SECTION 37(2) AGREEMENT

CONCLUDED BETWEEN

.....[*insert name of subsidiary or Eskom Holdings SOC Limited*]

AND

.....

(Name of contractor/supplier)

I, ……..[*(insert name of person representing contractor/supplier company*)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 [*insert name of subsidiary or Eskom Holdings SOC Limited*] 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, 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.

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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 …….. **(Contractor/supplier)**

Contractor Responsible Manager (*responsible for signing the contract on behalf of the contractor/supplier*)

Witnesses

1. ……
2. ……..……

Signed this …… day of ……... 20 …… at …… (*Place*)

(*Full name*…….. (*Signature*) …… on

behalf of [insert name of subsidiary or Eskom Holdings SOC Limited]
(Contracts and/or Project Manager or Representative)

Witnesses

1. ……...
2. ……

Public

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