


**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	eThekwini Municipality – MMS Unit.
Project Name	<b>PROVISION OF OUTDOOR ACTIVITIES AT MOSES MABHIDA STADIUM RETAIL SECTION FOR A PERIOD OF 36 MONTHS</b>
Contract Number	5M-58403
Revision	01
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Compiled by (Safety officer)	Name and surname: Nonjabulo Memela Signature:  Date: 04/07/2025
Reviewed by (Manager: Safety & Risk)	Name and surname: Arty Zondi Signature: Date:

# **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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#### **Tenant's 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 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 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's driver must obey the traffic signs and speed limit within eThekweni 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 provide 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 contractor to ensure that storage and stacking are correctly and safely carried out, daily.

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 facility Emergency Evacuation Plan and appoint his/her emergency team.

The service provider must be inducted on employer's site rules and all relevant health and safety site specific rules.

The service provider shall, after being awarded the contract, submit the following documents (in the safety file) to the client for approval:

- Proof of registration with Compensation Commissioner (Letter of Good Standing).
- First Aider competency certificate

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

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

(sign) .....

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

(sign) .....