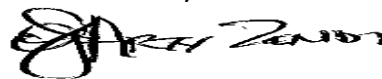


**37.2 Agreement in terms of Occupational
Health and Safety Act No. 85 of 1993**



Document Title	37.2 Agreement in terms of OHS Act of 1993
Client	eThekweni Municipality – eThekweni Water and Sanitation
Project Name	Provision and Management of desludging services for onsite sanitation system
Contract Number	5W– 36608
Revision	01
Date	26/08/2026
Internal Reference no.	37.2 AGM/086/08/2026
Compiled by (Safety officer)	Name and surname: Siya Nkosi Signature:  Date: 26 August 2026
Reviewed by (Manager: Safety & Risk)	Name and surname: Arty Zondi Signature:  Date: 26 August 2026



ETHEKWINI MUNICIPALITY

OCCUPATIONAL HEALTH AND SAFETY

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

Contractor Acknowledgement of Responsibility in terms of the Occupational Health and Safety Act

Written agreement between ETHEKWINI Municipality (the “employer”)

And

(the “Contractor”)

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 “mandatary” and acknowledge that the “Contractor” 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 “Contractor” on any ETHEKWINI Municipality premises shall be in accordance with the provisions of the said Act.

Furthermore, I agree the “Contractor” 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 any Contract awarded to the “Contractor” by ETHEKWINI Municipality.

Furthermore, I undertake to ensure that ETHEKWINI Municipality is timeously informed should the “Contractor”, for whatever reason, be unable to perform in terms of this agreement.

The Contractor must compile a health and safety file that would be approved by Occupational Health and Safety Unit.

The Contractor must conduct activity risk assessments, develop written safe working procedures and train all its employees on risk assessment and safe working procedure.

The Contractor’s driver must obey the traffic signs and speed limit within eThekwini Municipality premises.

The Contractor shall ensure his/her vehicles/trucks are in good working condition.

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

The Contractor shall ensure that all employees under his control are always wearing the appropriate Personal Protective Equipment.

The Contractor vehicle must be provided a fully equipped first aid box with a trained employee to administer first aid treatment.

The Contractor shall ensure a high level of housekeeping on site, adequate care must be taken by the contractor to ensure that storage and stacking is correctly and safely carried out, on completion the work.

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

The Contractor is expected to be familiar with the eThekweni Water and Sanitation Directorate emergency evacuation plan.

The Contractors must ensure that appropriate safety symbolic signs are displayed when working.

The Contractor must comply with the internal Permit to Work procedure.

The Contractor must inspect the equipment or tools before use.

Signed thisday of20.....

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

(sign)

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

(sign)