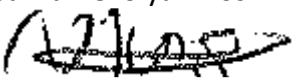
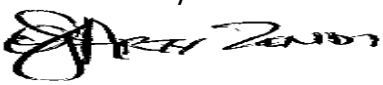
ETHEKWINI MUNICIPALITY
Occupational Health & Safety Unit

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 – COO Unit
Project Name	Appointment of a Professional Services Provider from a large scale, Architectural, Infrastructure, Engineering and Advisory Practice to Undertake the Strategic Project Development and Packaging Programme (SPDPP) for the WOZA Basket Programme (an Inner-City Regeneration Programme) of the eThekwini Metropolitan Municipality
Contract Number	34236 – 1X
Revision	01
Date	09/09/2025
Internal Reference no.	37.2 AGM/087/09/2025
Compiled by (Safety officer)	Name and surname: Siya Nkosi Signature:  Date: 09 September 2025
Reviewed by (Manager: Safety& Risk)	Name and surname: Arty Zondi Signature:  Date: 09 September 2025

ETHEKWINI MUNICIPALITY

OCCUPATIONAL HEALTH AND SAFETY

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

Professional Service Provider Acknowledgement of Responsibility in terms of the Occupational Health and Safety Act

Written agreement between ETHEKWINI Municipality (the "employer")
And

(the "Professional 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 "Professional Service Provider" is an employer in its own right 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 "Professional Service Provider" on any ETHEKWINI Municipality premises shall be in accordance with the provisions of the said Act.

Furthermore, I agree the "Professional 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 the course of any Contract awarded to the "Professional Service Provider" by ETHEKWINI Municipality.

Furthermore, I undertake to ensure that ETHEKWINI Municipality is timeously informed should the "Professional Service Provider", for whatever reason, be unable to perform in terms of this agreement.

The Professional Service Provider's driver must obey the traffic signs and speed limit within

eThekwini Municipality premises.

The Professional Service Provider shall ensure his/her vehicle is in good working condition.

The Professional Service Provider must ensure that all his or her employees have a valid medical certificate of fitness.

The Professional Service Provider shall ensure that all employees under his/her control are wearing the appropriate Personal Protective Equipment.

The Professional Service Provider shall be familiar with the eThekwini Municipality emergency evacuation plan in the event of any emergency.

The Professional Service Provider must be registered and in good standing with the Compensation for Occupational Injuries and Diseases Commissioner or Person Accident Cover.

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

On behalf of the "Professional Service Provider" (print)

.....

(sign) .....

On behalf of the "employer" (print).....

(sign) .....