



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette

No. 10464

Regulasiekoerant

Vol. 601

Pretoria, 10 July 2015

No. 38970

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GOVERNMENT NOTICE

DEPARTMENT OF MINERAL RESOURCES

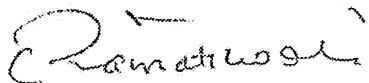
No. R. 584

10 July 2015

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

REGULATIONS RELATING TO EXPLOSIVES

I, ADV. N. A. RAMATLHODI, 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 amend Chapter 4 of the regulations made in terms of the Mine Health and Safety Act, by replacing the existing regulations with the regulations as set out in the Schedule. This notice shall take effect three months after its publication.



ADV N.A RAMATLHODI, MP

MINISTER OF MINERAL RESOURCES

SCHEDULE

REGULATION AMENDMENTS

CHAPTER 4

EXPLOSIVES

Definitions

In this chapter, unless the context otherwise indicates –

“blasting” means the initiation of *explosives* for the purposes of fragmenting of rock or ore body;

“explosive” means -

- (a) a substance, or a mixture of substances, in a solid or liquid state, which is capable of producing an explosion;
- (b) a pyrotechnic substance in a solid or liquid state, or a mixture of such substances, designed to produce an effect by heat, light, sound, gas or smoke, or a combination of these, as the result of non-detonative self-sustaining exothermic chemical reaction, including pyrotechnic substances which do not evolve gases;
- (c) any article or device containing one or more substances contemplated in paragraph (a); or
- (d) any other substance or article which the relevant Minister may from time to time by notice in the Gazette declare to be an *explosive* in terms of the **Explosives Act, Act No 15 of 2003**;

“hot holes” means *shot holes* which after being drilled has an ambient temperature increase of 3 degrees Celsius;

“initiate” means the action or intended action of setting off *explosives*;

“manufacture” means the making or processing of any *explosive*;

“misfire” means any *explosives* which have failed to explode after initiation;

“misfired hole” means a *shot hole* or part of a *shot hole* in which any *explosives* or any portion thereof has failed to explode after initiation;

“old explosives” means any *explosives* that have been used or damaged in any way, or have deteriorated due to exposure to water or the surrounding atmosphere or which have expired; and includes *explosives* recovered from *misfired holes*;

“permitted explosives” means *explosives* classified as such by the Chief Inspector of Explosives (as defined in the Explosives Act, Act No 15 of 2003);

"ore-body" means any natural in-situ rock that contains any form of **mineral**;

"primary blasting" means all **blasting** other than **secondary blasting**;

"primer" means an **explosive** cartridge or booster into which a detonator or detonating fuse has been inserted or connected;

"pumpable explosive" means:

- (1) a mixture of ammonium nitrate, with or without other inorganic nitrates, with combustible substances which are not , classified as UN Number 0082, Class 1.1D; or
- (2) a mixture of ammonium nitrate, with or without other organic nitrates, partially or wholly dissolved in water and with the addition of any of the following:
 - (i) ammonium nitrate emulsions, gels and suspensions, intermediate for **blasting**, classified as UN Number 3375;
 - (ii) combustible substances which are not **explosive**; or
 - (iii) substances which control the density of the final mix, either by chemical reaction or mechanically, and the final mix is classified as UN Number 0241, Class 1.1D; or any form of **explosive** which is inserted in a hole by means of pumping;

"secondary blasting" means **blasting** for the purposes of removing obstructions, reducing rocks in size or making the workings safe;

"shot hole" means any drill hole charged with or intended to be charged with **explosives**;

"sleep-over blast" means any **shot hole** charged with **explosives** but not initiated in the same shift during which it was charged with **explosives**;

"socket" means any **shot hole**, or part of any **shot hole**, known not to be a **misfired hole**, which remains after having been charged with **explosives** and blasted or which, for any other reason, may be suspected of having contained **explosives** at any time and includes any **shot hole**, or part of any **shot hole**, from which all **explosives** have been extracted;

"stemming" means filling in **shot holes** with inert material; and

"tamping" means the consolidation of **stemming** and **blasting** materials in a **shot hole**.

Security in respect of explosives

4.1(1) The employer must take **reasonably practicable** measures to prevent persons not authorised by the employer from -

- (a) gaining access to **explosives**;
- (b) being in possession of **explosives**, or
- (c) removing or attempting to remove **explosives** from a mine

4.1(2) Only persons authorised by the employer may -

- (a) gain access to or attempt to gain access to **explosives**;
- (b) be in possession of **explosives**, or
- (c) remove or attempt to remove **explosives** from a mine.

4.1(3) Subject to regulation 4.2(2), no person may, or cause or permit any other person to bury, hide, submerge or abandon any **explosives**.

