

HAZCOM

A JOINT COMMITTEE FOR THE DETECTION, SAFE REMOVAL AND DISPOSAL OF RADIOACTIVE, EXPLOSIVE AND OTHER HAZARDOUS MATERIAL IN THE METALLIC RAW MATERIAL RECYCLING INDUSTRY

HAZCOM COMMITTEE GUIDELINE

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INDEX

Clause		Page
1	Name.....	3
2	Status of the Committee / Legal position.....	3
3	Definition / Interpretation.....	3
4	Preamble.....	4
5	Objectives / Purpose of the Committee.....	4
6	Activities.....	5
7	Participation.....	5
8	Annual General Meeting.....	5
9	Meetings of the Committee.....	6
10	Proceedings at all Committee meetings.....	6
	10.1 Absence of Chair at Committee meeting.....	6
	10.2 Conduct of Committee meetings.....	6
11	Obligations and liabilities.....	6
12	Representation.....	6
13	Process to mutually agree upon a chair for the Committee.....	7
	13.1 Item of business.....	7
	13.2 Term of performing chair duties.....	7
	13.3 Position of chair held until conclusion of meeting.....	7
	13.4 Remuneration of chair.....	7
	13.5 Mandate of chair.....	7
14	Conduct of members of participating associations.....	7
15	Secretariat of the Committee.....	8
16	Finance.....	8
17	Keeping of accounts and audit.....	8
18	Alterations to guideline	8
19	Prohibitions.....	8

GUIDELINE OF THE HAZCOM COMMITTEE

1 NAME

The Committee shall be known as the HAZCOM Committee (abbreviated as "HAZCOM").

2 STATUS OF THE COMMITTEE / LEGAL POSITION

The Committee shall be a voluntary workgroup committee with perpetual succession unaffected by changes in participation, not capable of entering into contractual and other relations and of suing and being sued in its own name in a court of law and shall be a workgroup not for gain.

3 DEFINITION / INTERPRETATION

In this guideline, unless the contrary intention appears:

"Associations" means constituted associations representing the interest of their members in the metallic raw material for recycling industry in South Africa.

"Chair" means the chair of the Committee

"Committee" means the HAZCOM Committee workgroup.

"Guideline" means this guideline as it is amended from time to time.

"Participants" mean the representatives of associations, authorities and companies participating in the activities of the workgroup.

"Secretariat" means the Secretariat of the HAZCOM Committee designated to comply with the requirements set in the Guideline.

"Hazardous material" is metallic raw material for recycling which has the possibility of affecting the well-being of any employee in the metallic raw material for recycling industry or the public domain by ionisation, chemical contamination or explosive content.

Headings

Headings are inserted for convenience and do not affect the interpretation of this Guideline.

4 PREAMBLE

It is acknowledged to be in the interest of the South African national economy and of the metallic raw material for recycling industry in particular, that:

- 4.1. Hazardous material in the metallic raw material for recycling be detected and safely disposed or removed.
- 4.2. It is moreover acknowledged that new organisations / associations may wish to start up at any time and that no steps should be taken which might hinder free entry of anybody into the metallic raw material for recycling industry.

5 OBJECTIVES / PURPOSE OF THE COMMITTEE

The objectives of the Committee are:

- a. To deliberate the detection, safe removal and disposal of radioactive, explosive and other hazardous material from the metallic raw material for recycling stream in South Africa or any material in Southern Africa that may affect the metallic raw material for recycling industry in the Republic of South Africa.
- b. To co-operate with any other organisation(s) or person(s) to promote the efficiency of identifying and disposal of hazardous material.
- c. To promote and disseminate to members of participating associations and the authorities any information or recommendations of value and use to them in terms of hazardous metallic raw material for recycling.
- d. To invite organisations in the local metallic raw material for recycling industry and government representatives to subscribe to the Committee's objectives.
- e. HAZCOM is committed to compliance with the Competition Act (Act 89 of 1998).

6. ACTIVITIES

In order to further the foregoing objectives and for better attainment thereof, the following shall be activities of the Committee:

- 6.1 To represent the common interests of the members of the participating associations and of the metallic raw material for recycling industry in terms of hazardous material matters only in spheres wherein collective representations or negotiations with authorities of other organisations or persons are deemed desirable and to enter into arrangements with the Government or other authorities as may be considered necessary in the interest of members of the participating associations.
- 6.2 To define from time to time the scope of the Committee's activities.
- 6.3 To co-operate with any organisation or body whose objectives are wholly or in part similar to that of the Committee.
- 6.4 In order to achieve its objectives, the Committee shall:
 - 6.4.1 not hire, acquire, let or sell any movable or immovable property;
 - 6.4.2 not institute or / and defend legal proceedings;
 - 6.4.3 not open banking accounts with financial institutions;
 - 6.4.4 not make, draw, endorse and negotiate negotiable instruments;
 - 6.4.5 not accept grants, donations or gift sponsorship;
- 6.5 The Committee shall however in regard to the abovementioned actions, neither forbid, compel, nor authorise a participant to take any action.

