The South African Council for the Project and Construction Management Professions (SACPCMP)

Registration Rules for Construction Health and Safety Agents in
Terms of Section 18(1) (c) of the Act, 2000
(Act No.48 of 2000)

Commencement Date:

Applications should be addressed to:

**Post Address**
The Registrar
SACPCMP
Gateway
Halfway House
1685

**Physical Address**
B9 International Business Gateway
Corner New and 6th Roads
Midrand
1685

**TEL:** (011) 318 3402/3/4
**FAX:** (011) 318 3405
1. GUIDELINES FOR REGISTRATION OF CONSTRUCTION HEALTH AND AGENT

PREAMBLE

1.1 INTRODUCTION

The SACPCMP hereby prescribes the registration of Construction Health and Safety Agent as a specified category in terms of section 18(c) of the Act, 48 of 2000. The registration system described in this document applies to those Health and Safety Agent that operate at professional level in the construction industry. This document provides the requirements that an individual needs to comply with in order to attain recognition by the SACPCMP as a Construction Health and Safety Agent.

The Construction Health and Safety Agent are to be controlled and regulated through the implementation of a comprehensive mechanism for evaluating and registering Construction Health and Safety Agents.

The Construction Health and Safety Agent require that certain standard approaches be adopted in order to ensure that the standards set by the SACPCMP are upheld. The SACPCMP has as its objective, the regulation of the Construction Health and Safety Agent profession thereby ensuring the progressive development of this professional occupational group.

The Construction Health and Safety Agent may be appointed by:

- A “Client” to ensure that he/she complies with their statute duties under the Occupational Health and Safety Act (No 85 of 1993) and other subsequent legislation. (i.e. Construction Regulations etc..)

The SACPCMP acts as the custodian of the profession of Construction Health and Safety Agent, and is accordingly responsible for:

1. Registration of the Construction Health and Safety Agent,
3. Monitoring the continuing professional development of each registered Construction Health and Safety Agent,
4. Determining the conditions for maintaining registration on an annual basis, and
5. Publishing guidelines, professional fees, after consultation with voluntary associations.

1.2 DEFINITIONS

Built Environment Professions: Those categories of professionals established in terms of the following Act:

- Act 43 of 2000 Council for the Build Environment act
- Act 44 of 2000 Architectural Professions act
- Act 45 of 2000 Landscape Architectural Professions Act
- Act 46 of 2000 Engineering Professions Act
- Act 47 of 2000 Property Valuation Professions Act
- Act 48 of 2000 Project and Construction Management Professions Act
- Act 49 of 2000 Quantity Surveying Professions Act

“Built Environment” refers to the functional area in which registered persons practice. The Built Environment includes all structures that are planned and/or erected above or underground, as well as the land utilized for the purpose and supporting infrastructure.

“Construction Discipline” General Building, Civil Engineering, Electrical Engineering, Mechanical Engineering or one of the Specialist categories identified by the CIDB in their Register of Constructors.

“Construction Health and Safety Agent” means a person with at least five years’ experience in the construction industry, and who has been assessed by the SACPCMP council as competent to provide health and safety services.

“Construction Programme” is the programme for the works indicating the logical sequence and duration of all activities to the completed by the contractors, subcontractors, and suppliers, in appropriate detail, for the monitoring of progress of the works.

“Contract Programme” is the construction programme for the works agreed between the contractor and the Employer's Agent.
“Contractor” means any person or legal entity entering into contract with the client for the execution of the works or part thereof.

“Cost Consultant” means the person or entity appointed by the client to establish and agree all budgets and implement and manage the necessary cost control on the project.

“Direct Contractors” are contractors appointed by the client to execute work other than the works.

“Employer's Agent” means the person or entity appointed by the client and who has full authority and obligation to act in terms of the construction contracts.

“Improper Conduct” as contemplated in section 27(3) of the Project and Construction Management Professions Act, means failure to comply with the code of conduct for registered persons.

“Principal Consultant” means the person or entity appointed by the client to manage and administer the services of all other consultants.


