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DEPARTMENT OF EMPLOYMENT AND LABOUR

NO. 6532

22 August 2025

OCCUPATIONAL HEALTH AND SAFETY ACT (ACT NO. 85 OF 1993)**DRAFT GENERAL MACHINERY REGULATIONS: 2025****INVITATION OF PUBLIC COMMENTS ON DRAFT GENERAL MACHINERY
REGULATIONS 2025**

I, Nomakhosana Meth, Minister of Employment and Labour, hereby give notice that, I, intend in terms of section 43 (1) of the Occupational Health and Safety Act, (no. 85 of 1993) give an approval to receive public comment on the schedule of these Regulations.

The electronic copy of the draft General Machinery Regulations is available on the website at www.labour.gov.za.

Affected and interested parties or persons are invited to submit comments on the draft regulations in writing (Annexure 1) within 90 days from the date of the publication of this notice.

All representations and comments must be sent to the Director-General of the Department of Employment and Labour:

- By hand: The Department of Employment and Labour , Laboria House

215 Francis Baard Street, Pretoria CBD, 0001

- By post: The Director-General

The Department of Employment and Labour - Attention: Matlala
Sathekge/Mphakanyana Moloto

Private Bag X117, Pretoria, 0001

- By mail: Draftcomments.GMR@labour.gov.za

Proposed representations and comments format for DRAFT General Machinery Regulations as proposed.

1. Contact Details of the person or an organization submitting a comment:

Name and Surname				Phone Number			
Company Name				Email			
Mark with an X							
Government	Affected Party	Trade Union	Interested Party	Local Authority	Manufacturer	Supplier	
Importer	Other		Indicate the sector:				

2. Representation or comment:

No.	Regulation	Sub regulation	Comment	Proposal	Motivation	Does this proposal affect other Regulation (s) If yes which one(s)	How?
e,g,							

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT NO. 85 OF 1993)**DRAFT GENERAL MACHINERY REGULATIONS, 2025****1. Definitions**

In these Regulations any word or expression to which a meaning has been assigned in the Act of 1993, shall have the meaning so assigned and, unless the context otherwise indicates -

"access goods only lift" means any access goods only lift as defined in regulation 1 of the Lift, Escalator and Passenger Conveyor Regulations 2010 published under government notice No 33561 of 17 September 2010;

"certificated engineer" means any person to whom a certificate of competency referred to in regulation 2 of the Regulations concerning the Certificate of Competency, 2025, published under this Act, has been granted and includes any person who is the holder of a certificate of competency in mechanical or electrical engineering.

"certificate of competency" means a certificate of competency as defined in regulation 1 of the Regulations Concerning the Certificate of Competency, 2025, published under Government Notice R.533 of 16 March 1990 ;

"chief director provincial operations " means the chief director provincial operations previously referred to as the provincial director as defined in regulation 1 of the General Administrative Regulations, 2003, published under Government Notice R.929 of 25 June 2003;

"competent person" in relation to machinery, means any person who-

(a) has successfully completed an apprenticeship or accredited learnership in an engineering trade which included the operation and maintenance of machinery, or has had at least five years' practical experience in the operation and maintenance of machinery, and who during or subsequent to such apprenticeship, learnership or period of practical experience, as the case may be, has had not less than one year's experience in the operation, maintenance and safety appropriate to the class of machinery he or she is required to supervise;

(b) has obtained a qualification in either the mechanical or electrical (heavy current/Power) engineering fields of at least NQF Level 6, or of an equivalent level, and

who subsequent to achieving such qualification has had not less than two years' practical experience in the operation, maintenance and safety appropriate to the class of machinery he or she is required to supervise;

(c) is a certificated engineer;

"construction work" means construction work as defined in the construction regulations published under public government notice No 37305 of 07 February 2014;

"electrical installation" means any electrical installation as defined in regulation 1 of the Electrical Installation Regulations, 2009, published under Government Notice R.242 of 6 March 2009;

"escalator" means an escalator as defined in regulation 1 of the Lift, Escalator and Passenger conveyor Regulations 2010 published under government notice No 33561 of 17 September 2010 ;

"lift" means a lift as defined in regulation 1 of the Lift, Escalator and Passenger conveyor Regulations 2010, published under government notice No 33561 of 17 September 2010 ;

"live" or **"alive"** means electrically charged;

"shiftsupervisor" means any person employed to supervise the use of machinery and who has the necessary knowledge and experience to ensure the safe use of such machinery;

"the Act" means the Occupational Health and Safety Act, 1993 (Act 85 of 1993).