Receipt, storage, issuing and transportation of explosives

4.2(1) The employer must ensure that:

- (a) **explosives** that are not being transported or prepared for use are stored in **explosive** stores, silos or containers which are securely locked or, as far as **reasonably practicable**, designed and located so as to facilitate the safe and secure receipt, storage and issuing of **explosives** by a person referred to in regulation 4.1(2)
- (b) a written procedure is prepared and implemented, after consultation with the **explosive manufacturer** or supplier, to prevent persons from being exposed to the significant **risks** associated with the receipt, storage, issuing and transportation, inadvertent initiation and the deterioration of **explosives**. This written procedure referred to in this sub-regulation must include the following:

Storage of explosives

- (i) measures to ensure that every container used for the storage of **explosives**, including **old explosives**, is -
 - (a) of robust construction;
 - (b) provided with an effective lock and the key kept only by an authorised person referred to in regulation 4.1(2);
 - (c) clearly marked to indicate the type of **explosives** to be placed therein;

- (d) of a capacity determined by the **employer** in consultation with the **explosive manufacturer** or supplier;
 - (e) spaced apart from any other container used for storage of **explosives**, at a distance determined by the **employer** after consultation with the **explosive manufacturer** or supplier;
 - (f) approved in writing for that purpose by the **employer**;
- (ii) measures to ensure, at every **mine** where there is a significant risk of **old explosives** being present, that adequate storage facilities are provided for such **old explosives**;
 - (iii) no person must place, or cause or permit any other person to place any other materials or any implements or tools, in the **explosives** containers other than those necessary for the preparation of initiation systems or **primers**; and
 - (iv) measures to ensure that **primers** are kept separate from other **explosives** and stored in a container complying with regulation 4.2(1)(b)(i);

Issuing of explosives

- (v) measures to ensure, as far as **reasonable practicable**, that the **explosives** that have been ordered or issued do not exceed the **explosive** storage capacity of the storage facility in which it is intended to store those **explosives**, either underground or on surface; and

Transportation of explosives

- (vi) measures to ensure, as far as **reasonably practicable**, that **explosives** are only transported in vehicles, conveyances, unopened cases or locked containers approved in writing for that purpose by the **employer**.

4.2(2) The **employer** must take reasonable measures to ensure, when **mine** closure is intended, or when a **mine** is not being worked as contemplated in section 2(2), that the Principal Inspector of **Mines** and the Chief Inspector of **Explosives** (as defined in the **Explosives** Act, (Act No. 15 of 2003) are notified in writing as soon as **reasonably practicable**, if any **explosives** have been left behind in the **mine**, of –

- (i) the type, quantities and location of such **explosives**; and
- (ii) the measures taken to safeguard persons from any significant **risk** associated with such **explosives**.

Destruction of explosives

4.2(3) The **employer** must ensure that a written procedure is prepared and implemented, after consultation with the **explosive manufacturer** or supplier, to ensure that **explosives** are destroyed safely and not re-used for any purpose. Such procedure must include measures to ensure that:

- (i) only the competent person contemplated in regulation 4.4(1) destroys **explosives**;
- (ii) in the case of underground coal mines, **explosives** must be destroyed only on surface;
- (iv) the Chief Inspector of **Explosives** is informed in advance if more than 50kg of **explosives** are to be destroyed at any one time; and
- (v) no person destroys **explosives** on surface within a horizontal distance of 150 metres of any public building, public thoroughfare, railway line, power line or any place where people congregate or any other structure, which it may be necessary to protect in order to prevent any significant **risk**, unless:
 - (a) a **risk** assessment has identified a lesser safe distance and any restrictions and conditions to be complied with;
 - (b) a copy of the **risk** assessment, restrictions and conditions contemplated in paragraph (a) have been provided for approval to the Principal Inspector of **Mines**;
 - (c) written permission has been granted by the Principal Inspector of **Mines**; and
 - (d) any restrictions and conditions determined by the Principal Inspector of **Mines** are complied with.

Approved explosives and the usage of explosives at mines

4.3(1) The **employer** must take reasonable measures to ensure that only **explosives** approved in writing by the **employer** are used at the mine.

4.3(2) The **employer** must take reasonable measures to ensure that **explosives** are used in accordance with a written procedure prepared and implemented for that purpose

by the **employer**, after consultation with the **explosive manufacturer** or supplier. The written procedure must include the following:

- (a) All **explosives** must be used in the same sequence as they are issued;
- (b) Under no circumstances must any **blasting** cartridge be broken or cut or a wrapper round any **blasting** cartridge be interfered with, except when preparing the **blasting** cartridge for the insertion of a detonator or detonating fuse;
- (c) The only **primers** that must be permitted to be prepared are **primers** that are required for immediate use;
- (d) Where igniter cord is used, such an igniter cord must be laid as close as practicable to the face and not on, or in contact with timber or other combustible material or flammable substance not forming part of the **explosives** charges; and
- (e) Where **pumpable explosives** are used, the **pumpable explosives** are only sensitised at a **working place** where **explosive** charges are being prepared prior to the **pumpable explosives** being pumped into a **shot hole**.

