



employment & labour

Department:
Employment and Labour
REPUBLIC OF SOUTH AFRICA



South African Institute of
Occupational Safety and Health

South African Institute of Occupational Safety and Health Comments

Draft General Machinery Regulations: 2025

Government Gazette R.6532 No. 53210 - 22 August 2025

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1. Definitions In these Regulations any word or expression in which a meaning has been assigned in the Act, shall have a meaning so assigned and, unless the context otherwise indicates -	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 -		
"building work" means building work as defined in the General Administrative Regulations, published under Government Notice R.2206 of 5 October 1984; <i>[Notice R.2206 of 05/10/1984 repealed by Notice 1449 of 06/09/1996]</i>			
	"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;	As this definition is not referenced in the regulations, its inclusion may be redundant.	
"certificated engineer" means any person to whom a certificate of competency referred to in regulation E1(1) of the Regulations, published under Government Notice R.929 of 28 June 1963, has been granted and includes any person who is the holder of a certificate of competency in mechanical or electrotechnical engineering issued before 1 January 1966 under the Mines and Works Act, 1956 (Act 27 of 1956);	"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.	The definition needs to say who issues the certificate of competency.	"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 holds a certificate of competency issued by the Chief Director 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 served an apprenticeship 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 or period of practical	"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	In line with other regulations (such as RHCA, CR, etc. there should be reference to an appropriate understanding of the regulations and Act. (see proposal d below)	

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experience, as the case may be, has had not less than one year's experience in the operation and maintenance appropriate to the class of machinery he is required to supervise; (b) has obtained an engineering diploma in either the mechanical or electrotechnical (heavy current) fields with an academic qualification of at least T3 or N5, or of an equivalent level, and who subsequent to achieving such qualification has had not less than two years practical experience in the operation and maintenance appropriate to the class of machinery he is required to supervise; (c) is a graduate engineer who has had not less than two years post graduate practical experience in the operation and maintenance appropriate to the class of machinery he is required to supervise and who has passed the examination on the Act and the regulations made thereunder, held by the Commission of Examiners in terms of regulation E5(2) of the regulations published under Government Notice R.929 of 28 June 1963; or (d) is a certificated engineer;	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;		(d) is familiar with the Act and the regulations, made under the Act, applicable to the scope of work performed;
	"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 defined in regulation 1 of the Electrical Installation Regulations, published under Government Notice R.2270 of 11 October 1985;	"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;		
"elevator" means any lift, hoist or other appliance used for the conveyance of persons and goods by means of a car, cage, cradle or other receptacle in a hatchway on fixed guides, but does not include a builder's hoist or a hoist worked by hand power;			
"escalator" means any power driven inclined continuous stairway with moving steps and hand rails which is intended for the conveyance of persons from one level to another;	"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 ;		
"goods elevator" means any elevator used solely for the conveyance of goods and such attendants and operators as are necessary and authorised to travel therein, but does not include a hoist worked by hand power;			

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"graduate engineer" means any person who has obtained a degree in mechanical or electrotechnical engineering at a South African university, or a degree recognised by the Department of National Education as equivalent to any such degree;			
		New definition required to give clarity to proposal under GMR 2.	'high-risk machinery' means any machinery or assembly of machinery which, by virtue of its design, energy source, operating parameters, or intended use, presents a significant risk of death, serious injury, or major health impact to persons, or a risk of catastrophic damage to property or the environment in the event of failure or misuse, and typically includes machinery that— (a) operates under high energy conditions such as high pressure, high temperature, or high voltage; (b) involves hazardous substances or processes with potential for toxic release, fire, or explosion; (c) performs lifting, hoisting, or load-handling operations where failure could result in fatal falls or crushing; (d) incorporates complex control systems or autonomous functions where malfunction could lead to loss of control; or (e) is subject to statutory registration, certification, or conformity assessment under applicable national or international standards due to its inherent hazards.
	"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;	"live" or "alive" means electrically charged;		
"regional director" means the regional director as amended in regulation 1 of the General Administrative Regulations, published under Government Notice R.2131 of 7/09/90;			
"shiftsman" 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;	"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 Machinery and Occupational Safety Act, 1983 (Act 6 of 1983).	"the Act" means the Occupational Health and Safety Act, 1993 (Act 85 of 1993).		
		There should be a scope of application	2. These Regulations apply to all persons who use, operate, maintain, inspect, supervise or work on general machinery in workplaces to which the Act applies.
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	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,	The proposed blanket requirement for a full-time competent person wherever machinery exists is inconsistent with the	2. Supervision of Machinery (1) In order to ensure compliance with the provisions of the Act and these Regulations in relation to machinery, an employer or user of machinery shall, subject to this regulation, in writing designate a

