



## 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	eThekini Municipality – Electricity Unit
Project Name	Supply and delivery of mild steel material during a 36-month period.
Contract Number	27688-(5E)
Revision	01
Date	30 October 2023
Internal Reference No.	SHERQ30/10/23
Compiled by (Senior Safety officer: SHERQ and Training)	Name and surname: Charmaine Lootzy Signature: A handwritten signature in black ink, appearing to read "Charmaine Lootzy". Date: 30 October 2023
Reviewed by (Acting Chief Safety Officer: SHERQ and Training)	Name and surname: Andile Mthembu Signature: A handwritten signature in black ink, appearing to read "Andile Mthembu". Date: 30 October 2023



### 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**

A 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 in accordance with 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 prior to 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 health and health and safety file must be approved by Electricity Health and Safety Department.

The Service Provider must conduct activities/task risk assessments, and safe working procedures, train his/her employees on risk assessments and safe working procedures, and keep the records on the safety file.

The Service Provider’s driver must obey the traffic signs and speed limit within eThekwinini Municipality premises.

The Service Provider shall ensure his/her vehicle is in good working condition and safe for use, and that they are used in accordance with its 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/her control are wearing the appropriate Personal Protective Equipment.

The Service Provider shall ensure a high level of housekeeping on completion of the work.

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

The Service Provider must comply with the Code of Practice for managing COVID-19 in the workplace dated 22 June 2022.

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

On behalf of the “Service Provider” (print) .....

(sign) .....

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

(sign) .....