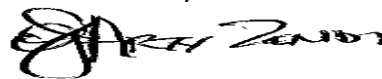


**37.2 Agreement in terms of Occupational
Health and Safety Act No. 85 of 1993**



Document Title	37.2 Agreement in terms of OHS Act of 1993
Client	eThekweni Municipality – Biodiversity Management Department
Project Name	Harry Gwala Ecosystem Restoration Program for 36 months
Contract Number	7U - 34113
Revision	01
Date	18/11/2025
Internal Reference No.	37.2 AGM/128/11/2025
Compiled by (Safety officer)	Name and surname: Siya Nkosi Signature:  Date: 18 November 2025
Reviewed by (Manager: Safety & Risk)	Name and surname: Arty Zondi Signature:  Date: 18 November 2025



ETHEKWINI MUNICIPALITY

OCCUPATIONAL HEALTH AND SAFETY

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

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 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 will 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 Occupational Health and Safety Unit will approve.

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 shall ensure his/her vehicle is in good working condition and safe for use, and that its design and intended use uses them.

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 always wear the appropriate Personal Protective Equipment.

The Service Provider must comply with working on heights safety precautions, someone always holding the ladder whilst working.

The Service Provider must obtain the Permit to Work from the Building Supervisor of each building before commencing work.

The Service Provider must be familiar with the following hazards and risks:

- Snake/scorpion bite,
- Bee attacks,
- Car accident on the road to, and from site as well as while on site,
- Tree falling on a person,
- Slipping on an object like a loose rock, and spraining a joint or breaking a limb,
- Food contamination by herbicides used in controlling invasive alien plants,
- Eye injuries by thorns, twigs, fence or loose objects flying around, etc.
- Fights between team members,
- Machinery-related accidents (chainsaw/loppers), etc.
- Or some unforeseen incident.

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

The Service Provider must be familiar with the eThekwin Municipality Emergency Evacuation Plan and comply with it during any emergency.

Signed thisday of20.....

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

(sign)

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

(sign)