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regulation, in writing designate a person in full time capacity in respect of every premises on or in which machinery is being used. (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 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, including the generation of steam for process purposes, exceeds 1200 kW, but is less than 3000 kW, the person designated in terms of subregulation (1) shall be a person referred to in paragraph (b), (c) or (d) of the definition of competent person; (ii) any such sum is 3000 kW or more, the person so designated shall be a person as referred to in paragraph (c) or (d) of the said definition. (b) For the purpose of paragraph (a), the power derived from the generation of steam by any particular boiler shall be calculated in kW by dividing the manufacturer's rated evaporative capacity (in kg of water per hour at 100 degrees Celsius) by 21 or, in the absence of such rated evaporative capacity, by multiplying the heating surface of that boiler (in square metres) by 0,8. (5) If, in the case where machinery on or in the premises in question is used solely for the distribution of electricity - (a) the maximum demand over any continuous period of 30 minutes is 3000 kVA or less, the person designated in terms of subregulation (1) shall be a person as referred to in paragraph (a) of the definition of competent person and registered as an installation electrician in terms of regulation 11(1) of the Electrical Installation Regulations, promulgated under Government Notice R.2270 of 11 October 1985;	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	principle of “reasonably practicable” under Section 1 of the OHSA, which requires a balanced consideration of risk, feasibility, and cost. This approach risks creating obligations that are disproportionate to the actual hazard, imposing significant compliance costs on low-risk operations without delivering commensurate safety benefits. Such an outcome reflects argumentum ab inconvenienti, a rule that produces unnecessary practical burdens contrary to legislative intent and violates the proportionality embedded in OHSA. South African jurisprudence, including Truworths Ltd v Chief Inspector: OHS (Labour Court, 2025), confirms that “reasonably practicable” entails a context-specific assessment, not a blanket prescription. Similarly, the classic test in Edwards v National Coal Board [1949] requires weighing the quantum of risk against the sacrifice in money, time, and trouble, applying the “gross disproportion” principle. A universal duty for all machinery fails this test. It is uncertain whether, a Socio-Economic Impact Assessment (SIA) was carried out? It is therefore recommended that GMR 2(1) explicitly adopt a risk-based approach, requiring a full-time competent person only where a documented risk assessment identifies machinery as high-risk, aligning the regulation with OHSA and the Draft OHS Amendment Bill’s Section 8 requirement for workplace-specific risk management plans. (2) The chief inspector could be a female or male, which aligns with Section 9 of the Constitution which prohibits unfair discrimination based on gender, sex, or gender identity. To address this there is no need to speak about gender and the wording has been adjusted.	competent person employed in a full-time capacity in respect of every premises on or in which machinery is being used, where any high-risk machinery is present: Provided that where machinery such as power lines, pipelines, communication and other related equipment cross borders in different provinces or areas, the machinery is deemed to be on one premises. (2)(a) The requirement for a competent person specified in subregulation (1) shall not apply where the machinery is inspected and maintained by a duly qualified person in terms of a formal agreement entered into by the user, and is limited to: (i) any lift, goods lift or escalator; (ii) any 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 construction work; (v) any vehicle or earth-moving plant; or (vi) any refrigeration, cooling, air-conditioning or freezing plant. (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).

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(b) any such demand exceeds 3000 kVA, but is less than 10 000 kVA, the employee so designated shall be a person as referred to in paragraph (b), (c) or (d) of the said definition; (c) any such demand is 10 000 kVA or more, the employee so designated shall be a person as referred to in paragraph (c) or (d) of the said definition. (6) Notwithstanding the provisions of subregulations (3), (4) and (5) the chief inspector may, subject to such conditions as he may impose, permit an employer or user of machinery to designate a person who holds any qualification other than that of a competent person in terms of subregulation (1) . (7)(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 qualification so specified to assist a person designated in terms of subregulation (1). (8) Except with the approval of an inspector, no person designated in terms of subregulations (1) or (7) shall supervise machinery on or in any premises other than the premises in respect of which he had been designated. (9) When an employer or user of machinery designates a person referred to in subregulations (4)(a), (5)(b) or (c), he shall forthwith forward to the regional director a copy of the letter of appointment of that 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	There are numerous places in the regulations, where inappropriate gendered language is used. Regulation (9)(b) has been moved to become (2)(b). (9)(a)Saioosh has rewritten 2(1) and introduced a new 2(2), which is this subregulation rewritten. This introduces a logical flow. Additionally, in terms of flow and logic (9)(1), is written in a confusing way in that it starts with a negative (no employer or user of machinery), and then follow up with an inclusion (Provided that such machinery is inspected and maintained by a duly qualified person in pursuance of an agreement entered into by the user).	See new (2)(1) and (2)(2).

