

Regulation Gazette

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IMPORTANT NOTICE

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IMPORTANT ANNOUNCEMENT

Closing times **PRIOR TO PUBLIC HOLIDAYS** for
**GOVERNMENT NOTICES, GENERAL NOTICES,
 REGULATION NOTICES AND PROCLAMATIONS**

2013

The closing time is 15:00 sharp on the following days:

- ▶ **19 September**, Thursday, for the issue of Friday **27 September 2013**
- ▶ **12 December**, Thursday, for the issue of Friday **20 December 2013**
- ▶ **17 December**, Tuesday, for the issue of Friday **27 December 2013**
- ▶ **20 December**, Friday, for the issue of Friday **3 January 2014**

Late notices will be published in the subsequent issue, if under special circumstances, a late notice is accepted, a double tariff will be charged

The copy for a SEPARATE *Government Gazette* must be handed in not later than three calendar weeks before date of publication

BELANGRIKE AANKONDIGING

Sluitingstye **VOOR VAKANSIEDAE** vir
**GOEWERMENTS-, ALGEMENE- & REGULASIE-
 KENNISGEWINGS ASOOK PROKLAMASIES**

2013

Die sluitingstyd is stiptelik 15:00 op die volgende dae:

- ▶ **19 September**, Donderdag, vir die uitgawe van Vrydag **27 September 2013**
- ▶ **12 Desember**, Donderdag, vir die uitgawe van Vrydag **20 Desember 2013**
- ▶ **17 Desember**, Dinsdag, vir die uitgawe van Vrydag **27 Desember 2013**
- ▶ **20 Desember**, Vrydag, vir die uitgawe van Vrydag **3 Januarie 2014**

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word

Wanneer 'n APARTE *Staatskoerant* verlang word moet die kopie drie kalenderweke voor publikasie ingedien word

GOVERNMENT NOTICES

GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERYE

No. R. 620

23 August 2013

PLANT BREEDERS' RIGHTS ACT, 1976 (ACT No. 15 OF 1976)

REGULATIONS RELATING TO PLANT BREEDERS' RIGHTS: AMENDMENT

The Minister of Agriculture, Forestry and Fisheries acting under section 44 of the Plant Breeders' Rights Act, 1976 (Act No. 15 of 1976), has made the regulations set out in the Schedule.

SCHEDULE**Definition**

1. In this Schedule 'the Regulations' means the regulations published by Government Notice No. R. 1186 of 12 September 1997, as amended by Government Notices Nos. R. 1582 of 28 November 1997, R. 867 of 3 July 1998, R. 1285 of 16 October 1998, R. 323 of 19 March 1999, R. 604 of 14 May 1999, R. 1271 of 29 October 1999, R. 392 of 20 April 2000, R. 690 of 14 July 2000, R. 1078 of 3 November 2000, R. 387 of 18 May 2001, R. 667 of 27 July 2001, R. 512 of 3 June 2005, R. 545 of 15 June 2006, R. 1272 of 25 November 2008, R. 287 of 13 March 2009, R.103 of 19 February 2010, R.517 of 17 June 2011, R.950 of 18 November 2011, R. 713 of 7 September 2012 and R. 311 of 26 April 2013.

Amendment of Table 1 of the Regulations

2. Table 1 of the Regulations is hereby amended by the insertion of the entries in Annexure A in the alphabetically correct position.

No. R. 620**23 Augustus 2013**

WET OP PLANTTELEERSREGTE, 1976 (WET NO. 15 VAN 1976)

REGULASIES BETREFFENDE PLANTTELEERSREGTE: WYSIGING

Die Minister van Landbou, Bosbou en Visserye handelende kragtens artikel 44 van die Wet op Planttelersregte, 1976 (Wet No. 15 van 1976), het die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken 'die Regulasies' gepubliseer in Goewermentskennisgewing No. R 1186 van 12 September 1997, soos gewysig deur Goewermentskennisgewing Nos. R. 1582 van 28 November 1997, R. 867 van 3 Julie 1998, R. 1285 van 16 Oktober 1998, R. 323 van 19 Maart 1999, R. 604 van 14 Mei 1999, R. 1271 van 29 Oktober 1999, R. 392 van 20 April 2000, R. 690 van 14 Julie 2000, R. 1078 van 3 November 2000, R. 387 van 18 Mei 2001, R. 667 van 27 Julie 2001, R. 512 van 3 Junie 2005 en R. 545 van 15 Junie 2006, R. 1272 van 25 November 2008, R. 287 van 13 Maart 2009, R. 103 van 19 Februarie 2010, R. 517 van 17 Junie 2011, R. 950 van 18 November 2011, R. 713 van 7 September 2012 en R. 311 van 26 April 2013.