4.3(3) The **employer** must take reasonable measures to ensure, if **explosives** are **manufactured** at the mine, that:

- (a) it is done in accordance with a written procedure prepared and implemented for that purpose after consultation with the **explosive manufacturer** or supplier; and
- (b) all mobile and portable **explosives** manufacturing units at a mine are used, inspected, serviced and maintained in accordance with a written procedure prepared and implemented for that purpose after consultation with the **explosives manufacturer** or supplier.

4.3(4) The **employer** must take reasonable measures to ensure that **explosive** powered tools are issued, stored, used and maintained in accordance with a written procedure prepared and implemented for that purpose by the **employer** after consultation with the **manufacturer** or supplier of such **explosive** powered tools.

4.3(5) The **employer** must take reasonable measures to ensure, subject to regulation 4.3(3), that only **permitted explosives** are used in fiery mines.

4.3(6) The **employer** must take reasonable measures to ensure that a written procedure is prepared and implemented after consultation with the **explosives manufacturer**

or supplier to prevent persons from being exposed to significant risks associated with the spillage of explosives.

Primary and Secondary blasting to be performed by a competent person

4.4(1) The employer must take reasonable measures to ensure, where primary or secondary blasting takes place, that a competent person is appointed in writing to –

- (a) exercise control over all explosives to be used for blasting at those working places for which the competent person is responsible;
- (b) prepare primers;
- (c) examine any shot hole to be deepened to ensure it is safe to deepen;
- (d) examine for and deal with misfires and sockets, in accordance with the written procedure prepared in terms of regulation 4.11;
- (e) mark or indicate shot holes for drilling or to authorise the drilling of shot holes marked or indicated by another person authorised to do so by the employer, except where the shot holes were marked or indicated by means of electronic software system, including but not limited to Global Positioning System or Laser, the competent person must be required to over inspect and authorise the commencement of drilling of shot holes;
- (f) exercise control over any manufacturing at the working places for which such competent person is responsible for, of pourable or pumpable explosives to be used;
- (g) connect blasting rounds or circuits;
- (h) charge shot holes with explosives or place explosive charges; and
- (i) make safe all hot holes in terms of the written procedure contemplated in regulation 4.16(7).

Management and control over explosives

4.4(2) The employer must take reasonably practicable measures to ensure that the competent person referred to in regulation 4.4(1) reports to the employer, whenever explosives are delivered to the working place for which that competent person is in charge, whether or not the correct quantity of explosives was delivered.

Persons performing primary or secondary blasting may be assisted

4.4(3) The employer may appoint a competent person in writing to assist the competent person referred to in regulation 4.4(1) with the following activities:

- (a) exercising control over those **explosives** to be used during the performance of the duties of the **competent person** referred to in regulation 4.4(1) as stipulated in paragraphs (b), (c), (d) and (e) below;
- (b) the preparation of **primers**;
- (c) the charging of **shot holes** with or the placing of **explosive** charges;
- (d) the connecting of **blasting** rounds or circuits; and
- (e) the handling and transport of **explosives**, initiation systems and accessories.

Certification of initiation apparatus and blasting systems

4.5(1) The **employer** must take reasonable measures to ensure that where initiation of **explosives** charges takes place by means of electricity -

- (a) apparatus used for the initiation of electronic detonators complies with SANS 1717-1 (2006) 'The design and approval of EED initiation systems for use in mining and civil **blasting**' and SANS 551 (2010) 'Detonators, relays and initiating devices for commercial applications';
- (b) apparatus used for the initiation of electric detonators complies with SANS 1717-2 (2006) 'The design and approval of EED initiation systems for use in mining and civil **blasting**' Part 2 "Electric Initiation System – Shot Exploder Based of SANS 1717";
- (c) apparatus used for the initiation of detonators by means of a controlled **blasting** system complies with SANS 1717-3 (2007) "The design and approval of detonator initiation systems for use in mining and civil **blasting** Part 3 Controlled **Blasting** System";
- (d) every shot exploder, initiator or electronic delay detonator system is tested and certified by a test laboratory accredited for this purpose by the government endorsed national accreditation body as contemplated in ARP 1717 (2010) "Guide to the regulatory requirements for the approval of detonators, initiators and initiation systems used in mining and civil **blasting** applications";
- (e) every inherently safe apparatus used for the testing of a circuit containing an electric detonator, electric or electronic initiator or electronic delay detonator or a similar device is tested and certified for that purpose by a test laboratory accredited for this purpose by the government endorsed national accreditation body approved by the approving authority as contemplated in ARP 1717; and
- (f) the shot-firing apparatus is maintained in an efficient and safe working order. Each shot-exploder must be provided with a removable operating handle or key or with a locking arrangement to secure it against unauthorised use and must be marked with a serial number, and a record must be kept of all examinations and tests carried out on it.

