

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF EMPLOYMENT AND LABOUR

NO. R. 5042

12 July 2024

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT NO. 85 OF 1993)

ASBESTOS ABATEMENT REGULATIONS, 2020 AS AMENDED.

I, Thembelani W Nxesi, Minister of Employment and Labour has, under section 43 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), and after consultation with the Advisory Council for Occupational Health and Safety, to made the following amendments to the Asbestos Abatement Regulations in the Schedule as published in Notice No 1196, in Gazette No 43893, published on 10 November 202 as follows:

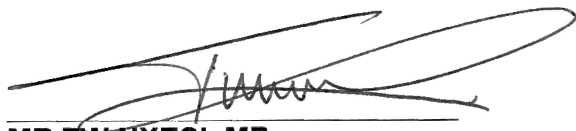
24. Prohibitions

No person may -

(f) use electrical power tools, such as angle grinders, or any other fast-moving equipment to cut, grind or drill asbestos-containing material; Provided that slow moving tools may only be used where the activity is part of asbestos containing material removal for final disposal;

(j) make any installation or fitting on or onto asbestos containing materials.

- Underlined text was added



MR TW NXESI, MP
MINISTER OF EMPLOYMENT AND LABOUR

DATE: 25/04/2024

PROCLAMATIONS • PROKLAMASIES

PROCLAMATION 170 OF 2024**by the****PRESIDENT of the REPUBLIC of SOUTH AFRICA****SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT: NELSON MANDELA BAY METROPOLITAN MUNICIPALITY**

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as the “Act”), have been made in respect of the affairs of Nelson Mandela Bay Metropolitan Municipality (hereinafter referred to as “the Municipality”);

AND WHEREAS the Municipality or the State suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the Act, refer the matters mentioned in the Schedule, in respect of the Municipality, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged—

- (a) serious maladministration in connection with the affairs of the Municipality;
- (b) improper or unlawful conduct by the employees or officials of the Municipality;
- (c) unlawful appropriation or expenditure of public money or property;
- (d) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property;
- (e) intentional or negligent loss of public money or damage to public property;
- (f) offence referred to in Parts 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of

Corrupt Activities Act, 2004 (Act No. 12 of 2004), and which offences were committed in connection with the affairs of the Municipality; or

- (g) unlawful or improper conduct by any person, which has caused or may cause serious harm to the interests of the public or any category thereof,

which took place between 1 November 2020 and the date of publication of this Proclamation or which took place prior to 1 November 2020 or after the date of publication of this Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule or involve the same persons, entities or contracts investigated under authority of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the Act, including the recovery of any losses suffered by the Municipality or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this 26th day of June Two thousand and twenty four.

President

By Order of the President-in-Cabinet:

Minister of the Cabinet

SCHEDULE

1. The procurement of, or contracting for goods and services by or on behalf of the Municipality in terms of tender number SCM/20-27/G/2020-2021: Supply, delivery and off-loading of LED street lighting and flood lighting luminaires, and payments made in respect thereof in a manner that was —

- (a) not fair, competitive, transparent, equitable or cost-effective;
- (b) contrary to applicable —
- (i) legislation;
 - (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or

and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by Municipality or the State.

2. Any improper or unlawful conduct by the officials or employees of the Municipality or the service provider in question, or any other person or entity, in relation to the allegations set out in paragraph 1 of this Schedule.