“Project” means the total development envisaged by the client, including the professional services.

“Public” means any person or group of persons who is, or whose environment is, either directly or indirectly affected by any construction project, or by a product, outcome or influence of a construction project, which may impact on the health, safety and interest of such person or group of persons.


“Subcontractors” are specialists and other contractors executing work or supplying and fixing any goods and who are employed by the contractor.

“Substantially Practise” means regularly and consistently carry out construction mentorship work identified and charging a professional fee for such work and accruing professional responsibility to a client or an employer for the performance of such functions.
“Suppliers” mean a person or entity appointed by the client to supply goods and products for incorporating into the works.


“Works” means all work executed or intended to be executed in accordance with the construction contracts.

1.3 APPLICATION FOR REGISTRATION

1. A person who wishes to be registered as a Construction Health and Safety Agent must apply for in the prescribed application form in schedule 1 (attached).

2. The application form should be accompanied by the following:
   - An application fee as determined by the Council. (refer to Schedule 2 for current rates)
   - A certified copy of the identification document
   - Curriculum Vitae of the Applicant

1.4 CRITERIA FOR CERTIFICATION AS A CONSTRUCTION HEALTH AND SAFETY AGENT

1.4.1 Categories of Construction Health and Safety Agents

The SACPCMP will register Construction Health and Safety Agents in different fields, based on their experience, knowledge and capabilities, as demonstrated in the registration process. A person will be registered as a Construction Health and Safety Agent if they satisfy the Council that they comply with the registration criteria identified in Section 2.2 below.

Each applicant will be assessed in line with the requirements for registration with regard to expertise, knowledge and capabilities. Under no circumstances will the SACPCMP register an applicant in a category if they have not complied with all of the requirements for that category.
1.4.2 **General requirements for registration as a Construction Health and Safety Agent**

An applicant may be registered as a Construction Health and Safety Agent should they:

1. Be able to demonstrate that they have a recognised technical qualifications in the Health and Safety environment; and
2. Be able to demonstrate that they have at least five years’ experience in the construction industry in Health and Safety implementation; and
3. Be able to demonstrate their knowledge, skills and experience to the SACPCMP by means of completing the requisite testing; and
4. Be assessed by the SACPCMP as able to act suitably as a Construction Health and Safety Agent following a psychometric examination, and
5. Be certified as competent in the transfer of skills and knowledge; and
6. Undergo an interview with the SACPCMP Health and Safety Agent Registration Committee.

Upon registration as a Construction Health and Safety Agent the applicant will be required to sign and adhere to the SACPCMP Code of Conduct, and undertake to submit to the SACPCMP annual declarations of the Construction Health and Safety Agent services that they have provided.

**1.5 REGISTER OF CONSTRUCTION H&S AGENTS**

The SACPCMP will maintain and regularly update the Register of Construction Health and Safety Agents and will require that all registered Construction Health and Safety Agents adhere to the Code of Conduct published by the SACPCMP from time to time. Any registered Construction Health and Safety Agent that is found guilty of improper conduct will be deregistered.

The SACPCMP Register of Construction Health and Safety Agents will be published annually and will be available for inspection by the public.

**1.6 REGISTRATION OF APPLICANTS ON THE REGISTER OF CONSTRUCTION HEALTH AND SAFETY AGENTS**
1.6.1 Admission to the SACPCMP Register of Construction Health and Safety Agents

Once the applicant has satisfied the SACPCMP Registrar that

- He/she is competent to act as a Construction Health and Safety Agent,
- Has satisfied all requirements detailed in section 4 hereof,
- All application fees have been paid, and
- The requisite undertakings have been made

His/her name will be added to the SACPCMP Register of Construction Health and Safety Agents.

1.6.2 Continuing Professional Development

Construction H&S Agents are required to comply with the Continuing Professional Development requirements as set out by the SACPCMP from time to time. Failure to comply for the second year running will result in the Construction Health and Safety Agent being de-registered.

