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Contents

No.		Gazette No.	Page No.
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS			
Employment and Labour, Department of / Indiensneming en Arbeid, Departement van			
7292	Occupational Health and Safety Act 85 of 1993: Exemption for SLM and CDR.....	54405	3

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF EMPLOYMENT AND LABOUR

NO. 7292 **20 March 2026**

NOTICE OF EXEMPTION IN TERMS OF SECTION 40 OF THE OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993, READ WITH REGULATION 8(3) OF NOISE EXPOSURE REGULATIONS

Under section 40 (3) (b) of the Occupational health and Safety Act, 1993 (Act 85 of 1993), I, Millysind Ruiters, appointed as Chief Inspector in terms of section 27 (1) of the said Act, and by virtue of the powers delegated to me by the Minister of Employment and Labour, in terms of section 42 (1) of the said Act, hereby grant the following exemption in terms of section 40 of the said Act:

Noise Exposure Regulations 8 (3), read with SANS 10083, in that:

A Type 2 personal noise exposure meter may be used to determine the noise zone for mobile plant or machinery that does not operate from a fixed location.

This exemption is only granted subject to the following conditions:

1. The exemption applies to single-seat mobile plant or machinery only.
2. The personal noise exposure meter must comply with the applicable Type 2 accuracy requirements as specified in SANS 61672-1 and IEC 61252, and must, as a minimum, be capable of automatically adjusting for impulsive noise.
3. The instrument must be configured, by default, to provide a result for LAIeq,Ts, which is equivalent to LReq,Ts, as follows:
   3.1 Measurement type: Leq (Equivalent Continuous Sound Pressure Level)
   3.2 Frequency Weighting: A
   3.3 Time Weighting: I (Impulse)
4. The measurement time interval must include at least three (3) operational cycles.
5. The personal sound exposure meter must be worn in accordance with the manufacturer's instructions.
6. The microphone must be positioned approximately 10 cm from the ear that receives the higher rating level.

7. For purposes of calculating exposure, the LReq,Ts value obtained using the above procedure must be converted to the 8-hour equivalent Noise Rating Level (LReq,8h) using the following formula:

$$L_{Req,8h} = L_{Req,Ts} + 10 \log (T_s/8)$$

where:

$L_{Req,8h}$ is the equivalent continuous 8 h rating level;

$L_{Req,Ts}$ the equivalent continuous rating level, determined for a time interval of the duration of the work shift;

T_s is the total duration of the work shift, in hours;

8 is the total duration of the reference time interval, in hours.

This exemption is valid for a period of three (3) years from the date of signature, or until withdrawn by the Chief Inspector, whichever occurs first.



MILLYSIND RUITERS

Chief Inspector: Occupational Health and Safety

Date: 02/02/2026

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