

you are here: [home](#) > [news](#) > [mine and occupational health and safety newsflash](#)

South African Mine Health and Safety Act – amended regulations relating to explosives and competent persons for explosives published

by the mine and occupational health and safety department

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On Friday, 14 September 2018, the Minister of Mineral Resources (the “**minister**”) published a notice amending Chapter 4 of the regulations relating to explosives, binding in terms of the Mine Health and Safety Act, 1996. The regulations will come into effect three months after 14 September 2018.

Important changes in the amended regulations include:

- that an employer of an underground mine may, by means of a risk assessment conducted in consultation with the explosives manufacturer or supplier, determine a safe distance to which explosives may be brought to a working face where the drilling of shot holes is not complete (Regulation 4.6(3)(a)(iv)); and
- employers at both underground and surface mines are required to facilitate that (as per Regulations 4.6(3)(b), 4.6(5)(c) and Regulation 4.14):
 - stemming and tamping is performed between the explosive charge and the collar of the shot hole
 - with a material determined in consultation with the explosives manufacturer/supplier and stemming manufacturer/supplier; and
 - with the length of the stemming and tamping material determinable by means of risk assessment.

[Click here to view a copy of the notice.](#)

Also on 14 September 2018, the minister published a notice amending Chapter 22 of the regulations regarding the requirements to qualify as a competent person in respect of explosives. Three particular certificates are now listed as being required to qualify as a “competent person” as envisaged in terms of Regulation 4.4(1) of the Explosives Regulations.

[Click here to view a copy of the notice.](#)

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