1.6.3 Recognition of registration with other Construction Health and Safety Agent Programmes

Where an applicant has been accredited as Construction Health and Safety Agent by other Construction Health and Safety Agent programmes, SACPCMP may recognise such accreditation as fulfilling part of the requirements for registration with the SACPCMP. The SACPCMP may register such applicants in line with the requirements for the Construction Health and Safety Agents following such additional examinations which may be required, and an interview with the registration committee. Where applicants are accredited as Construction Health and Safety Agents that are not listed as recognized, the SACPCMP Registration Committee will determine their eligibility for registration based on the normal application requirements.

1.7 TITLE AND ABBREVIATION
A person registered in terms of the rules of a Construction Health and Safety Agent, may use the title “Construction Health and Safety Agent”, abbreviated as Pr.CHSA

1.8 TRANSITIONAL ARRANGEMENTS

Until the required Construction Health and Safety Agent unit standards, qualifications and learnerships have been registered on the NQF, the SACPCMP will operate under the transitional arrangements detailed below.

1.9 CONSTRUCTION H&S AGENT

The SACPCMP may register applicants as Construction Health and Safety Agents if they can provide evidence that they have a recognised Health and Safety qualification (NQF level 6) in the health and safety environment, and have at least five years of Health and Safety experience in the construction industry. The applicant will be required to demonstrate their experience and competence in the construction industry and undergo a psychometric examination, make declarations that they will adhere to the Code of Conduct published by SACPCMP and then the applicant may be registered following an interview with the SACPCMP Registration Committee.

2 STANDARD SERVICES

Construction Health and Safety Agents shall perform standard services under the following stages:

2.1 STAGE 1 – PROJECT INITIATION AND BRIEFING

Definition

Agreeing client requirements and preferences, assessing user needs and options, appointment of necessary consultants in establishing project brief, objections, priorities, constraints, assumptions and strategies in consultation with client.

Standard Services
• Assist in developing a clear project brief
• Attend the project initiation meetings
• Conclude the terms of the agreement with the client
• Advise on the necessary surveys, analyses, tests and site or other investigations where such information will be required for Stage 2
• Provide necessary information within the agreed scope of the project to the other consultants
• Define the consultant’s scope of work and services

Construction Health and Safety Agent Deliverables

• Agreed scope of work
• Agreed services
• Signed agreement
• Schedule of required surveys, tests, analyses, site and other investigations

2.2 STAGE 2 – CONCEPT AND FEASABILITY

Definition

Finalisation of the project concept and feasibility
Standard Services

- Agree the documentation programme with the principal consultant and the other consultants
- Attend design and consultants’ meetings
- Review and evaluate design concepts and advise on OHS in conjunction with the other consultants
- Determine and agree the project OHS complexity profile and prepare the OHS policy for the project
- Prepare draft baseline risk assessment
- Assist the client in the procurement of the necessary and appropriate specialist/s, including a clear definition of their roles, responsibilities and liabilities
- Prepare the draft OHS specification
- Agree the format and procedures for OHS control
- Advise the other consultants regarding the project OHS requirements and related design risk management process
- Liaise, co-operate and provide necessary information to the Client/principal consultant and the other consultants

Construction Health and Safety Agent Deliverables

- Complexity profile for the project
- Agreed OHS policy for the project
- Draft baseline risk assessment
- Draft OHS specification
- Schedule of required surveys, tests and other investigations and related reports
- Design risk management process
LOPMENT

Definition

Manage, co-ordinate and integrate the detail design development process within the project scope, time, cost and quality parameters.

Standard Services

- Review the documentation programme with the principal consultant and the other consultants
- Attend design and consultants’ meetings
- Manage, co-ordinate, integrate and record the design risk management process with the other consultant/s in a sequence to suit the documentation programme
- Monitor the integration of the OHS aspects during the design process and finalise baseline risk assessment
- Identify and implement precautions necessary for OHS control and update OHS specification
- Agree on a format for the OHS file for the project
- Assist the other consultants with detailed information for cost estimates/budgets
- Liaise, co-operate and provide necessary information to the client, principal consultant and the other consultants

Construction Health and Safety Agent Deliverables

- Design risk management records
- Final baseline risk assessment
- Updated draft OHS specification
- Schedule of precautions necessary for OHS control
- Template for OHS file
2. 4 STAGE 4 TENDER DOCUMENTATION AND PROCUREMENT

**Definition**

The process of establishing and implementing procurement strategies and procedures, including the preparation of necessary documentation for effective and timeous execution of the project.