2. **Supervision of Machinery**

(1) In order to ensure that the provisions of the Act and these Regulations in relation to machinery are complied with, an employer or user of machinery shall, subject to this regulation, in writing designate a competent person employed in a full-time capacity in respect of every premises on or in which machinery is being used- Provided that where machinery such as power lines, pipelines, communication and other related equipment that cross borders in different provinces/areas, the machinery is deemed to be on one premises.

(2) The chief inspector may, subject to such conditions as he may impose, permit an employer or user of machinery to designate more than one competent person in terms of subregulation (1).

(3) Subject to the provisions of this regulation, an employee designated in terms of subregulation (1) shall be a competent person.

(4) (a) If-

(i) the sum of the power generated by machinery on or in the premises in question and the power derived from other sources such as Hydro, Wind and PV power generations, including the generation of steam for process purposes, is 1500 kW or less, the person designated in terms of subregulation (1) shall be a person as referred to in paragraph (a), (b), or (c) of the definition of "competent person";

(ii) the sum of the power generated by machinery on or in the premises in question and the power derived from other sources such as Hydro, Wind and PV power generations, including the generation of steam for process purposes, exceeds 1500kW, but is less than 5000 kW, the person designated in terms of subregulation (1) shall be a person as referred to in paragraph (b), or (c) of the definition of "competent person";

(iii) any such sum is 5000 kW or more, the person so designated shall be a person as referred to in paragraph (c) of the said definition.

(b) For the purpose of paragraph (a), the power derived from the generation of steam by any particular steam generator shall be calculated in kW by dividing the manufacturer's rated evaporative capacity (in kg of water per hour at 100°C) by 21 or, in the absence of any such rated evaporative capacity, by multiplying the heating surface of that steam generator (in m²) by 0,8.

(5) If, in the case where machinery on or in the premises in question is used solely for the generation and distribution of electricity-

(a) the maximum demand over any continuous period of 30 minutes is 5000 kVA or less, the person designated in terms of sub-regulation (1) shall be at least a person as referred to in paragraph (a), (b) or (c) of the definition of "competent person" and registered as an installation electrician in terms of regulation 11 (2) of the Electrical Installation Regulations, promulgated under Government Notice R.242 of 6 March 2009;

(b) any such demand exceeds 5000 kVA, but is less than 15000 kVA the employee so designated shall be a person as referred to in paragraph (b) or (c) of the said definition;

(c) any such demand is 15000 kVA or more, the employee so designated shall be a person as referred to in paragraph (c) of the said definition.

(6) (a) An employer or user of machinery may designate one or more competent persons to assist a person designated in terms of subregulation (1).

(b) The chief inspector may by written notice direct any employer or user of machinery to designate within the period specified in the notice the number of persons so specified holding the qualifications so specified to assist a person designated in terms of subregulation (1).

(7) A person designated in terms of subregulations (1) or (6) shall not supervise machinery on or in more than one premises, except with the written approval of the chief inspector.

(8) When an employer or user of machinery designates a person referred to in subregulations (4)(a)(ii), 4(a)(iii), (5)(b) or (5)(c), he shall forthwith forward to the chief director provincial operations a copy of the letter of appointment of that person.

(9) (a) Notwithstanding the provisions of subregulation (1), no employer or user of machinery needs to designate a person in terms of that subregulation in respect of

- (i) any lift, goods lift, escalator
- (ii) electrical installation in any shop or office or on, or in, any domestic premises,
- (iii) any domestic appliance used as such,
- (iv) any machinery used in connection with building work,
- (v) any vehicle or earth moving plant or
- (vi) any refrigeration, cooling, air-conditioning or freezing plant:

Provided that such machinery is inspected and maintained by a duly qualified person in pursuance of an agreement entered into by the user.

(b) The chief inspector may by written notice direct any employer or user of machinery referred to in paragraph (a) to designate within the period specified in the notice a person holding the qualifications so specified in terms of subregulation (1).

(10) Any employer or user of machinery who applies for exemption from the provisions of this regulation under section 40 of the Act shall furnish the Minister with the following particulars, namely-

- (a) the grounds for the application;
- (b) the number of employees employed on or in the premises in question;
- (c) the nature of the work performed on or in the premises in question;
- (d) the number and type of incidents reported in terms of section 24 (1) of the Act during the preceding three years;
- (e) the safety management system in force in respect of the premises in question;
- (f) the qualification and experience of a person other than the competent person to be appointed in terms of regulation 2(3); and
- (g) such other particulars as the chief inspector may require.

