

# Temporary Works Specialists

## Guideline on Temporary Works



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## 1 PURPOSE

To provide guidance for Designers of Temporary Works, on interpreting and explaining some of their legal obligations when any Design work is undertaken involving Temporary Works.

## 2 GNR 84 OF 7 FEBRUARY 2014 CONSTRUCTION REGULATIONS

### 2.1.1 Regulation 1 – Definitions

**“Competent Person”** means a person who

- (a) has in respect of the work or task to be performed the required knowledge, training and experience and, where applicable, qualifications, specific to that work or task; and
- (b) is familiar with the (OHS) Act and with the applicable regulations made under the Act.

#### Comment

Take cognisance of the very wide ambit of this definition. To act as a Designer of Temporary Works, Competence must be demonstrated and in some legislated instances having a Qualification or other specified training is a requirement. Also, of importance, is that competence is directly related to the nature of the work or task required to be performed. Competence can only be demonstrated by proving that the person complies with all five of the requirements in respect of the work or task to be performed. The requirements are:

#### ❖ Knowledge

This is a difficult aspect as it is almost impossible to demonstrate what you do and therefore do not know. Knowledge is obtained by retaining information and skills acquired through experience or education; the theoretical or practical understanding of a subject, and awareness or familiarity gained by experience. Knowledge may therefore be considered as a combination of Training, Experience and applicable Qualifications.

#### ❖ Training

Training has three aspects - informal training - undocumented sharing of information or demonstrating how a task should be performed; formal training - where content or a syllabus is documented and training is provided and assessed, and records of results are kept; communication, where aspects in the form of health and safety plans, risk assessments and controls, inductions, methodologies, safe work procedures etc. are communicated and records are kept.

In many instances, a Unit Standard exists, which therefore is deemed to be the minimum training in that regards. Access scaffolding for example, everyone involved in any way, be it handling, storage erection, dismantling, etc., irrespective of any qualification they may have, must have additionally also received the required Unit Standard Based training.

The table below has some limited examples of such Unit Standard Based training which may apply, even to a Profession Engineer:

US 263245	Erect, use and dismantle <b>access scaffolding</b>	Applicable even to persons who transport, load and unload scaffold members or material
US 263224	Supervise the erection and dismantling of access scaffolding	Applicable to Supervisors
US 236205	Inspect <b>access scaffolding</b>	Applicable even to Engineers
US 116692	Plan, organise and control the erection, alteration/repositioning and dismantling of <b>access scaffolding</b>	Applicable to Managers and Supervisors
US 116691	Plan, organise and control the erection, alteration/repositioning and dismantling of <b>load bearing scaffolding</b>	Applicable to Managers and Supervisors
US 116690	Plan, organise and control the erection, alteration/repositioning and dismantling of <b>suspended scaffolding</b>	Applicable to Managers and Supervisors

❖ Experience

Experience must be activity or task specific. As an example, experience (no matter how much) on working in excavations does not deem a person competent for example, to work on structures at heights. This concept must be considered and applied to all tasks or work types and locations.

❖ Qualification

There is a distinction between training and a qualification. Various Unit Standard courses which are deemed as minimum required training may form part of a final qualification, but in some instances do not. First aid training for example is based on a Unit Standard and is not a qualification. On the other hand, a Structural Engineer has a qualification but would require additional Unit Standard training in order to Design, Supervise or Inspect Temporary Works, e.g. Scaffolding, before s/he could be considered competent.

❖ Familiar with OHS Act and Regulations

Every person performing work in construction must be familiar with the relevant sections of the OHS Act and applicable Regulations. Remember that every incorporated standard is a Regulation and so must be included if relevant to the task or work.

Every person who is a Designer must therefore be at least familiar with CR 5, 6, 9, 11 and 12 and the relevant SANS Standards – evidence must be available that can prove this.

❖ Inherent Ability

Albeit not defined factor, the inherent ability to perform the work or task is also a very important consideration. A First Aider for example may be trained but faints at the first sight of blood. S/he simply does not have the ability to apply their knowledge and training in an emergency.

