

- (47) 'live' means electrically charged; (47)
- (48) 'low pressure' means a pressure normally not exceeding 250 volts; (46)
- (49) 'medium pressure' means a pressure above 250 volts, but not exceeding 650 volts; (49)
- (50) 'metallic covering' means iron or steel armouring, with or without a lead or other metallic sheath as the conditions of the case may require, or an iron or steel pipe surrounding two or more conductors; (48)
- (50A) 'movable electric apparatus' means apparatus which does not fall within the definitions of 'self-propelled mobile machine' or 'portable electric apparatus' and which is not installed on a permanent foundation and is intended to be moved from place to place when it is in use; (39A)
- (50B) 'portable electric apparatus' means electric apparatus which is designed to be carried by hand and which may require electric power while it is being carried during use; (41A)

This definition has been evolved as the result of difficulties which have been experienced with the use of this term in Chapter 21.

- (51) 'pressure' means the difference of electrical potential between any two conductors, or between a conductor and earth; (50)
- (52) 'system' means an electrical system in which all the conductors and apparatus are electrically connected to a common source of electromotive force; (51)
- (53) 'trailing cable' means a flexible cable used to supply any mobile machine and which is dragged across the ground; (49C)
- (53) 'workings' means any excavation made or being made for the purpose of searching for or winning minerals.

CHAPTER 2

RESPONSIBLE PERSONS

Chapter 2 of the regulations makes provision for the appointment of the most important responsible persons, and defines, in most cases, the duties and responsibilities of each category of person.

Comparisons will, where necessary, be made with the normal professional management structures and responsibilities and accountability.

The term accountability will bear the same relational meaning in the legal sense as it does in the management sense. It is perhaps also true to say that the legal accountability can be more serious to the person involved as it also involves his managerial accountability.

PERSONS RESPONSIBLE IN TERMS OF CHAPTER 2

1. OWNER
2. SUBORDINATE MANAGER
3. MINE SURVEYOR
4. ENGINEER
5. SUBORDINATE ENGINEER
6. MINE OVERSEER
7. SHIFT BOSS
8. ENVIRONMENTAL OFFICER
9. SAFETY OFFICERS
10. SAFETY REPRESENTATIVES

- (c) such breaches of regulations and non-compliance with instructions given in the interests of safety and health of which he has become aware during his shift, and
- (d) any instructions given by him for securing the safety and health of workmen or for the proper observance of the regulations.

2.15.7 Such records shall be examined and countersigned by the manager or the mine overseer at least once every day and shall be open to inspection at all reasonable hours by any person employed in the workings of the said mine.

2.15.8 A shift boss shall not take charge of a gang of workmen in addition to his normal duties, except temporarily in case of necessity. For the purposes of this regulation ‘case of necessity’ means a condition of circumstances of a temporary nature in the interest of safety.

2.15.9 Where blasting takes place at the end of a shift, a shift boss or other official of at least equal rank shall be present underground or on surface at each main travelling shaft or main travelling adit at blasting time and he shall report daily in the logbook on the compliance with regulation 2.10.9 and whether any person was exposed to dust or fumes from blasting.

2.15.10 The appointment of any shift boss shall not be taken to relieve the manager, the subordinate manager or the mine overseer of any personal responsibility under these regulations.

2.15.11 The manager, the subordinate manager or the mine overseer shall not assume the duties of a shift boss except with the written permission of the regional director.

Regulation 2.15.11 is one of the very few regulations in which authority is conferred upon a subordinate manager to make an appointment. It is also clear from the wording of these regulations that a distinction is drawn between the manager and the subordinate manager. In regulation 2.15.7 the provisions are clear that the record must be examined and countersigned daily by either the manager or the mine overseer. It is usually a task carried out by the mine overseer as he is the person in immediate control of his shift bosses, but in terms of his responsibilities he must ensure that the manager is informed of any contravention or irregularity which has taken place. A shift boss is essentially a safety official and not a production chaser.

2.16.1 At every underground mine, or such other mines as the regional director may direct, the manager shall appoint a competent person or persons who shall hold a qualification in Mine Environmental Control, recognized by the Director-General for the purpose of regulation 2.16.2: Provided that the regional director may, subject to such conditions as he may determine, on written application by the manager grant permission for the appointment of such a person who is not in the full time employ of the mine.

2.16.2.1 The person appointed in terms of regulation 2.16.1 shall examine or cause to be examined the environmental conditions and related aspects at places where persons travel or work in or on the mine concerned, and report in writing to the manager on—

- (a) the concentration of dust present in the air;
- (b) the temperature and humidity of the air;
- (c) the concentration of gases present in the air;
- (d) the quantity and distribution of the mine's ventilating air;
- (e) the levels of noise and illumination;
- (f) the quality, distribution and use of the mine's supply of water;
- (g) the measures taken to prevent or suppress explosions of coal dust or flammable gas;
- (h) the measures taken to prevent and detect mine fires;
- (i) the establishment of escape and rescue procedures; and
- (j) any other factors or practices which the regional director may, from time to time, specify as being applicable to individual mines.

2.16.2.2 The person appointed in terms of regulation 2.16.1 shall ensure that the tracings or prints referred to in regulations 10.18 and 24.13.1 are kept up to date.

2.16.2.3 The result of any examination of environmental conditions and related aspects in terms of regulation 2.16.2.1 shall as soon as possible be reported in a book or file provided by the manager for this purpose, and each such report shall—

- (a) be signed by the person appointed in terms of regulation 2.16.1; and
- (b) include recommendations for the correction of unsatisfactory conditions revealed by the examination.

2.16.2.4 The manager shall ensure that—

- (a) responsible persons concerned are supplied forthwith with a copy of the report contemplated in regulation 2.16.2.3;
- (b) the recommendations contained in such report are implemented without delay by the responsible person concerned; and
- (c) such responsible person record in the book or file referred to in regulation 2.16.2.3 the measures taken to implement the recommendations concerned.

2.16.2.5 The manager or subordinate manager referred to in regulation 2.6.1 shall—

- (a) examine and sign the book or file referred to in regulation 2.16.2.3 at least once a month;
- (b) keep such book or file at a place determined by him; and
- (c) ensure that such book or file is open for inspection by any person employed at the mine at all reasonable hours.

2.16.3 Notwithstanding the provisions of regulation 2.16.1, a mine may continue its activities without a person appointed in terms of that regulation for 60 days in any period of six consecutive months; Provided that—

- (a) the manager shall appoint a competent person in writing and such person shall perform all the duties and assume all the responsibilities assigned in terms of regulation 2.16.2.1; and
- (b) the appointment of such person shall not be taken to relieve the person appointed in terms of regulation 2.16.1 of any personal liability in terms of the regulations.

[Substituted by GN R530 dated 13 April 1995.]