(11) If it is impracticable to comply with the provisions of this regulation due to circumstances beyond the control of the employer or user of machinery concerned or in the opinion of an inspector, a person referred to in paragraph (a) of the definition of "competent person" shall be designated in writing to supervise the machinery for a period not exceeding one month in any continuous period of six months.

3. Safeguarding of Machinery

(1) Every employer or user of machinery shall-

- (a) ensure that all machinery used by him, is suitable for the purpose for which it is used, and that it is installed, operated and maintained in such a manner as to prevent the exposure of persons to hazardous or potentially hazardous conditions or circumstances;
- (b) in particular cause every exposed and dangerous part of machinery which is within the normal reach of a person to be effectively safeguarded by means of insulation, fencing, screening or guarding, except where the chief inspector has granted written permission for the omission of such safeguarding;

(c) ensure that all safety equipment is regularly inspected and tested to ensure that it is in good working condition and properly used; and

(d) ensure that the quality of material used in, and the construction, of the machinery or safety equipment is suitable for the purpose for which it was intended.

(2) Where machinery constitutes a danger to persons, the employer or user of machinery concerned shall cause the premises in question to be enclosed, and where such premises are unattended the designated entrances to such premises shall be kept closed and locked or switched off.

(3) No person shall remove any safety equipment, which relates to the machinery in question unless he has been authorised thereto by the employer or user of machinery,

4. Operation of Machinery

(1) An employer or user of machinery shall ensure that every person authorised to operate machinery is fully aware of the dangers attached thereto and is conversant with the precautionary measures to be taken or observed to obviate such dangers.

(2) Under no circumstances shall a person who operates any machinery that requires constant attention in order to avoid accidents leave his post while such machinery is in operation, unless a person who is authorised and competent to operate such machinery relieves him.

(3) An employer or user of machinery shall ensure that any machinery which requires constant attention in order to avoid accidents is under the supervision of a shift supervisor, who shall at all times be present on the premises while such machinery is in operation, and no person shall attend to or operate such machinery except under the supervision of a shift supervisor.

(4) No person supervising machinery and no person operating machinery shall authorise any other person to do his work without the permission of his or her superior.

(5) If machinery threatens or is likely to threaten the safety of persons when it is unexpectedly set in motion or made electrically alive -

(i) the employer or user of machinery concerned shall take all reasonable precautionary measures in order to ensure that such machinery cannot be so set in motion or made electrically alive; and

(ii) any person intending to set such machinery in motion or make it electrically alive shall take all reasonable precautionary measures in order to ensure that the safety of a person is not threatened or likely to be threatened.

(6) If machinery in operation threatens or is likely to threaten the safety of persons, the person supervising or operating such machinery or the employer or user of machinery concerned shall stop such machinery or cause it to be stopped.

5. Working on Moving or Electrically Alive Machinery

(1) No employer or user of machinery shall permit or require any person other than a competent person, or a person who has been trained to the satisfaction of an inspector, to do any work on or near moving or electrically alive machinery if such work may endanger him or her: Provided that this subregulation shall not apply in respect of the operation of machinery under the general supervision of a shift supervisor.

(2) An employer or user of machinery shall, in respect of work performed on or near machinery which is in motion or is electrically alive including the operation of such machinery, take all reasonable precautionary measures in order to ensure that persons who perform such work are not injured: Provided that an inspector may at any time require of the employer or user of machinery to take such further precautionary measures as that inspector may deem necessary in the interest of safety.

(3) No person in close proximity to moving machinery shall wear, or be permitted by the employer or user of machinery concerned to wear any loosely fitting outer clothing, any jewellery or ornament; any watch or key-chain, any long loose hanging hair or anything which may be caught up in the moving parts of such machinery.

6. Devices to Start and Stop Machinery

(1) An employer or user of machinery shall provide devices to start and stop machinery, and these devices shall-

(a) be in a position where they can readily and conveniently be reached by the person who operates such machinery; and

(b) be so constructed and arranged as to prevent the accidental starting of such machinery.

(2) An employer or user of machinery shall provide positive means for rendering the controls of machinery driven by an electric motor inoperative while repairs or adjustments are being made, and such means shall not only be the mere tripping of a switch but locking out.

(3) Where two or more persons operate machinery simultaneously, the employer or user of machinery concerned shall provide such machinery-

(a) at every operation point with a stopping device which locks out when it is used and requiring manual resetting before such machinery can be restarted; and

(b) with an audible warning device to be sounded before the machinery is set in motion: Provided that an inspector may grant written permission for alternative precautionary measures whereby the safety of those persons is ensured.