Wysiging van Tabel 1 van die Regulasies

2. Tabel 1 van die Regulasies word hierby gewysig deur die inskrywings in Aanhangsel A in die alfabeties korrekte posisie in te voeg.

ANNEXURE A

TABLE 1/TABEL 1
KINDS OF PLANTS AND PERIOD OF RIGHTS
SOORTE PLANTE EN TERMYNE VAN REGTE
[Reg. 11; 11 (A)]

1		2	3	4
Kind of plant Soort Plant		Category Kategorie	Period of Plant Breeder's Right (Years) Termyn van Planttelersreg (Jare)	Period of sole Right (Years) Termyn van Alleenreg (Jare)
Botanical Name Botaniese Naam	Common Name Gewone Naam			
<i>Agave</i> L. (All spp. except <i>A. sisalana</i> Perrine)	Agave	A	20	5
<i>Allium</i> L. (All spp.)	Onion genus	A	20	5
<i>Amaranthus</i> L. (All spp.)	Amaranth	A	20	5
<i>Cajanus</i> L. (All spp.)	Cajanus	A	20	5
<i>Chondropetalum</i> Rottb. (All spp.)	Chondropetalum	A	20	5
<i>Cleome</i> L. (All spp.)	Cleome	A	20	5
<i>Colocasia</i> Schott. (All spp.)	Elephant ear	A	20	5
<i>Corchorus</i> L. (All spp.)	Mallow	A	20	5
<i>Coriandrum</i> L. (All spp.)	Coriandrum	A	20	5
<i>Echinochloa</i> P. Beauv. (All spp.)	Echinochloa	A	20	5
<i>Euphorbia X martini</i>	Red spurge	A	20	5
<i>Foeniculum</i> Mill. (All spp.)	Fennel	A	20	5
<i>Moringa</i> Adans (All spp.)	Moringa	B	25	8
<i>Panicum</i> L. (All spp.)	Panicum	A	20	5
<i>Paspalum</i> L. (All spp.)	Paspalum	A	20	5
<i>Pericallis</i> D. Don (All spp.)	Ragwort	A	20	5
<i>Physocarpus</i> (Cambess) Raf. (All spp.)	Ninebark	B	25	8
<i>Solanum retroflexum</i> Dunal	Wonderberry	A	20	5
<i>Spiraea</i> L. (All spp.)	Spirea	B	25	8
<i>Xanthosoma</i> Schott. (All spp.)	Malanga	A	20	5

**DEPARTMENT OF MINERAL RESOURCES
DEPARTEMENT VAN MINERALE BRONNE**

No. R. 621

23 August 2013

MINE HEALTH AND SAFETY ACT, 1996 (ACT NO 29 OF 1996)

CORRECTION NOTICE

REGULATIONS RELATING TO MISCELLANEOUS AND GENERAL PROVISIONS

I **S SHABANGU**, Minister of Mineral Resources, under section 98(1) of the Mine Health and Safety Act, 1996 (Act No. 29 of 1996) and after consultation with the council, hereby amends Chapter 11 of the Regulations in terms of the Mine Health and Safety Act, as set out in the Schedule



S SHABANGU

MINISTER OF MINERAL RESOURCES

SCHEDULE

CHAPTER 11

OCCUPATIONAL HEALTH

Amendment of chapter 11 of the regulations

1. Replace the Chapter 11 title with the following:

Occupational Health

2. Amended by the substitution for the sub-regulation 11.3 of the following sub-regulations:

11.3 Exit Certificate

The exit certificate contemplated in section 17 must include details regarding at least the following:

11.3.1 Particulars of mine:

- (a) Name of mine
- (b) Types of mine commodities being mined
- (c) Postal address
- (d) Telephone number
- (e) Fax number
- (f) Name of Occupational Medical Practitioner responsible for producing the exit certificates in terms of Section 17 (4).

11.3.2 Particulars of employees:

- (a) Name
- (b) Date of birth
- (c) Identification details: Identity number, Passport number, Industry number and company number
- (d) Date of initial medical examination.