- 4.5(2)** The normative reference in the SANS standards in regulation 4.5(1) above are not applicable to the employer.

Precautionary measures before initiating explosive charges

- 4.6(1)** The employer of every underground coal mine must take reasonable measures to ensure that the competent person referred to in regulation 4.4(1) does not initiate explosive charges in an underground coal mine unless the -

- (a) coal to be blasted has two free faces;
- (b) end of the shot hole is at least 150 millimetres short of the back of the cut providing the second of the two free faces; and
- (c) portion of the shot hole between the explosive charge and the collar is completely filled with stemming and tamped, in accordance with regulation 4.14.

- 4.6(2)** The employer of every underground coal mine must take reasonable measures to ensure that the competent person referred to in regulation 4.4(1) does not fire an explosive charge in an underground coal mine where the place where the explosive charge is to be fired is dry and dusty, unless -

- (a) a permitted explosive is used; and
- (b) the place of firing and all contiguous accessible place(s) within a radius of 20 metres from it at the time of firing have been wetted through watering or have been given effective treatment with incombustible dust, in all parts where dust is lodged, whether roof, floor or side.

- 4.6(3)** The employer of every underground mine must take reasonable measures to ensure that:

- (a) explosives are not brought to the working place where blasting is to be carried out unless the –
 - (i) drilling of shot holes have been completed;
 - (ii) shot holes are ready to be charged with explosives;
 - (iii) quantity of explosives do not exceed the estimated required quantity to be used for the blast;

- (b) the **competent person** referred to in regulation 4.4(1) does not initiate any **explosive** charge unless:
 - (i) the **shot hole** between the **explosive** charge and the collar is completely filled with **stemming** material and **tamped**;
 - (ii) all persons have been removed from the **working place** where **explosive** charges are to be initiated;
 - (iii) all entrances to the **working place(s)** where **explosive** charges are to be initiated, or to places where the safety of person(s) may be endangered by such initiation, are effectively guarded so as to prevent inadvertent access to such place(s) while such **explosive** charges are being initiated;
 - (iv) such **competent person**, gives or causes to be given due warning in every direction and is satisfied that no person remains where they might be exposed to danger from the initiating of such **explosive** charges;

4.6(4) The **employer** of every underground mine must take reasonable measures to ensure that the **competent person** referred to in regulation 4.4(1) or any person authorised to do so by the **employer** does not initiate an **explosive** charge in any underground mine where a centralised **blasting** system is being used, unless all persons who may be endangered by such initiation of **explosive** charges have been moved to a safe area.

4.6(5) The **employer** of every surface mine must take reasonable measures to ensure that:

- (a) no person remains or approaches, or is caused or permitted to remain or approach, within 15 metres of any **shot hole** being charged with **explosives**, unless such person is assisting in the charging up of **shot holes** with **explosives**;
- (b) except with the written permission of the Principal Inspector of Mines **explosives** are not brought to the **working place** where **blasting** is to be carried out until the **shot holes** are ready to be charged with **explosives** and the quantity of **explosives** brought to the **working place** do not exceed the estimated required quantity;
- (c) before the initiation of **explosive** charges, an adequate number of guards are stationed at a safe distance determined by a **risk** assessment to prevent persons accessing the **blasting** area and that the guards remain at the safe

distance until the **initiation of explosive** charges is completed and the guards are recalled by the competent person referred to in regulation 4.4(1); and

- (d) at least three minutes before an **explosive** charge is **initiated**, the **competent person** referred to in regulation 4.4(1) gives due warning of the **initiation of explosive** charges.

- 4.7 The **employer** must take reasonable measures to ensure that when **blasting** takes place, air and ground vibrations, shock waves and fly material are limited to such an extent and at such a distance from any building, public thoroughfare, railway, power line or any place where persons congregate to ensure that there is no significant **risk** to the health or safety of persons.
- 4.8 The **employer** must take reasonable measures to ensure that the **stemming** or **tamping** is not withdrawn from a **shot hole** that has been charged with **explosives** except when dealing with **misfired holes** in accordance with the provisions of regulation 4.11(5).