7. Reporting of Incidents in Connection with Machinery

Each incident in which-

- (a) the fracture or failure of any part of machinery resulted in a falling or flying object;
- (b) machinery ran out of control as a result of the failure of a control or safety equipment and could have caused an injury to a person who had been conveyed on or in such machinery or had been in the vicinity thereof; or
- (c) the fracture or failure of any part of machinery in which gas is under pressure resulted in the sudden release of such gas;

shall be reported forthwith to an inspector by the employer or user of machinery concerned.

8. Information Regarding Regulations

(1) An employer or user of machinery shall furnish each person designated in terms of regulation 2 (1), free of charge, with an up to date copy of the Act and its regulations made thereunder.

(2) Any employer or user of machinery shall affix, in legible form in a conspicuous place on or in the premises in question-

- (a) in respect of a steam generator, a notice in the form set out in Schedule A to these Regulations; and
- (b) in respect of any machinery other than a steam generator, a notice in the form set out in Schedule B to these Regulations,

(3) Any employer or user of machinery shall cause any notice referred to in subregulation (2) to be explained to all relevant employees who are not conversant with the notice and keep records thereof.

9. Offences and Penalties

Any person who contravenes or fails to comply with a provision of regulation 2(1), 2(4), 2(5), 2(7), 2(8)(a) or 2(11), 3, 4, 5, 6, 7 or 8 or contravenes a notice under regulation 2 (6) (b) or 2 (9) (b) shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding six months, and, in the case of a continuous offence, with an additional fine or additional imprisonment of one day for each day on which the offence continues: Provided that the period of such additional imprisonment shall in no case exceed 90 days, as would be determined by the Justice system-

10. Repeal of Regulations

The Regulations promulgated under Government Notice R 1521 of 5 August 1988 in Government Gazette 11443, are hereby repealed.

11. Short Title

These Regulations shall be called the General Machinery Regulations, 2025.

Schedule A

NOTICE IN RESPECT OF STEAM GENERATOR STEAM GENERATOR**OCCUPATIONAL HEALTH AND SAFETY ACT, 1993****Notice in respect of steam generators under Regulation 8 (2)(a) of the General Machinery Regulations, 2025**

1. Each employer or user of machinery is required by law to provide safety equipment in connection with machinery, and it is an offence for any person to fail to use such properly or to interfere with them.
2. No steam generator shall be operated at a higher pressure than the authorised working pressure.
3. Unless steam is drawn for the operation of the steam generator's auxiliary apparatus, no person shall draw steam from the steam generator otherwise than through the main steam stop valve.
4. No person shall enter a steam generator or its flues, unless all necessary precaution are taken that it is safe and the steam-stop valve, feed valve, blow-off valve and all other valves or cocks are blanked off.
5. Portable electric lights used during the cleaning, repair or inspection of a steam generator shall not exceed 50V.
6. No person shall cause water to come into contact with hot flue dust or ashes if it threatens or is likely to threaten the safety of employees.
7. Any accident or other incident that threatens or is likely to threaten the safety of employees shall be reported immediately to the employer or user of machinery.

Schedule B

Notice in respect of Machinery other than a Steam generator**Notice in respect of Machinery other than a Steam generator under Regulation 8(2)(b) of the General Machinery Regulations, 2025**

1. Every employer or user of machinery is required by law to provide safety equipment in connection with machinery, and it is an offence for any person to fail to use such equipment properly or to interfere with them.
2. No person in close proximity to moving machinery shall wear any loosely fitting outer clothing, any jewellery or ornament, any watch or key chain, and long hanging hair or anything which may be caught up in the moving parts of such machinery.
3. Unless an apparatus approved by an inspector is used, no driving belt shall be shipped or unshipped whilst machinery is in motion, except in the case of a light belt which may be shipped on the coned pulley of a machine tool in order to alter the working speed of such tool.
4. Machinery in motion shall not be cleaned, repaired, adjusted or oiled, unless such machinery is cleaned, repaired, adjusted or oiled by a competent person when it is impracticable to stop such machinery.
5. No person other than a competent person shall enter the safeguarded area of machinery in motion, and only if it is impracticable to stop such machinery.
6. No person under the influence of alcohol, any other intoxicating substances or drugs shall enter any premises where machinery is used.
7. Any accident or other incident which threatens or is likely to threaten the safety of employees shall be reported immediately to the employer, or user of machinery.
8. No person supervising machinery and no person operating machinery shall, without the permission of his superior, authorise any other person to do his work.
9. Any person intending to start a machine shall before doing so satisfy himself that no other person is endangered.