

	Occupational Health and Safety Act: Section 37(2) Agreement - Form	Template Identifier	240-43921804	Rev	5
		Document Identifier	240-77037682	Rev	5
		Effective Date	May 2016		
		Review Date	December 2021		

SECTION 37(2) AGREEMENT CONCLUDED BETWEEN

Select the relevant entity

(Hereinafter referred to as **Select the relevant entity**)

AND

.....
(Name of contractor/supplier)

I,[*name of contractor/supplier representative*] representing [*insert name of contractor/supplier*], do hereby acknowledge that [*insert name of contractor/supplier*] is an employer in his/her own right, with duties as prescribed in the Occupational Health and Safety Act No. 85 of 1993 ("the Act"), as amended, and agree to ensure that all work will be performed and/or machinery or plant used in accordance with the provisions of the Act.

I undertake that [*insert name of contractor/supplier*] shall strictly adhere to, and ensure that his/her employees adhere to, the provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).

I have been provided with SHE specifications for project/service [*insert brief details of project/service, for example, name, contract/project number*] and will comply with the requirements set out in these.

I accept and agree that the SHE specifications constitute arrangements and procedures between (*insert name of contractor/supplier*) and Select the relevant entity, which will ensure compliance by [*insert name of contractor/supplier*] with the provisions of the Act, as contemplated in section 37(2) of the Act.


This agreement constitutes the sole agreement between the parties, and no variation, modification, or waiver of any of the provisions of this agreement or consent to any departure from these shall, in any manner, be of any force or effect, unless confirmed in writing and signed by both parties,

Annotation: The document contains the minimum statutory requirements in terms of the OHS Act. Do not alter the clauses when entering requisite details in the spaces provided.

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and such variation, modification, waiver, or consent shall be effective only in the specific instance and for the specific purpose and to the extent for which it was made or given.

This agreement is signed on behalf of the parties, each signatory to this warranting that he/she has the requisite authority to do so.

Signed this day of 20 at

..... (Place)

(Full name)..... (Signature)on

behalf of (supplier/contractor)

Contractor Responsible Manager (responsible for signing the **Select the relevant entity** contract on behalf of the contractor)

Witnesses

1. 2.

Signed this day of20.....

at (Place)

(Full name)..... (Signature).....on

behalf of **Select the relevant entity**
(Contracts and/or Project Manager or **Select the relevant entity** representative)

Witnesses

1. 2.

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