Precautions after charges have been initiated

- 4.9 The **employer** must take reasonable measures to ensure that after **explosive** charges have been **initiated** or **misfired holes** have been **re-initiated**, the **competent person** referred to in regulation 4.4(1) does not approach, or causes or permits any other person to approach, within the range of the exploding charges until such competent person is satisfied that all the **explosive** charges have exploded or until a period of 30 minutes has expired, after the **initiation** of the charges.

Precautions when initiating by means of electricity

- 4.10(1) The **employer** must take reasonable measures to ensure that, where **initiating** takes place by means of electricity, the **competent person** referred to in regulation 4.4(1), after such **competent person** has connected the **blasting** cable to the detonator wires of any **explosive** charge or charges and before such **explosive** charge or charges have been **initiated**, does not-
 - (a) remain or approach, or cause or permit any other person to remain or approach, within a distance where such person may be endangered by the **initiating** of such **explosive** charges, except for the purpose of examining the **blasting** circuit; and

- (b) examine the **blasting** circuit, or cause or permit the **blasting** circuit to be examined, unless both leads are disconnected from any source of electricity, whether for **initiating explosive** charges or testing the **blasting** circuit.

4.10(2) The **employer** must, where **initiation** takes place by means of electricity, take reasonable measures to ensure that the **competent person** referred to in regulation 4.4(1) -

- (a) only uses a **blasting** cable provided for that purpose and which is in good order and of sufficient length to ensure that the **blasting** cable cannot come into contact with any other cable or electrical apparatus;
- (b) secures the **initiating** device of the blast in an adequate and reasonable manner so as to prevent unauthorised access or use of the **blasting** system;
- (c) connects the **blasting** cable to the detonator wires of any **explosive** charge or charges or to the wires of the **initiator** or similar device only after completing all **blasting** precautions, other than those referred to in paragraphs (d), (e) and (g) of this regulation;
- (d) does not apply any electrical test to the **blasting** circuit except through the **blasting** cable and from a place of safety;
- (e) does not connect the **blasting** cable to the terminals of the **initiating** device until immediately before **initiation** of **explosive** charges or attempting to **initiate** the **explosive** charges;
- (f) except in the case of a remotely operated centralised electric **blasting** system, immediately after **initiating** or attempting to **initiate** the **explosive** charges, disconnects both leads of the **blasting** cable from the **initiating** device and then -
 - (i) removes the operating handle or key of the **initiating** device; or
 - (ii) secures the locking arrangement of the **initiating** device and removes the key;
- (g) in the case of a remotely operated centralised electric **blasting** system, does not connect the **blasting** cable to the terminals of the **blasting** box until immediately before leaving such **competent person's working place** at the end of the shift; and
- (h) in the case of a remotely operated centralised electric **blasting** system, disconnects immediately at the commencement of the shift any **blasting** cable from the terminals of the **blasting** box;

- 4.10(3)** The **employer** must take reasonable measures to ensure that, after the **explosive** charges have been **initiated** by means of electricity, the competent person referred to in regulation 4.4(1):
- (a) carefully examines for **misfired holes** where the charges have been **initiated**, before permitting any person to work there;
 - (b) instructs any person engaged in clearing the broken rock, **mineral** or ground to report immediately to such **competent person** the finding of any wires that may lead to a **misfired hole**; and
 - (c) carefully traces any such wires to determine whether or not a **misfired hole** has occurred.
- 4.10(4)** The employer must take **reasonably practicable** measures to ensure that where the **initiation** of **explosives** takes place by means of electricity and where there is a **risk** of an **explosive** charge being **initiated** by lightning, operations in connection with the preparation or **initiation** of **explosive** charges are not started or continued on the approach of or during a thunderstorm and that no person remains, or is caused or permitted by any other person to remain, within an area where any person may be injured by the accidental **initiation** of **explosives**.

Precautions for misfires, sockets and old explosives

- 4.11** The **employer** must take reasonable measures to ensure that a written procedure is prepared and implemented, after consultation with the **explosive manufacturer** or supplier, to prevent persons from being exposed to the significant **risk** associated with **misfires, sockets and old explosives**. Such procedure must include measures to ensure that:
- 4.11(1)** no person gains inadvertent access to any **misfired hole** which is not immediately dealt with, and which measures should include clearly marking the **misfired hole** or barricading it off and requiring reporting of the **misfired hole** to all subsequent shifts, at the start of each such shift, until the **misfired hole** has been dealt with;
- 4.11(2)** in any shaft in the course of being sunk, in addition to the requirements of regulation 4.9:
- (a) the **competent person** referred to in regulation 4.4(1) makes a sketch showing the position of every **misfired hole** and **sockets**;
 - (b) every sketch referred to in regulation 4.11(2) is kept at the mine for a period of at least seven days unless directed otherwise in writing by the Principal Inspector of Mines; and