A person qualified and trained to inspect Temporary Works, scaffolding for example, must be both medically and psychologically fit, and trained to work at heights against Unit Standard 229995. Having these but also suffering from a fear of heights would essentially prevent him/her from being able to perform such inspections and hence can never be deemed to be competent.

*“Design” in relation to any structure, includes drawings, calculations, design details and specifications.*

**Comment**

Note that “Design” includes all Temporary Works Design.

Where legislation (or a contract or an appointment) requires a Design from a Designer, providing a Drawing only is not sufficient. Each Drawing must be accompanied by Calculations, Details and Specifications otherwise it is not a Design. Rough sketches, or drawings “Issued for Information” etc. are conceptual by nature and are not Designs and as such do not require compliance. When drawings are “Issued/Approved for Construction” etc., all the specified requirements must be either included in the Drawing itself or attached thereto.

Specifications could include both Health and Safety Specifications and other (project or client specific) Specifications. Health and Safety Specifications must be provided to the Designer **prior** to Design.

Designs also include Methodologies (Method Statements) and, where applicable, Safe Work Procedures etc. which are to be provided by the appointed Designer. The Designer of Temporary Works must provide a Construction Methodology or Sequencing and, where applicable, Safe Work Procedure/s which incorporates every aspect of the construction / assembly process. The Designer may not “contract out” of providing these.

Sketches/proposals or “Information Only” drawings are often provided by suppliers of Temporary Works and are intended solely for determining quantities. They may look very similar to but are **not** Design Drawings and should never be used for construction / assembly purposes. They should preferably be marked / endorsed as such.

**“Designer” means**

- (a) *a competent person who*
  - (i) *Prepares a design;*
  - (ii) *Checks and approves a design;*
  - (iii) *Arranges for a person at work under his or her control to prepare a design, including an employee of that person where he or she is the employer; or*
  - (iv) *Designs temporary works, including its components.*
- (b) *An architect or engineer contributing to or having overall responsibility for a design;*
- (c) *A building services engineer designing details for fixed plant;*
- (d) *A surveyor specifying articles or drawing up specifications;*
- (e) *A contractor carrying out design work as part of a design and building project; or*
- (f) *An interior designer, shop-fitter or landscape architect.*

**Comment**

The definition and requirements of a Competent Person is extremely important, especially regarding the work or task to be performed. The Client remains responsible to ensure the various Designers are competent, registered and in good standing, even where employed by a Contractor. This is the duty of the Clients Health and Safety Professional, where one is appointed, who shall verify competence and registration and where necessary appoint them on the Clients behalf when employed directly by the Client or authorise the Contractor to appoint them when directly employed by or externally mandated by the Contractor.

**“Health and Safety Specification” means a site, activity or project specific document prepared by the client pertaining to all health and safety requirements related to construction work.**

**Comment**

The Client is responsible to compile risk assessments and health and safety specifications which are to be provided to mandated Designers prior to design and to Contractors prior to pricing / tendering. These must be done by a competent person. There are exemptions which under certain circumstances exempt the Client from having to comply.

**“Structure” means**

- (a) *any building, steel or reinforced concrete structure (not being a building), railway line or siding, bridge, waterworks, reservoir, pipe or pipeline, cable, sewer, sewage works, fixed vessels, road, drainage works, earthworks, dam, wall, mast, tower, tower crane, bulk mixing plant, pylon, surface and underground tanks, earth retaining structure or any structure designed to preserve or alter any natural feature, and any other similar structure;*
- (b) *any falsework, scaffold or other structure designed or used to provide support or means of access during construction work; or*
- (c) *any fixed plant in respect of construction work which includes installation, commissioning, decommissioning or dismantling and where any construction work involves a risk of a person falling;*

### Comment

Structures include any Temporary Works and any part of any structure designed to support or distribute a load. Therefore, all Temporary Works must in addition to other requirements, comply with CR 11 (Structures) when designing, erecting or dismantling them.