**Standard Services**

- Attend design and consultants’ meetings
- Prepare OHS tender specification and integrate with the procurement documentation
- Provide and record OHS risk information to the principal consultant and the other consultants
- Prepare OHS documentation for submission to authorities
- Assist with the evaluation of tenders and verify the contractor(s) competencies, knowledge and resources to carry out the works safely
- Assist with the preparation of contract documentation for signature
- Assess samples, mock-ups and products for OHS compliance

**Construction Health and Safety Agent Deliverables**

- Final OHS specification
- Design risk management records
- OHS documentation for authorities
- OHS evaluation of tenders
2.5. STAGE 5 CONSTRUCTION DOCUMENTATION AND MANAGEMENT

Definition

The management and administration of the construction contracts and processes, including the preparation and co-ordination of the necessary documentation to facilitate effective execution of the works

Standard Services

- Assess and approve the contractor(s) OHS plans
- Submit necessary documentation to authorities and facilitate permits that may be required to commence the works
- Attend the site handover
- Attend regular site, technical and progress meetings
- Monitor design risk management
- Monitor the implementation of the OHS plan(s) in accordance with the OHS specification and recommend stop orders where necessary
- Conduct safety management system audits
- Audit compliance with the OHS plan and brief the project management team and contractor(s) following site audits
- Monitor the compilation of the OHS file and verify maintenance of same by the contractor(s)

Construction Health and Safety Agent Deliverables
2.6 STAGE 6: PROJECT CLOSE-OUT

Definition

The process of managing and administering the project close out, including preparation and co-ordination of the necessary documentation to facilitate the effective operation of the project.

Standard Services

- Review, discuss and approve the OHS file with the contractor(s) and manage the OHS during the defects liability period
- Prepare OHS operations and maintenance report

- Approved contractor/s OHS plan(s)
- Permits to commence work
- Design risk management records
- Record changes to OHS specification and OHS plan(s)
- OHS audit reports and records
- Work stoppage report(s)
- OHS report of compliance status for occupation

- Prepare the OHS close out report

Construction Health and Safety Agent Deliverables

- Record of audits during the defects liability period
- Report on approved OHS file
2.7** ADDITIONAL RELATED SERVICES**

Provide advice to the Client on health and safety competence and resources of up to [number] proposed designers prior to arrangements being made for design work to begin.

- Prepare [number] additional copies of the health and safety file.
- Prepare [number] copies of abstracts of the health and safety file for delivery tenants by the Client/Owner’s (The contents of the abstracts to be determined in consultation with the Client/Owner’s legal advisors).
- Seek the co-operation of and co-operate with anyone else involved in a construction project at an adjoining site so far as necessary to enable them to perform their duties under the Construction Regulations.
- Facilitate co-operation and co-ordination in relation to duty holders on adjoining construction sites as it may affect the project; ensuring that suitable arrangements are made and implemented for the co-ordination of health and safety measures during planning and preparation for the construction phase.
- Keep a record of the health and safety file.
- Convert the health and safety files on other projects to match Client/Owner’s electronic format.
- Carry out necessary inspections at the appropriate stages to verify that the construction of the relevant structure is carried out in accordance with the design.
- To stop any contractor from executing any construction work that is not in accordance with the relevant design’s health and safety aspects.
- Assist in the development of maintenance schedules for the Client/Owners completed structure.
- Inspect the structure on behalf of the Client/Owner once every six (6) months for the first two (2) years on completion of the structure and then yearly.
thereafter, to ensure the structure remains safe for continued use and records are kept of such in the structures health and safety file.