Act of 1993
Client	eThekweni Municipality – Moses Mabhida Stadium.
Project Name	Refurbishment of MMS industrial kitchens and satellite kitchens
Contract Number	5M – 30905
Revision	01
Date	20/02/2025
Internal Reference No.	37.2 AGM/010/02/2025
Compiled by (Safety officer)	Name and surname: Siya Nkosi Signature:  Date: 20 February 2024
Reviewed by (Manager: Safety & Risk)	Name and surname: Arty Zondi Signature:  Date: 20 February 2025



# **ETHEKWINI MUNICIPALITY**

## **OCCUPATIONAL HEALTH AND SAFETY**

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

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#### **Service Provider Acknowledgement of Responsibility in terms of the Occupational Health and Safety Act**

Written agreement between ETHEKWINI Municipality (the “employer”)

And

(the “Service Provider”)

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 “Service Provider” and acknowledge that the “Service Provider” is an employer 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 “Service Provider” on any ETHEKWINI Municipality premises shall be by the provisions of the said Act.

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

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

The Service Provider must compile a health and safety file that the Moses Mabhida Safety Department would approve it.

The Service Provider must conduct activity risk assessments, develop written safe working procedures, and train all its employees on risk assessment and safe working procedures. The Service Provider is expected to conduct the Job Observation process while working.

The Service Provider shall provide a full fall protection plan when working in high-risk areas.

The service provider must develop a rescue plan for employees working at heights.

The Service Provider must ensure that employees working at heights are provided with safety harnesses.

The Service Provider's driver must obey the traffic signs and speed limit within MMS premises.

The Service Provider shall ensure his/her vehicle is in good working condition and safe for use, and that they are used by their design and intended use.

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

The Service Provider shall ensure that all employees under his control are always wearing the appropriate Personal Protective Equipment.

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

The Service Provider shall ensure a high level of housekeeping on site, adequate care must be taken by the Service Provider to ensure that storage and stacking of cleaning chemicals.

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

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

The Service Provider must be familiar with the MMS emergency evacuation plan to react to any emergency.

The Service Provider must obtain a Safety Data Sheet for every chemical used at MMS.

Signed this .....day of .....20.....

On behalf of the "Service Provider" (print).....

(sign) .....

On behalf of the "employer" (print).....

(sign) .....