***“temporary works”*** means any falsework, formwork, support work, scaffold, shoring or other temporary structure designed to provide support or means of access during construction work.

### Comment

The Designer of Temporary Works must be competent commensurate to the complexity of the Temporary Works. For example, Design of formwork for small plinth will require less competency than that required to design a bridge deck.

In some instances, the Design of Temporary Works need not be done by a qualified person, but such a person must still be deemed to be otherwise a Competent Person. All Temporary Works Designers must always be appointed.

## 2.1.2 Regulation 6 - Duties of Designers

(1) *The designer of a structure must*

(a) *ensure that the applicable safety standards incorporated into these Regulations under section 44 of the Act are complied with in the design;*

### Comment

Temporary Works are considered to be Structures. SANS 10085 is an example of an incorporated standard and is applicable to all scaffolds. In terms of OHS Act Section 44(3) every incorporated standard is deemed to be a Regulation and is therefore part of the Act and a copy thereof must be available at every workplace in terms of General Administrative Regulation 4.

(b) *take into consideration the health and safety specification submitted by the client;*

### Comment

The Designer needs to have them prior to Design in order to do so. There is however a contradiction in the legislation. The Designer is required to have received and considered them, but in some circumstances the Client is exempt from having to perform or provide them. As the Designer, you would have to demonstrate that you acted reasonably in cases where it was not provided. Where they are required, but wasn't received, you should certainly not proceed with any design.

- (c) *before the contract is put out to tender, make available in a report to the client*
  - (i) *all relevant health and safety information about the design of the relevant structure that may affect the pricing of the construction work;*
  - (ii) *the geotechnical-science aspects, where appropriate; and*
  - (iii) *the loading that the structure is designed to withstand;*

**Comment**

For all Designs, including Temporary Works Designs, a full report is to be provided. Drawings and calculations alone, will not suffice. The Designer must also provide Loading information, Methodologies or Sequencing of Construction and assist with Risk Assessments and Controls, Safe Work Procedures, etc.

The intent is for the Client to revise their Risk Assessments and Specification to be provided to Contractors. Even if the Client is exempt from doing so, the Designer is not exempt and must therefore still provide them.

If the Temporary Works Designer has been appointed by a Contractor, these must be provided to that Contractor and not directly to the Client.

- (d) *inform the client in writing of any known or anticipated dangers or hazards relating to the construction work, and make available all relevant information required for the safe execution of the work upon being designed or when the design is subsequently altered;*

**Comment**

Where the Temporary Works Designer has been appointed by a Contractor, this is provided to such Contractor and not directly to the Client. This will require a full hazard identification and risk assessment process be undertaken with due consideration to the construction methodologies reasonably expected to be undertaken and provided to the Client who must provide them to the Contractor. Examples for Temporary Works may include pumping of concrete and ensuring that it does not place any unsafe loading in one area, etc. It would also include things like means of attaching and tightening of fittings, etc.

It is recommended that the services of a competent professional are obtained to assist with or to review the risk assessments, methodologies and safe work procedures that are required to be provided.



- (e) *refrain from including anything in the design of the structure necessitating the use of dangerous procedures or materials hazardous to the health and safety of persons, which can be avoided by modifying the design or by substituting materials;*

**Comment**

Use of dangerous material is usually not a concern. Scaffolding that does not comply to SANS (or internationally accepted) standards for example, should be avoided totally. Procedures (methodologies) of construction on the other hand are not so obvious. Due consideration must be taken of the requirements prescribed in CR 11(1)(a) to prevent the collapse of a (temporary works) structure which may become unstable or is in a temporary state of weakness or instability due to the carrying out of construction work, and CR 11(1)(b) no (temporary works) structure or part thereof is loaded in a manner which would render it unsafe. It is therefore imperative that the Temporary Works Designer consider these risks and include limits in the methodologies and safe work procedures provided. For example, limits of loads of material while constructing and the sequence of construction (erection) must be defined.