11.3.3 Exit medical summary:

- (a) Date of last medical examination.
- (b) Clinical comments on chest x-ray (CXY)
- (c) International Labour Organization (ILO) classification of the chest x-ray (CXR) if applicable.
- (d) Lung function Testing:
 - (i) Forced Expiratory Volume in 1 second (FEV1) - actual and predictable percentages.
 - (ii) Forced Vital Capacity (FVC) - actual and predictable percentages.

(iii) Ratio of forced Expiratory Volume in 1 second (FEV1)/Forced Vital Capacity (FVC) expressed as a percentage.

(e) Audiometry

(i) Baseline Audiogram readings (measurement in dB at 0.5, 1, 2, 3, 4 KHz) in terms of regulation 11.4

(ii) Baseline Percentage Loss of Hearing (PLH) as contemplated in instruction 171, issued by the Compensation Commissioner in terms of the Compensation for Occupational injuries and Diseases Act , 1993

(iii) Exit Audiogram readings(measurement is dB at 0. 5, 1, 2, 3, 4 KHz)

(iv) Exit PLH as contemplated in instruction 171

(f) Biological monitoring results of the employee, and provide comments on abnormal results.

(g) Occupational diseases previously incurred and current including severity.

(h) Any compensation claims submitted and/or compensation received.

(i) Name and signatures of Occupational Medical Practitioner.

(j) Signature of employee, witness and date of receipt by employee of a copy of the exit certificate.

3. Delete clause 11.3(d) of the Occupational Health: Records of Hazardous Works published on 12 November 2010 in Government Gazette No: 33752.

4. Insert clause 11.9 which shall read as follows:

(9) RECORD OF HAZARDOUS WORK

(a) An up to date copy of the employee's Record of Hazardous Work recorded in *prescribed* form DMR 276 must be delivered to the Medical Inspector and also attached to the Exit Certificate as contemplated in terms of Section 14 of the Act.

EMPLOYEE'S RECORD OF HAZARDOUS WORK

MINE NAME	MINE CODE						
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FIRST NAME	SURNAME	MALE	FEMALE
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I.D./PASSPORT NUMBER	COMPANY/ INDUSTRY NUMBER
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DATE STARTED EMPLOYMENT	D	D	M	M	Y	Y	Y	Y	DATE ENDED EMPLOYMENT	D	D	M	M	Y	Y	Y	Y
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OCCUPATION	DATE		NUMBER OF EXPOSED SHIFTS	IDENTIFY STRESSOR AS PER MINE'S SPECIFIC RISK ASSESSMENT IN ACCORDANCE WITH THE DMR LISTING IN SCHEDULE 22.9(2)													
	FROM	TO		AIRBORNE POLLUTANTS (e.g. Silica, Coal Dust, etc.)				NOISE	THERMAL STRESS	OTHER	RADIATION						

SIGNATURE OF HYGIENIST/LINE MANAGER: _____ DATE: _____

SIGNATURE OF EMPLOYEE: _____ DATE: _____

Note Section 14 (i) & (ii) of the Mine Health and Safety Act states that:

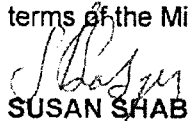
"(i) The employer at every mine must keep a service record in the prescribed form, of employees at the mine who perform work in respect of which medical surveillance is conducted in terms of section 13. (ii) The employer must deliver to the Medical Inspector a copy of the relevant part of the record kept in terms of subsection (1) – (a) when an employee whose name appears in that record ceases to be employed at that mine; or (b) when required to do so by the Chief Inspector of Mines."

No. R. 622

23 August 2013

MINE HEALTH AND SAFETY ACT, 1996 (ACT NO 29 OF 1996)**REGULATIONS RELATING TO MACHINERY AND EQUIPMENT**

I **SUSAN SHABANGU**, Minister of Mineral Resources, under section 98 (1) of the Mine Health and Safety Act, 1996 (Act No. 29 of 1996) and after consultation with the Council, hereby amends Chapter 8 of the Regulations in terms of the Mine Health and Safety Act, as set out in the in the Schedule.


SUSAN SHABANGU
MINISTER OF MINERAL RESOURCES

SCHEDULE**REGULATIONS AMENDMENTS****CHAPTER 8****MACHINERY AND EQUIPMENT****Amendment of regulation 8.9 of the Mine Health and Safety Regulations**

1. Regulation 8.9 of the Mine Health and Safety Regulations is hereby amended-

(a) by the insertion after the definition of '**conveyor belt installation**' of the following definition:

" '**designated sections**' means the drive section, take up tension section, snub pulley sections, transfer point sections and tail pulley sections."

