



SOUTH AFRICAN LOCAL  
GOVERNMENT ASSOCIATION

**SALGA**

*Inspiring service delivery*

**OHS in Urban Public  
workplaces for workers  
in the informal  
economy. The Role of  
Local Government  
27 August 2020**

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# ABOUT SALGA

## SALGA MANDATE

Transform local government to enable it to fulfill its development mandate.

### Lobby, Advocate & Represent

Lobby, advocate, protect and represent the interest of local government at relevant structures and platforms.

### Employer Body

Act as an employer body representing all municipal members and associate members as per agreement..

### Capacity Building

Build the capacity of the municipality as an institution as well as leadership and technical capacity of both Councillors and Officials.

### Support & Advice

Support and advise our members on a range of issues to assist effective execution of their mandate.

### Strategic Profiling

Build the profile and image of local government within South Africa as well as outside the country.

### Knowledge & Information Sharing

Serve as a hub for local government knowledge, intelligence and innovation

**The voice of local government**

# OBJECTS AND FUNCTIONAL AREAS OF LOCAL GOVERNMENT

## CONSTITUTION: Objects of local government

- 152. (1) The objects of local government are—
  - (c) to promote **social** and **economic development**;
  - (d) to promote a **safe** and **healthy environment**; and
- **Schedule 4b** and **5b** lists the following as functional area of local government

**Public places** (a public road; a public parking space; and any square, park, recreation ground, sports ground, beach, shopping centre, municipal cemetery, open space, or vacant municipal land which is vested in the Municipality, or in respect of which the public has the right of use)

**Trading regulations**; Air pollution; Building regulations; Firefighting services; Municipal health services; Municipal public transport; Cleansing; Control of public nuisances; Licensing and control of undertakings that sell food to the public; Street trading; Markets;

## ▪ **Occupational Health and Safety Act, No. 85 of 1993**

To provide for the health and safety of persons at work; the protection of persons other than persons at work against hazards to health and safety arising out of or in connection with the activities of persons at work;

- **"workplace"** means any premises or place where a person performs work in the course of his employment.
- **"employer"** any person who employs or provides work for any person and remunerates that person or expressly undertakes to remunerate him
- **"employee"** any person who is employed by or works for an employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person

# OCCUPATIONAL HEALTH AND SAFETY

- General duties of employers to their employees
- General duties of **employers** and **self-employed** persons to **persons other than their employees**.

(1) Every employer shall conduct his undertaking in such a manner as to ensure, as far as is reasonably practicable, that persons other than those in his employment who may be directly affected by his activities are not thereby exposed to hazards to their health or safety.

(2) Every self-employed person shall conduct his undertaking in such a manner as to ensure, as far as is reasonably practicable, that he and other persons who may be directly affected by his activities are not thereby exposed to hazards to their health or safety.

- General duties of **employees** at work

Every employee shall (a) take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions;

# MUNICIPAL BY-LAWS

- **Informal trading by-laws**
- To provide for the right to engage in informal trading; to establish informal trading areas and informal trading sites on municipal property; to provide for the granting of trading permits to trade on municipal property; to restrict and prohibit informal trading in certain areas; to regulate the conduct of informal traders; to regulate informal trading at special events; **to provide for measures to ensure health and safety**; to create offences and penalties; to provide for the repeal of laws and savings; and to provide for matters incidental thereto.
- **“Informal trading”** means the trading in goods and services in the informal sector by an informal trader in a public road or public place, and which typically includes, without limitation, the following types of trading:

## DIFFERENT FORMS OF TRADERS

- beach trading;
- street trading;
- trading in pedestrian malls;
- trading at markets or flea markets;
- trading at transport interchanges;
- trading in public places;
- mobile trading, such as caravans and light delivery vehicles;
- trading from kiosks, stalls or containers;
- car wash;
- hair dressing;
- photography;
- roving traders, including without limitation, trading from trolleys;  
and
- trading at special events;

THANK YOU



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