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(10)(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 any elevator, goods elevator, escalator or electrical installation in any shop or office or on, or in, any domestic premises, any domestic appliance used as such, any machinery used in connection with building work, any vehicle or earth moving plant or any refrigeration, cooling, air-conditioning or freezing plant inspected and maintained by a duly qualified person in pursuance of an agreement entered into by any such employer or user of machinery. (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). (11) Any employer or user of machinery who applies for exemption from the provisions of this regulation under section 32 of the Act shall furnish the Minister with the following particulars, namely - <i>[Editor's note: "section 32 of the Act" mentioned in the above paragraph refers to the repealed Machinery and Occupational Safety Act 6 of 1983, please read section 40 of the OHS Act regarding exemptions]</i> (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 in or on the premises in question; (d) the number and type of incidents reported in terms of section 17(1) of the Act during the preceding three years; (e) the safety management system in force in respect of the premises in question; and (f) any other particulars as the chief inspector may require. (12) Notwithstanding the provisions of this regulation, machinery required to be supervised by a person referred to in paragraph (b), (c) or (d) of the definition of 'competent person' may be used in the absence of any such person for a period not exceeding one month in any continuous period of six months, if it is due to circumstances beyond the control of the employer or user of such machinery concerned or in the	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.	(11) This change is needed to improve clarity and legal certainty. The original wording lacked logical flow and did not clearly link the impracticability to the temporary unavailability of the required competent person. The revised version establishes a clear condition, action structure: if compliance is impracticable because the designated (b) or (c) person is unavailable (e.g., on leave or due to circumstances beyond the employer's control), then a paragraph (a) person may be appointed for a strictly limited period. This ensures operational continuity without weakening safety standards and provides a clear, enforceable framework.	(11) Where a person referred to in paragraph (b) or (c) of the definition of "competent person" is required to supervise machinery but is temporarily unavailable, and compliance with this regulation is not reasonably practicable, including during periods of leave or due to circumstances beyond the control of the employer or user, the employer or user shall designate in writing a person referred to in paragraph (a) of the said definition to supervise the machinery for a period not exceeding one month in any continuous period of six months.

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opinion of an inspector, impracticable to comply with the provisions of this regulation: Provided that a person referred to in paragraph (a) of the said definition shall in writing be designated to supervise the machinery in question during such absence.			
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 inspector has granted written permission for the omission of such safeguarding; (c) ensure that all safety equipment is kept in good working condition and is 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 such machinery concerned will 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. (3) Unless he has been authorised thereto by the employer or user of machinery, no person shall remove any safety equipment which relates to the machinery in question.	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,	(2) the ‘closed and locked’, is specifically referring to the ‘designated entrances’, and so the addition of ‘or switched off’, is incorrect. Revert to the original. It looks like the words ‘in question’ have been left off.	3. Safeguarding of Machinery (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. (3) Unless he has been authorised thereto by the employer or user of machinery, no person shall remove any safety equipment which relates to the machinery in question.
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) If a person operates any machinery which requires constant attention in order to avoid accidents, he shall under no circumstances leave his post while such machinery is in	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,	(2) The revised wording improves clarity and compliance by focusing on the operator’s responsibility rather than a blanket prohibition. It adopts direct,	4. Operation of Machinery (2) When machinery requires constant supervision to ensure safe operation, the designated operator is required to remain in attendance unless relieved by someone suitably authorised and competent.

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operation, unless he is relieved by a person who is authorised and competent to operate such machinery. (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 shiftsman, 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 general supervision of a shiftsman. (4) No person supervising machinery and no person operating machinery shall, without the permission of his superior, authorize any other person to do his work. (5) If machinery threatens or is likely to threaten the safety of persons when it is unexpectedly set in motion or made electrically alive, 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 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.	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.	action-oriented language that is easier to apply in legal and regulatory contexts. (3) The revised wording removes redundancy and enhances legal precision, ensuring that the requirement for supervisory presence remains clear and enforceable without unnecessary complexity.	(3) An employer or user of machinery shall ensure that all machinery requiring constant attention is not operated unless a shift supervisor is present on the premises and supervising its operation.
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: Provided that this subregulation shall not apply in respect of the operation of machinery under the general supervision of a shiftsman.	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.	(1) The phrase “to the satisfaction of an inspector” was removed because it introduces subjectivity and external dependency, making compliance reliant on an individual’s judgment rather than an objective standard. Replacing it with “to an appropriate standard” ensures the requirement is self-regulating, measurable, and promotes employer accountability without requiring inspector approval.	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 an appropriate standard, 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.