- (c) the washing or blowing over and the preparation of the sketch required in terms of regulation 4.11(2) is done at least once a day under the immediate supervision of the person authorised to do so by the **employer**, and that this authorised person ensures that the washing or blowing over has been effectively done and the sketch properly prepared by means of personal inspection;
- 4.11(3) **explosives** are only extracted from any **misfired hole** by a means determined for this purpose after consultation with the **explosives manufacturer** or supplier;
- 4.11(4) the person extracting **explosives** from a **misfired hole**:
 - (a) ensures as far as **reasonably practicable** that all the **explosives** in the **misfired hole** are extracted; and
 - (b) recovers all **explosives** that have been extracted from the **misfired hole**;
- 4.11(5) no person removes or causes any other person to remove the plugs that are used to plug **sockets** or **misfired holes** unless such plugs are removed by the **competent person** referred to in regulation 4.4(1) for the purpose of inspection or are removed at the end of the shift prior the **initiating** of **explosive** charges;
- 4.11(6) In all surface mines the **competent person** referred to in regulation 4.4(1):
 - (a) re- **initiates** the **misfired hole**; or
 - (b) drills or causes to be drilled in the presence of such **competent person**, a relieving hole not less than 150 millimetres deeper than the **misfired hole** and which relieving hole is parallel to and not nearer than one metre to the **misfired hole** and that such **competent person** charges and **initiates** this relieving **shot hole** and recovers the **explosives** liberated from the **misfired hole**; or
 - (c) extracts the **explosives** from the **misfired hole** in accordance with the provisions of regulation 4.11(3).
- 4.11(7) in underground **mines**, except underground coal **mines**, the **competent person** referred to in regulation 4.4(1):

- (a) examines every **socket** and **misfired hole** to ascertain its depth, direction and whether it contains any **explosives**, by a means determined by the **employer** after consultation with the **explosives manufacturer** or supplier; and
- (b) extracts **explosives** from the **misfired hole** in accordance with the provisions of regulation 4.11(3) and plugs the **socket** with a plug supplied for that purpose by the **employer**; or
- (c) re-primers and **blasts**; or
- (d) charges up the **misfired holes** with **explosives** and initiates the **explosive** charges; or
- (e) **blasts** the **misfires** at the end of the shift;

4.11(8) In underground coal mines the **competent person** referred to in regulation 4.4(1):

- (a) where a **misfired hole** is in stone, extracts the **explosives** from the ***misfired hole*** in accordance with the provisions of regulation 4.11(3) and charges up the **misfired holes** with **explosives** and **blasts** the **misfires** before or at the end of the shift;
- (b) where a **misfired hole** is in a coal, drills or causes to be drilled in the presence of such **competent person**, a relieving **shot hole** parallel to and not nearer than 300 millimetres to the **misfired hole** and that such **competent person** charges and initiates the **explosives** charge contained in the relieving **shot hole** before or at the end of the shift.

Precautionary measures for marking, drilling and blasting

4.12 The **employer** must take reasonable measures ensure that a written procedure is prepared and implemented, after consultation with the **explosive manufacturer** or supplier, to prevent persons from being exposed to the significant risk associated with marking, drilling and **blasting** of **shot holes**. Such procedure must include measures to ensure that:

4.12(1) in underground ***mines***:

- (a) before the **competent person** referred to in regulation 4.4(1) points out or marks any **shot hole** for drilling, such **competent person**:

- (i) removes or causes to be removed all loose or loosened rock, mineral or ground to a safe distance from the **shot hole** determined by a risk assessment; and
 - (ii) searches for any **misfired hole** or **socket** within a distance of at least two metres from the proposed position or mark.
- (b) no person drills or causes or permits to be drilled any **shot hole** -
 - (i) unless the **competent person** referred to in regulation 4.4(1) has clearly marked the position and direction of the **shot hole** with paint or other suitably visible material, or, if such marking is impracticable, has pointed out the exact position and direction of the **shot hole**;
 - (ii) unless it is placed more than 150 millimeters from any **socket** and is drilled in such a direction that it will nowhere come nearer than 150 millimeters from any **socket**;
 - (iii) unless it is placed more than two metres from any **misfire** and is drilled in such a direction that it will nowhere come nearer than two metres from any **misfired hole**; and
 - (iv) if it deviates from the position and direction indicated as contemplated in paragraph (i) above;
- (c) no person drills or causes or permits to be drilled any **shot hole** in any shaft, drive, crosscut, winze, raise, bord, stall or other similar confined space underground where there is known to be a **misfired hole** until the **misfired hole** has been dealt with in accordance with the provisions of regulation 4.11(3);
- (d) no person deepens or causes or permits any other person to deepen any hole which has been left standing or which is not completed at the end of a shift, unless:
 - (i) it has not been charged with **explosives** and it has been clearly described by the **competent person** referred to in regulation 4.4(1) in charge of the shift leaving work to the **competent person** referred to in regulation 4.4(1) in charge of the shift about to commence; or
 - (ii) the **competent person** referred to in regulation 4.4(1) examines such hole and finds it not to contain any **explosives**, or causes this to be done.