- (f) *take into account the hazards relating to any subsequent maintenance of the relevant structure and must make provision in the design for that work to be performed to minimize the risk;*

**Comment**

Subsequent maintenance of a Temporary Works Structure is not usually a concern as it is not intended to remain in place for extended periods of time.

- (g) *when mandated by the client to do so, carry out the necessary inspections at appropriate stages to verify that the construction of the relevant structure is carried out in accordance with his design: Provided that if the designer is not so mandated, the client's appointed agent in this regard is responsible to carry out such inspections;*

**Comment**

This mandate is usually in regard to permanent structures being constructed. However, there are legislated inspections required on all temporary works (see section on Appointments in this Guideline).

- (h) *when mandated as contemplated in paragraph (g), stop any contractor from executing any construction work which is not in accordance with the relevant design's health and safety aspects: Provided that if the designer is not so mandated, the client's appointed agent in that regard must stop that contractor from executing that construction work;*
- (j) *\*\*\* when mandated as contemplated in paragraph (g), in his or her final inspection of the completed structure in accordance with the National Building Regulations, include the health and safety aspects of the structure as far as reasonably practicable, declare the structure safe for use, and issue a completion certificate to the client and a copy thereof to the contractor; and*
- (j) *during the design stage, take cognisance of ergonomic design principles in order to minimize ergonomic related hazards in all phases of the life cycle of a structure.*

*\*\*\* Original numbering in the government gazette included two (j)'s and no (i)*

(2) *The designer of temporary works must ensure that*

- (a) *all temporary works are adequately designed so that it will be capable of supporting all anticipated vertical and lateral loads that may be applied;*
- (b) *the designs of temporary works are done with close reference to the structural design drawings issued by the contractor, and in the event of any uncertainty consult the contractor;*
- (c) *all drawings and calculations pertaining to the design of temporary works are kept at the office of the temporary works designer and are made available on request by an inspector; and*
- (d) *the loads caused by the temporary works and any imposed loads are clearly indicated in the design.*

**Published Notes from Construction Regulations Guideline [GNR 489 of 02 June 2017]**

*Regulation 6 (1) (c) - Designers must ensure that designs are accompanied by a report as required in terms of this regulation.*

**Comment**

The Temporary Works Designer must provide a report indicating that the Clients Health and Safety Specifications and Baseline Risk Assessment were received (either from the Client, but most likely from the Contractor who employs or has appointed them) prior to any Design (unless the Client was exempt from having to do so) and were considered during the design. Also included in that report must be the prescribed information and loading calculations, etc. The report must also identify all hazards related to the erection or

dismantling of the work and information relevant for the safe execution of the work. In other words, the Temporary Works Designer must identify all hazards and risks and provide a construction methodology and, in some cases, Safe Work Procedures, to be implemented during the construction / erection phase, subsequent use of and the dismantling / removal of the Temporary Works Structure.

If mandated to do so, the Temporary Works Designer must perform inspections of the works at various stages of construction. This would usually be in accordance with an approved and agreed Inspection and Test Plan and in compliance with legislation and relevant standards. This would include the written permission for the continuation of an activity after such inspection.

The Clients appointed Health and Safety Professional, where one has been appointed and where the Designer has been appointed by the Client, would be required to verify compliance on the behalf of the Client and in the case where the Designer has been appointed by the Contractor, this would be the responsibility of the appointed Construction Manager assisted by the appointed Construction Health and Safety Officer.

In cases where the Temporary Works Designer has not been mandated to carry out inspections, another competent person must be appointed to perform such legislated inspections. These inspections would include amongst others, verification of construction / erection as per the approved Drawings, Inspection and Test Plans, Methodologies and Safe Work Procedures. It would also require verification of materials used and in writing, authorising the continuation of activities.