7 PARTICIPATION

The HAZCOM Committee workgroup offers participation to all associations representing the interests of their members in the metallic raw material for recycling stream and who are concerned by the occurrence of hazardous material in the metallic raw material for recycling stream in South Africa.

8 ANNUAL GENERAL MEETING

No Annual General Meeting will take place as only regular Committee meetings will be held.

9 MEETINGS OF THE COMMITTEE

- 9.1 There shall be four regular meetings per annum, and special meetings as necessary when so mutually agreed upon by the majority of the members of the participating associations.
- 9.2 The meeting dates for the next calendar year are mutually agreed upon by the members of the participating associations at the final meeting of the previous calendar year.

10 PROCEEDINGS AT ALL COMMITTEE MEETINGS

10.1 Absence of Chair at a Committee Meeting

If a meeting is held and:

- 10.1.1 the Chair has not been mutually agreed upon; or
- 10.1.2 the mutually agreed upon Chair is not present within 10 minutes after the time appointed for the holding of the meeting,

the following may preside as Chair of the meeting:

- A member of a participating association mutually agreed upon by the members of the participating associations present in person;

10.2 Conduct of Committee Meetings

The Chair of a Committee Meeting:

- 10.2.1 facilitates proper and orderly debate or discussion in order to obtain general consensus at Committee meetings.
- 10.2.2 should keep to the pre-agreed agenda for each meeting.

11 OBLIGATIONS AND LIABILITIES OF MEMBERS OF PARTICIPATING ASSOCIATIONS

No member of a participating association shall have any claim against the Committee for damages arising from whatever cause by virtue of his being a members of a participating association on the Committee workgroup.

12 REPRESENTATION

- 12.1 Participating associations are welcome to nominate certain of its members (principals and/or alternates) to represent those individual associations at the Committee.

- 12.2 A participating association shall advise the Secretariat from time to time of all changes in nominated representatives and/or their alternates.
- 12.3 Any member of a participating association not nominated by an association is, however, free to attend any of the HAZCOM meetings.

13 PROCESS TO MUTUALLY AGREE UPON A CHAIR FOR THE COMMITTEE

13.1 Item of business

As part of the final meeting of the Committee in a particular calendar year an Item of Business is to mutually agree upon a chair for the Committee for the upcoming year.

13.2 Term of performing chair duties

13.2.1 The chair of the Committee shall chair the Committee for a one year term (calendar year).

13.2.2 The term of one calendar year was mutually agreed upon in order to ensure continuity from one meeting to the next.

13.2.3 The position of chair shall be rotated between participating associations.

13.3 Position of Chair held until conclusion of meeting

A retiring chair holds the chair until the conclusion of the meeting at which the chair retires.

13.4 Remuneration of chair

The chair may not be paid any remuneration for services performed.

13.5 Mandate of chair

The chair will be mandated to represent HAZCOM only according to guidelines mutually agreed upon by the majority of the members of the participating associations.

14 CONDUCT OF MEMBERS OF PARTICIPATING ASSOCIATIONS

If any of the participating associations have an issue with an elected representative, this matter should be taken up with the executive committee of the association concerned.

15 SECRETARIAT OF THE COMMITTEE

- 15.1 The Secretariat functions of the Committee are volunteered by the South African Iron and Steel Institute.
- 15.2 The association volunteering the secretarial functions of the Committee need to give three months notice.

16 FINANCE

As the Committee will not handle any funds there shall be no financial year applicable.

17 KEEPING OF ACCOUNTS AND AUDIT

As the Committee will not handle any funds no accounts shall be kept.

18 ALTERATIONS TO GUIDELINE

This Guideline shall not be altered, added to or amended unless written notice of the terms of the proposed alterations, addition or amendment shall have been given to all members of participating associations, and such alteration, addition or amendment shall have been mutually agreed upon at a Meeting of the Committee.

19 PROHIBITIONS

- 19.1 The Committee shall not carry on any trading or profitmaking activities.
- 19.2 The Committee shall not participate in any business carried on by participating associations and its members.
- 19.3 The Committee shall not provide financial assistance to any of its participating associations and its members.
- 19.4 The Committee shall not permit the exchange of any competitively sensitive information.
- 19.5 The Committee shall not permit any discussions in relation to pricing of products, levels of production at specific yards or by specific companies or by geographical areas.
- 19.6 The Committee shall not disseminate to any person any "company-sensitive" information.