4.12(2) in surface mines:

- (a) before any **competent person** referred to in regulation 4.4(1) points out or marks any **shot hole** for drilling or authorises any other person to point out or mark the position and direction of any **shot hole** for drilling, such **competent person** searches for any **misfired hole** or **socket** within a distance of at least two metres from the proposed position or mark.
- (b) no person drills or causes or permits to be drilled any **shot hole** in any surface mine where there is known to be a **misfired hole** unless the **shot hole** is so drilled that it will nowhere come nearer than two metres to the **misfired hole** or unless the **misfired hole** has been dealt with in accordance with the provisions of regulation 4.11(3).
- (c) no person drills or causes or permits to be drilled any **shot hole**, unless:
 - (i) it is placed more than 150 millimetres from any **socket** and is drilled in such a direction that it will nowhere come nearer than 150 millimetres to any **socket**;
 - (ii) it is a **shot hole** that deviated from the position and direction indicated in paragraph (a) above; and
 - (iii) no person deepens or causes or permits any other person to deepen any **shot hole** that has been left standing or which has not been completed at the end of a shift, unless it has not been charged with **explosives** and has been clearly described by the **competent person** referred to in regulation 4.4(1) in charge of the shift leaving work to the **competent person** referred to in regulation 4.4(1) in charge of the shift about to commence.

Prevention of flammable gas and coal dust explosions

4.13 The **employer** of every underground mine must take reasonable measures to ensure that:

4.13(1) a blow out, ignition of flammable gas or initiation of a coal dust explosion does not occur due to the design and positioning of the **shot holes** or due to the type of **explosives** that are used;

- 4.13(2) initiating devices or systems used in **blasting** operations are designed not to cause a methane or coal dust explosion;
- 4.13(3) testing for flammable gas is done in accordance with a written procedure prepared and implemented for this purpose; and
- 4.13(4) no **explosives** are initiated where flammable gas or coal dust may be present in sufficient quantities to cause a flammable gas or coal dust explosion or to cause flammable gas to burn.

Shot holes to be stemmed and tamped

4.14 The **employer** must take reasonable measures to ensure that:

- 4.14(1) **tamping** of each **shot hole** is of a minimum length of 0.4m or a third of the length of the **shot hole**, whichever is the greater, to a maximum length equal to the burden used in the blast pattern; and
- 4.14(2) no **explosives** contained in a **shot hole** are initiated unless the portion of the **shot hole** between the **explosives** and the collar is **stemmed** and **tamped** by means of a material determined for that purpose by the **employer** after consultation with **explosive manufacture** or supplier.

Amount or mass of explosives in a shot hole

4.15 The **employer** must take **reasonably practicable** measures to ensure that the maximum amount or mass of **explosives** used per **shot hole** is according to the manufacturer's or supplier's recommendations.

General precautions

4.16 The **employer** must take reasonable measures to ensure that:

- 4.16(1) in any mine other than a coal mine, no **explosive** charges are initiated during the shift unless –
 - (a) such **explosive** charges are necessary for the purpose of **secondary blasting** or re- initiating the **misfired holes** in development faces;
 - (b) written permission for such **initiation** has been granted by a person authorised to do so by the **employer**; and
 - (c) reasonable precautions have been taken to prevent, as far as possible, any person from being exposed to smoke or fumes from such **initiation** of **explosive** charges;