### 2.1.3 Regulation 11 - Structures

*(1) A contractor must ensure that*

- (a) all reasonably practicable steps are taken to prevent the uncontrolled collapse of any new or existing structure or any part thereof, which may become unstable or is in a temporary state of weakness or instability due to the carrying out of construction work;*
- (b) no structure or part of a structure is loaded in a manner which would render it unsafe; and*
- (c) all drawings pertaining to the design of the relevant structure are kept on site and are available on request to an inspector, other contractors, the client and the client's agent or employee.*

#### **Comment**

Temporary Works are deemed to be Structures and so this is relevant. Temporary Works Designs are also to be done in close reference to the Structural Designs. These requirements can only be partially done by having been provided and considered all calculations, hazards and risks, methodologies and safe work procedures, etc. provided by the Temporary Works Designer.

#### 2.1.4 Regulation 12 – Temporary Works

(1) *A contractor must appoint a temporary works designer in writing to design, inspect and approve the erected temporary works on site before use.*

##### Comment

This need not be a single person and many different persons may be appointed with different responsibilities (see the Appointments section in this Guideline).

(2) *A contractor must ensure that all temporary works operations are carried out under the supervision of a competent person who has been appointed in writing for that purpose.*

(3) *A contractor must ensure that*

- (a) *all temporary works structures are adequately erected, supported, braced and maintained by a competent person so that they are capable of supporting all anticipated vertical and lateral loads that may be applied to them, and that no loads are imposed onto the structure that the structure is not designed to withstand;*
- (b) *all temporary works structures are done with close reference to the structural design drawings, and where any uncertainty exists the structural designer should be consulted;*
- (c) *detailed activity specific drawings pertaining to the design of temporary works structures are kept on the site and are available on request to an inspector, other contractors, the client, the client's agent or any employee;*
- (d) *all persons required to erect, move or dismantle temporary works structures are provided with adequate training and instruction to perform those operations safely;*
- (e) *all equipment used in temporary works structure are carefully examined and checked for suitability by a competent person, before being used;*
- (f) *all temporary works structures are inspected by a competent person immediately before, during and after the placement of concrete, after inclement weather or any other imposed load and at least on a daily basis until the temporary works structure has been removed and the results have been recorded in a register and made available on site;*

- (g) *no person may cast concrete, until authorization in writing has been given by the competent person contemplated in paragraph (a);*
- (h) *if, after erection, any temporary works structure is found to be damaged or weakened to such a degree that its integrity is affected, it is safely removed or reinforced immediately;*
- (i) *adequate precautionary measures are taken in order to—*
  - (i) *secure any deck panels against displacement; and*
  - (ii) *prevent any person from slipping on temporary works due to the application of release agents;*
- (j) *as far as is reasonably practicable, the health of any person is not affected through the use of solvents or oils or any other similar substances;*
- (k) *upon casting concrete, the temporary works structure is left in place until the concrete has acquired sufficient strength to safely support its own weight and any imposed load, and is not removed until authorization in writing has been given by the competent person contemplated in paragraph (a);*
- (l) *the foundation conditions are suitable to withstand the loads caused by the temporary works structure and any imposed load in accordance with the temporary works design.*
- (m) *provision is made for safe access by means of secured ladders or staircases for all work to be carried out above the foundation bearing level;*
- (n) *a temporary works drawing, or any other relevant document includes construction sequences and methods statements;*

### Comment

This again underscores that Temporary Works Drawings must include or have attached thereto, calculations, sequence of construction and methodologies, based on documented Risk Assessments and that they must be provided.

- (o) *the temporary works designer has been issued with the latest revision of any relevant structural design drawing;*

### Comment

Proof of transmittals must be available

- (p) a temporary works design and drawing is used only for its intended purpose and for a specific portion of a construction site; and*

### Comment

Unless it is a mobile scaffold constructed using prefabricated components and which is designed to be moved on wheels, every Temporary Works Structure must individually have its own Drawing (and associated inclusions) identifying the location of intended construction / erection and its use. One drawing may not ever be used for multiple Temporary Works Structures and each must be uniquely identifiable.