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(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 interests of safety. (3) No person working 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 jewelry 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.	(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.	(2) The original text relied on an inspector's discretion, making compliance subjective and reactive. The revised wording removes this dependency and requires employers to proactively implement any additional measures necessary to maintain safety, creating a self-regulating and accountable approach aligned with OHSa drafting principles. The revised version simplifies the structure, uses consistent terms, and groups similar items logically while preserving intent. This improves clarity and enforceability.	(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 to ensure that persons who perform such work are not injured: Provided that the employer or user of machinery shall implement any additional precautionary measures necessary to maintain a safe working environment. (3) No person in close proximity to moving machinery shall wear, or be permitted by the employer or user of such machinery to wear, any loose-fitting outer clothing, jewellery, ornaments, watches, key-chains, long loose hair, or any item that could become entangled in moving parts.
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. (3) If machinery is simultaneously operated by two to more persons, 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 requires 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.	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.	(6) (b) "Accidental starting" was replaced with "unintentional starting" because it is more precise and commonly used in safety standards, reducing ambiguity. (2) "Merely tripping a switch" was replaced with "not limited to deactivating a switch, but incorporating lockout procedures" to provide clearer, more precise language that reflects modern lockout/tagout safety practices.	6. Devices to Start and Stop Machinery (6) (b) be designed and arranged to prevent unintentional starting of the machinery. (2) An employer or user of machinery shall provide a positive means to render the controls of machinery driven by an electric motor inoperative while repairs or adjustments are being made, and such means shall not be limited to deactivating a switch, but incorporate lockout procedures.

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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.	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. Notifiable substances (1) An employer or user of machinery who has any substance set out in column 1 of Schedule A of these Regulations or any mixture thereof, in quantity which at any time is equal to or in excess of the quantity specified opposite that the substance in column 2 on his premises in a single fixed storage vessel, shall forthwith notify the regional director thereof on the form set out in Schedule B of these Regulations. (2) When the use of any substance referred to in subregulation (1) is discontinued, the employer or user of machinery shall forthwith notify the regional director in writing.			
9. 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 a copy of the Act and the regulations made thereunder. (2) Any employer or user of machinery shall affix - (a) in respect of a boiler, a notice in the form set out in Schedule C to these Regulations; or (b) in respect of any machinery other than a boiler, a notice in the form set out in Schedule D to these regulations, in both official languages and in legible form in a conspicuous place on or in the premises in question. (3) Any employer or user of machinery shall cause any notice referred to in subregulation (2) to be explained to all employees who are not conversant with an official language.	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.	The language change is proposed to improve clarity and readability while preserving the original legal meaning. It ensures the sentence flows logically from the main obligation to the specific requirements, making it easier to interpret without altering its legislative intent.	8. Information Regarding Regulations (2) Every employer or user of machinery shall affix, in a legible form and in a conspicuous place on or within the premises concerned: (a) in the case of a steam generator, a notice in the form set out in Schedule A to these Regulations; and (b) in the case of any machinery other than a steam generator, a notice in the form set out in Schedule B to these Regulations.

CURRENT REGS	NEW/DRAFT	COMMENTS	PROPOSAL
10. Offences and penalties Any person who contravenes or fails to comply with a provision of regulation 2(1), (4), (5), (8), (9) or (12), 3, 4, 5, 6, 7, 8 or 9 or contravenes a notice under regulation 2(7)(b) of (10)(b) or (12) shall be guilty of an offence and liable on conviction to a fine not exceeding R5000 or to imprisonment for a period not exceeding six months, and, in the case of a continuous offence, with an additional fine of R100 or additional imprisonment of one day for each day on which an offence continues: Provided that the period of such additional imprisonment shall in no case exceed 90 days.	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.		
11. Repeal of regulations (a) Regulations C1, C4, C8, C9, including Annexures F11 and F13, C19, C21, C22, C23, C24, C25, C26, C27, C28, C51, C53, C54 of these Regulations, promulgated under Government Notice R.929 of 28 June 1963, are hereby repealed. (b) Regulation D2 of the Regulations, promulgated under Government Notice R.1934 of 13 December 1963, is hereby repealed.	10. Repeal of Regulations The Regulations promulgated under Government Notice R 1521 of 5 August 1988 in Government Gazette 11443, are hereby repealed.		
12. Short title These Regulations shall be called the General Machinery Regulations, 1988.	11. Short Title These Regulations shall be called the General Machinery Regulations, 2025.		

Schedule B (3)

Was:

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.

Proposed:

3. No driving belt shall be shipped or unshipped while machinery is in motion, except where a belt-shifting apparatus designed and maintained to accepted safety standards is used, 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.