(b) by the substitution in subregulation (1) of the following paragraph:

“(a) the *designated sections* of a *conveyor belt installation* are to be guarded, as per regulation 8.8(4) and not cleaned when any of its parts are in motion; provided that washing with pressurized water from a safe distance outside the guarded area may be carried out, subject to regulation 8.9(1)(i);”.

(c) by the substitution in subregulation (1) of the following paragraph:

“(b) the *power supply* and all sources of stored energy of a *stationary conveyor belt installation* are isolated, made safe and locked-out during either repairs, maintenance or cleaning of spillage in the *designated sections*; provided that the alignment and training of a *conveyor belt installation* may be carried out whilst the belt is in motion subject to it being carried out in accordance with a procedure prepared and implemented for this purpose;”.

(d) by the substitution in subregulation (1) of the following paragraph:

“(e) persons are prevented from entering any side of a *conveyor belt installation*, unless means have been provided to do so safely;”.

(e) by the substitution in subregulation (1) of the following paragraph:

“(g) the take up or belt tensioning device will not move when repairs, routine cleaning, cleaning of spillage, maintenance at the belt tensioning device or belt splicing is carried out;”.

(f) by the substitution in subregulation (1) of the following paragraph:

“(h) where two or more *conveyor belt installations* are used in series, sequence interlocking is provided which automatically will, except when approved maintenance specific procedures are carried out that require an independent conveyor test run-

(aa) stop all *conveyor belt installations* feeding a *conveyor belt installation* that has stopped; and

(bb) prevent a *conveyor belt installation* from starting until the *conveyor belt installation* onto which it feeds is running;”.

(g) by the substitution in subregulation (1) of the following paragraph:

“(i) only persons authorized to do so by the employer operate, maintain, clean and repair a *conveyor belt installation*; and provided that any routine cleaning outside the *designated sections* of the conveyor section of the belt is carried out in

accordance with a procedure prepared and implemented for this purpose;”.

(h) by the substitution in subregulation (1) of the following paragraph:

“(j) the belt of any *conveyor belt installation* is installed in such a way that no uncontrolled run away can occur; and”.

(i) by the substitution for subregulation (3) for the following subregulation:

“(2) The employer must take reasonably practicable measures to prevent persons from being injured by material or mineral falling from a *conveyor belt installation*, which measures must include the fitting and use of one or more devices to prevent run-back or run-on when such *conveyor belt installation* is stopped.”.

(j) by the substitution for subregulation (4) for the following subregulation:

“(3) The employer must take reasonably practicable measures to prevent persons from being exposed to flames, fumes or smoke arising from a *conveyor belt installation* catching fire, including instituting measures to prevent, detect and combat such fires.”.

(k) by the substitution for subregulation (5) for the following subregulation:

“(4) The employer must take reasonably practicable measures to prevent persons from being injured as a result of the breaking, misalignment or damage of conveyor belting due to any mineral, material or coal dust accumulating on or around the moving parts of any *conveyor belt installation*.”.

(l) by the substitution for subregulation (6) for the following subregulation:

“(5) The employer must take reasonably practicable measures to prevent persons at or near *conveyor belt installations* from being injured due to lightning directly or indirectly striking the installation.”.

(m) by the substitution for subregulation (7) for the following subregulation:

“(6) The employer must take reasonably practicable measures to ensure that the use, operation and inspection of man-riding conveyors comply with SANS 10266: 2006– Edition 1 “The safe use, operation and inspection of man-riding belt conveyors in mines.”.

(n) by the substitution for subregulation (8) for the following subregulation:

“(7) The normative references in SANS 10266: 2006 are not applicable to the employer.”.

(o) by the substitution for subregulation (9) for the following subregulation:

“(8) The employer must take reasonable measures to ensure that the functionality of the devices contemplated in regulation 8.9(1) (c) and (f) and of any other safety devices relating to the *conveyor belt installation* are tested-

(a) once a week not exceeding ten days, where such devices are in the designated sections;

(b) every three months where such devices are outside of the designated sections; and

(c) immediately after any belt extension or shortening thereof has taken place.”.

(p) by the substitution for subregulation (10) for the following subregulation:

“(9) The employer must ensure that a written procedure is prepared and implemented for conveyor belt splicing, joining and repairing and for the safe use of chemicals during such splicing, joining and repairing.”.