- (q) the temporary works drawings are approved by the temporary works designer before the erection of any temporary works.*

- (4) No contractor may use a temporary works design and drawing for any work other than its intended purpose.*

### **Notes from Construction Regulations Guideline [GNR 489 of 02 June 2017]**

- a) Regulation 12 (1) is a three functions competent person(s) appointment. The temporary works designer could be one person or different persons to design; inspect and or approve [read with Regulation 6(g); (h) and (i)]. Temporary works designer(s) must be mandated by the client or contractor to perform any or all of the three functions.*

### Comment

Construction Regulations do not require a Client to appoint any Designers of permanent structures, however all Temporary Works Designers must be appointed and specifically mandated (see the Appointments section in this Guideline).

- b) A risk-based methodology should be applied in respect of competencies for temporary works.*

### Comment

This requires that the greater the risk, the more competent must the Designer be.

c) For the purpose of this regulation design of scaffolds refers to design in terms of SANS10085.

### 3 APPOINTMENTS

For the purposes of Temporary Works, there are Legal and Functional Appointments which must be applied.

- ❖ SANS 10085 12.1. All scaffolding and scaffolding material (components) shall be carefully inspected by a person competent in scaffolding supervision, erection and maintenance before erection.

Competency requires amongst others that such person have suitable SAQA accredited Unit Standard training as both a scaffold supervisor and erector in order to perform these inspections.

See also the training requirements in SANS 10085 16.2.2, 16.2.3, 16.2.4 and 16.2.5

Every individual component must be inspected, and records must be kept. It is recommended that the supplier of the scaffolding should include within their management system a process or procedure which defines the unique identification of each and every piece of scaffolding material (components) and a register thereof with records of such legislated inspections being performed.

- ❖ SANS 10085 12.2. All scaffolding shall be inspected by a person competent in scaffolding supervision, erection and maintenance at least once a week

Competency requires amongst others that such person have suitable SAQA accredited unit standard training as both a scaffold supervisor and erector in order to perform these inspections.

See also the training requirements in SANS 10085 16.2.2, 16.2.3, 16.2.4 and 16.2.5

Weekly inspections must be done when work is undertaken on site and is not determined by whether the erected scaffolding is in use. Unused scaffolding could still collapse thereby posing a risk to persons in the vicinity thereof and must be subject to weekly inspections and also subsequent to any inclement weather.

If a Temporary Works Designer, who may be for example an engineer, is mandated to conduct the weekly inspections s/he will also need to be trained as both a scaffolding supervisor and erector to be deemed to be competent to perform inspections.

See also the training requirements in SANS 10085 16.2.6

### 3.1 Construction Regulation 12(1)

This regulation requires that a Contractor legally appoints a Temporary Works Designer in writing to design, inspect and approve the erected temporary works prior to use.

This can be one individual person or many persons with separate appointments and responsibilities. What is of utmost importance is that the person MUST be deemed to be Competent.

#### 3.1.1 Temporary Works Designer

Temporary Works Designers, even if an Engineer, must have received additional training for the specific task both in terms of SAQA accredited Unit Standards AND SANS 10085.

A Client or Contractor may require the supplier of the temporary works materials / components to only undertake the Design and have another competent Temporary Works Designer perform the final inspection and declare it safe to use. In both cases the appointments must include specific mandates in relation to the requirements expected from the appointees.

#### 3.1.2 Temporary Works Inspector

Temporary Works Inspectors, even if an Engineer, must have received additional training for the specific task both in terms of SAQA accredited Unit Standards AND SANS 10085.

This need not be the Designer of the Temporary Works. There are instances where the Client or Contractor require the appointed Designer to conduct a final inspection and declare a Temporary Works Structure “safe to Use” and thereafter appoint another competent inspector to conduct the daily and / or weekly inspections. This is permitted however competence is to be verified and appoint letters must specify the individual responsibilities.