- 4.16(2) no **blasting** operations are carried out within a horizontal distance of 500 metres of any public building, public thoroughfare, railway line, power line, any place where people congregate or any other structure, which it may be necessary to protect in order to prevent any significant risk, unless:
- (a) a risk assessment has identified a lesser safe distance and any restrictions and conditions to be complied with;
 - (b) a copy of the risk assessment, restrictions and conditions contemplated, in paragraph (a) have been provided for approval to the Principal Inspector of Mines;
 - (c) **shot holes** written permission has been granted by the Principal Inspector of Mines; and
 - (d) any restrictions and conditions determined by the Principal Inspector of Mines are complied with.
- 4.16(3) no person smokes, lights a fire or brings a naked light or flame, within a distance of 10 metres of where **explosives** are being loaded, transported, off loaded, handled or **explosive** charges are being prepared;
- 4.16(4) in any mine **blasting** take place only at a time determined in writing by the employer;
- 4.16(5) in surface mines, a written procedure is prepared and implemented, after consultation with the **explosive** manufacturer or supplier, to prevent persons from being exposed to the significant risks associated with **hot holes**. Such procedure must include:
- (a) where there is a significant risk of **hot holes** occurring, that the **competent person** referred to in regulation 4.4(1) measures the temperature of the; and
 - (b) that the temperatures of the **shot holes** are measured at any point throughout the length of the **shot hole** and recorded prior and during charging up operations.
- 4.16(6) a written procedure is prepared and implemented after consultation with **explosives** manufacturer or supplier to ensure that **sleep-over blasts** are carried out safely;
- 4.16(7) a written procedure is prepared and implemented, after consultation with the **explosive** manufacturer or supplier, to prevent persons from being exposed to significant risks associated with **secondary blasting**. The written procedure must include measures to ensure that:

- (a) all persons are moved to a safe area prior to **secondary blasting** taking place;
- (b) guards are placed at all entrances at a safe distance determined by a **risk assessment**, to the area where **secondary blasting** is to take place; and
- (c) written permission from a person authorised by the **employer** to do so, is granted before **secondary blasting** is carried out.

4.16(8) the **competent person** referred to in regulation 4.4(1):

- (a) takes all reasonable precautions to safeguard every person assisting such **competent person** in the preparation of **explosive** charges against an accident;
- (b) only charges **shot holes** with **explosives** within a reasonable time of **initiation** and after all persons not required to assist in the charging have been removed to a safe distance determined by **risk assessment**;
- (c) charges only the **shot holes** or prepare only the **explosive** charges that are intended to be **initiated** at the next blast and, while **explosives** charges are awaiting **initiation**, ensures that they are not interfered with;
- (d) except as may be necessary to re- **initiate** a **misfired hole**, does not insert more than one detonator into an **explosive** charge, provided that in wet workings two detonators may be used only if they are both inserted into the same cartridge and securely fastened to it;
- (e) only uses a means, appliance or material supplied by the **employer** for the purpose of **initiating** of **explosive** charges or testing of a **blasting** circuit; and
- (f) before any charge is **initiated**, takes adequate measures to prevent injury to persons or damage to property caused by **blasting** operations.

4.17 No person:

4.17(1) may drill or **blast** any **shot hole** in a subterranean tunnel intended to be used for purposes other than extracting **minerals**, unless -

- (a) a **risk** assessment has identified a lesser safe distance and any restrictions and conditions to be complied with;

- (b) a copy of the **risk** assessment, restrictions and conditions contemplated, in paragraph (a) have been provided for approval to the Principal Inspector of **Mines**;
 - (c) written permission has been granted by the Principal Inspector of **Mines**; and
 - (d) any restrictions and conditions determined by the Principal Inspector of **Mines** are complied with;
- 4.17(2) may smoke, light a fire or bring a naked light or flame, within a distance of 10 metres of where **explosives** are being loaded, transported, off loaded, handled or **explosive** charges are being prepared;
- 4.17(3) who is engaged in handling **explosives** or who is travelling on a vehicle on which **explosives** are being transported may carry matches or any other means of producing a flame or a spark;
- 4.17(4) warned of the **initiation** of **explosive** charges as contemplated in regulation 4.6(5)(d) may remain in or enter the unsafe area surrounding the place where the **initiation** of **explosives** is to take place.
- 4.18 Every person must report, in a manner prescribed by the **employer**, without delay any case of gassing, however slight, to ensure that such case receives prompt medical attention.

Schedule: Chapter 22.4**COMPETENT PERSON FOR EXPLOSIVES**

22.4.1(1) For purposes of:

1. Regulation 4.4(1) “**competent person**” means a person who is in charge of workmen in a **working place** at the mine and who is the holder of a certificate or qualification recognised by the Department for this purpose, valid for the class of mine to which the mine belongs.
 2. Regulation 4.4(3) “**competent person**” means a person who:
 - (a) has been assessed and found competent against a skills programme recognised by the MQA for this purpose; or
 - (b)
 - (i) is qualified by virtue of his/her knowledge, training, skills and experience to perform the activities contemplated in regulation 4.4(3);
 - (ii) is familiar with the provisions of regulation 4 which apply to the work to be performed by the person; and
 - (iii) has been trained to recognise any potential or actual danger to health or safety that may arise from the work to be performed by the person.
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Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001

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Advertisements: Tel: (012) 748 6205, 748 6208, 748 6209, 748 6210, 748 6211

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Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001

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