Section 16(2) Legal Appointment Letter

Occupational Health and Safety Act (Act 85 of 1993) | Delegation of Operational Safety Duties

Company Legal Name:	**Company Reg / COIDA No:**
Site / Branch / Division:	**Effective Date:**

APPOINTEE DETAILS

Full Name of Appointee:	**SA ID / Passport Number:**
Job Title / Designation:	**Area of Control:**

APPOINTMENT IN TERMS OF SECTION 16(2) OF THE OHS ACT 85 OF 1993

I, the undersigned Chief Executive Officer / Managing Director acting in terms of Section 16(1) of the Occupational Health and Safety Act (Act 85 of 1993), hereby assign to you the statutory duty to ensure compliance with the provisions of the Act and its Regulations within your designated area of operational control.

YOUR KEY STATUTORY DUTIES INCLUDE:

1. Ensure all work, plant, machinery, and premises under your control are maintained in a safe condition without risk to the health or safety of employees, contractors, or visitors.
2. Ensure baseline and issue-based Hazard Identification and Risk Assessments (HIRA) and Safe Work Procedures (SWPs) are implemented, communicated, and enforced daily.
3. Designate required subordinate statutory appointees in writing (including Section 17 Safety Reps, GSR 3 First Aiders, Fire Marshals, and competent inspectors) and monitor certificate expiry dates.
4. Ensure all contractors sign Section 37(2) Mandatory Agreements and hold valid COIDA Letters of Good Standing and approved safety files before commencing work.
5. Enforce immediate reporting and investigation of all workplace incidents, occupational diseases, and near misses in accordance with GAR 9 and COIDA requirements.
6. Escalate any safety risk or non-compliance that exceeds your authority or budget to the Section 16(1) CEO in writing without delay.

Period of Appointment: Valid from the effective date above until revoked in writing or termination of employment.

ISSUED BY SECTION 16(1) CHIEF EXECUTIVE OFFICER / MANAGING DIRECTOR

Full Name: _____ Title: _____

Signature: _____ Date: _____

ACCEPTANCE BY SECTION 16(2) APPOINTEE

I confirm that I have read, understood, and accepted the duties assigned to me in terms of Section 16(2) of the Occupational Health and Safety Act 85 of 1993.

Signature of Appointee: _____ Date: _____

Witness Name & Sign: _____ Date: _____