**Cautionary Note:** The person who declares the structure “safe to use” upon completion thereof may not necessarily be the same person who performs the weekly inspections and declares the structure “safe for Continued Use”. Each subsequent inspection effectively supersedes the previous one.

Also, of importance, is that each temporary works structure must be uniquely identified, and persons appointed in relation to each temporary structure, or where a person is appointed for the entire site, the appointment should state for all temporary structures within a specific category, the type of which the appointee is deemed



to be competent to perform. It is suggested that each such structure, be they scaffold for access, support work or shoring and bracing in an excavation, be provided a unique identifier and are recorded in a Temporary Works Register and against which individual drawing and revision numbers are reflected.

### 3.1.3 Temporary Works Supervisor

CR 12(2) requires that a Contractor legally appoints a Temporary Works Supervisor in writing to supervise all work in relation to Temporary Works Operations. This does not include other work being done on or from such temporary works.

These operations are not limited to erection / construction and dismantling. They also include the stacking and storage of components when not in use, the loading, transporting and offloading thereof, etc. This is of utmost importance as damage to components could result in catastrophic failure.

If supervising stacking and storage operations, such supervisor must also be competent in terms of General Safety Regulation 8 and SANS 10085 16.2.5.

#### Comment

CR 12(3)(f) requires daily inspections of each temporary works structure by a competent person. No reference is made to such person having to be legally appointed. It is however a requirement that they are to be mandated and it is advisable that this be in the form of a Functional Appointment.

This person only needs to fulfil the competency requirements of the Temporary Works Supervisor who in any event supervised the erection thereof. Where it was erected / constructed by a supplier who is not mandated to perform daily or weekly inspections, the contractor must ensure another competent person is mandated to perform the daily inspections and declare the scaffolding safe to use before any work commences on the day. They should also do inspections immediately following any inclement weather. All such inspections must be recorded in a register specific for each temporary structure.

CR 16(1) requires specific legal appointment of a competent person to supervise all scaffolding work. This may be combined with the CR 12(2) appointment.

## 4 CONCLUSION

There are various other legal obligations on the Temporary Works Designer. In essence, at least the following needs to be undertaken: -

- ❖ At conception the Client should appoint a Health and Safety Professional, unless exempt, before even (or immediately or as soon as possible after) consulting an Architect or other Designer. If this has not been done, advise the Client to do so urgently to assist to retrospectively assist with compliance.
- ❖ The Client or the Health and Safety Professional, unless exempt, must perform a hazard identification and risk assessment and compile a Design specific Health and Safety Specification. All applicable legislation should be included. This is usually in relation to the Design of the final permanent structure.
- ❖ Provide all Designs (drawings, calculations, loading calculations, methodologies, safe work procedures, etc.), revised risk profile and Health and Safety Specifications in relation to the structure to be constructed, to prospective Principle Contractors.
- ❖ Contractors must provide these to every Temporary Works Designer appointed by them, who must include them in the Temporary Works Design.

## 5 REFERENCES

The following is a short list of references to legislation and Standards incorporated under the authority of Act 85 of 1993 Section 44 and should not be deemed to be a complete list of applicable requirements:

**NOTE 1:** In terms of Act 85 of 1993 Section 44(3), incorporated standards are deemed to be Regulations and therefore become legislation, and failure to comply with any requirements imposed by such an incorporated standard is a criminal offence and is punishable to the extent permitted by law.

**NOTE 2:** SANS Standards are copyright to the SABS and therefore none are quoted from, with the exception of some of the Definitions which are applicable and important for the purpose of explaining requirements in the Guideline.

Act 85 of 1993	Occupational Health and Safety Act
GNR 84 of 7 February 2014	Construction Regulations
GNR 489 of 2 June 2017	Construction Regulations, 2014 Guidelines
GNR 539 of 24 July 2015	Managerial Responsibilities
SANS 10085-1:2004	The Design, Erection, Use and Inspection of Access Scaffolding