

Delivery of explosives at mines

Definitions

For purposes of this regulation 42, “employer” and “mine” have the meanings ascribed to them in section 102 of the Mine Health and Safety Act, 1996 (Act No. 29 of 1996).

42. (1) ~~The [mine manager must]~~ employer at every mine must take reasonable measures to ensure that only explosives approved by him or her, in writing, are received, at the ~~[shaft]~~ mine.
- (2) (a) ~~[A mine manager]~~ Any employer who intends to have explosives delivered directly to a shaft from an explosive supplier or manufacturer, must adhere to the guidelines, as contemplated in Annexure “P” and must apply in writing for a permit to the Chief Inspector.
- (b) the ~~[mine manager]~~ employer must provide the Chief Inspector, in writing, with a risk assessment dealing with measures to prevent persons not authorised by the employer from –
- (i) gaining access to explosives;
 - (ii) being in possession of explosives; and
 - (iii) removing or attempting to remove explosives from a mine
- before a continuous transport permit may be issued by the Chief Inspector.
- (3) The applicant must supply the information required by regulation 29(1), and state whether the shaft is within a 150 kilometres radius of the supplier or manufacturer, or if explosives magazine facilities, licensed to the mine and maintained in accordance with chapters 8 and 9 of these Regulations, are available.
- (4) The application must be accompanied by three copies of a plan showing the position of the shaft delivery bay as well as major access routes used for delivery of explosives from the supplier.
- (5) An inspector must after receipt of the application contemplated in sub-regulation (2)(a), visit the shaft to establish whether such shaft delivery bay is suitable for the delivery and receiving of explosives, paying due regard to the safety of employees and the public, and the security arrangements at the shaft.
- (6) ~~[An approved shaft delivery bay is regarded to be an explosives magazine at all times when explosives are present, and is subject to these Regulations, except the regulations dealing with the construction and maintenance of the magazine.]~~ All the other regulations published herewith, as appropriate, remain applicable to all explosives being delivered at a mine until a person contemplated in sub-regulation (9) has accepted delivery of such explosives, whereafter only this regulation 42 will continue to apply to those explosives, subject to sub-regulation 12(b).
- (7) In addition to any other requirements, the following conditions apply at any shaft delivery bay where explosives are delivered by a supplier –

- (a) Explosives in different Compatibility Groups may not be kept simultaneously at the shaft, except blasting explosives in Compatibility Group B which may be stored together with those in Classes 1.4G and 1.4S;
 - (b) explosives must be lowered into the mine without delay after receipt at the shaft; and
 - (c) only explosives packed in terms of Chapter 4 of these Regulations may be received at the shaft.
- (8)
- (a) Explosives destined for another shaft or delivery point, may not be transported to a shaft delivery bay with the shaft's supply of explosives, except where the mine manager, after a risk assessment, in writing, indicates that he or she has no objection to such arrangement.
 - (b) The risk assessment contemplated in paragraph (a) must be submitted to the inspector for the specific area.
- (9)
- (a) ~~[The magazine master or his or her deputy,]~~ The employer must appoint one or more persons who must personally accept ~~[the]~~ all explosives delivered at a mine and record such delivery immediately.
 - (b) The employer must forthwith in writing notify the Chief Inspector of all persons appointed in terms of sub-regulation (9)(a) and of any changes to the persons so appointed.
- (10) Where an incorrect delivery is made or some or all of the explosives delivered are considered to be defective –
- (a) the explosives must be returned to the supplier from which they were received if such supplier is within 150 kilometre radius from the shaft; or
 - (b) where such supplier is more than 150 kilometres away from the shaft, the explosives must be placed in the back-up explosives magazine.
- (11) Incorrect deliveries or delivery of defective explosives must immediately be reported to an inspector, for further investigation to determine appropriate corrective action or instructions and the inspector may request a risk assessment from the mine manager.
- (12)
- (a) The receipt, storage, issuing, transportation and destruction of explosives at mines must be done in accordance with regulation 4.2 of the Regulations ~~[issued]~~ prescribed under the Mine Health and Safety Act, 1996 (Act No. 29 of 1996).
 - (b) These Regulations do not exempt an employer ~~[or mine manager]~~ from any of his or her duties under any other legislation.