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**MINE HEALTH AND SAFETY ACT, 1996 (ACT NO 29 OF 1996)****SCHEDULE****CHAPTER 16****RESCUE, FIRST AID AND EMERGENCY PREPAREDNESS AND RESPONSE****16.5 Emergency Preparedness and Response****Definitions**

For purposes of regulation 16.5, unless the context indicates otherwise -

**"emergency"** means a situation, event or set of circumstances at a mine that could threaten the health or safety of persons at or off the mine, and which requires immediate remedial action, such as the evacuation, rescue or recovery of persons, to prevent serious injury or harm, or further serious injury or harm, to persons;

**"breathing apparatus"** means an apparatus, which renders the user independent from breathing from the atmosphere for a minimum of two (2) hours.

16.5(1) The employer at every underground mine must-

- (a) provide and maintain, readily available at the mine, mine rescue teams, consisting of at least five competent persons, per mine rescue team, in the following minimum proportions determined by the maximum number of persons who could be underground at any one time-
  - (i) where there could be between 100 and 1100 persons underground, at least 1 mine rescue team;
  - (ii) where there could be between 1101 and 3600 persons underground at least 2 mine rescue teams;

*Side note: Reference is made to the Guideline for the Compilation of a Code of Practice on Emergency Preparedness and Response. Reference 16/3/2/1-A5, as issued by the Chief Inspector of Mines, in terms of section 9.2 of the Mine Health and Safety Act.*

- (iii) where there could be between 3601 and 8100 persons underground at least 3 mine rescue teams; and
  - (iv) where there could be more than 8100 persons underground at least 3 mine rescue teams and at least 1 additional mine rescue team for every additional 6300 persons who could be underground;
  - (b) have readily available, at the mine for use by the rescue team members contemplated in regulation 16.5(1)(a), sufficient *breathing apparatus* that may be required in any *emergency* and which *breathing apparatus* must continually comply with SANS 50145:1997/EN 145:1997 "Respiratory protective devices - Self-contained closed-circuit breathing apparatus - Compressed oxygen or compressed oxygen-nitrogen type - Requirements, testing, marking";
  - (c) enter into a contract with a mines rescue service provider to coordinate and facilitate the provision of mines rescue teams and other services, relating to an *emergency*, on a cooperative basis; and
  - (d) immediately notify such mines rescue service provider should any *emergency* occur at the mine that may require the use of rescue team members, contemplated in 16.5(1)(a), or the use of the services of such mines rescue service provider.
- 16.5(2) For the purposes of regulation 16.5(1)(c) and (d), a mines rescue service provider must-
- (a) be an organisation/institution which has personnel with specialist knowledge and experience in mines rescue and emergencies and which has access to rescue equipment and training facilities, including facilities for Heat Tolerance Testing, Workload Testing and Simulated Training;
  - (b) render an *emergency* rescue service on a co-operative basis;
  - (c) provide mines rescue services with emphasis on mobilisation of mine rescue teams, quantity or access to rescue teams, emergency communication, additional emergency resources, back up facilities and transport;
  - (d) ensure that any *breathing apparatus* that may be used by mine rescue teams continually complies with SANS 50145:1997/EN 145:1997 "Respiratory protective devices - Self-contained closed-circuit breathing apparatus - Compressed oxygen or compressed oxygen-nitrogen type - Requirements, testing, marking";
  - (e) ensure that their personnel is competent to check and maintain any rescue equipment used by it in accordance with the Original Equipment Manufacturer's specifications;
  - (f) test and maintain the functional performance of any other rescue equipment used by it in accordance with the Original Equipment Manufacturer's specifications; and