INTRODUCTION TO LAW

Lecture 4 – The Subsidiary Legislations

Lecturer: Dr Mary Gauci

Undergraduate Diploma in
Occupational Health and Safety

Work Place (Minimum Health and Safety Requirements) Regulations – SL 646.08
LN 44 of 2002

- These regulations shal1 be considered as the minimum occupational health and safety requirements applicable mutatis mutandis to every workplace and to every work activity, and shall apply whenever required by the features of the workplace, the work activity being carried out, the circumstances prevailing, and the degree or nature of a hazard
- Non Applicability
- These regulations shall not apply to:
  - (a) means of transport used outside the undertaking and,or the establishment, or workplaces inside means of transport;
  - (b) temporary or mobile work sites;(c) extractive industries;
  - (d) fishing boats;
  - (e) fields, woods or other land forming part of an agricultural or forestry undertaking but situated away from the undertaking's buildings

Work Place (Minimum Health and Safety Requirements) Regulations – SL 646.08
LN 44 of 2002

- It shall be the general duty of an employer to:
  - (a) ensures a suitable system of maintenance to any equipment, machine, installation, plant, tool, device or article used at a work place, as well as any safety equipment and device intended to prevent or eliminate hazards, and to immediately rectify or repair any fault likely or liable to affect OHS;
  - (b) maintain at an adequate level of hygiene and cleanliness the workplace and any equipment and devices used therein;
  - (c) ensure that no person is allowed to smoke or consume food or drink at any workplace where any harmful agent is stored, handled or otherwise used;
  - (d) inform workers and, or their representatives of all occupational health and safety measures to be taken attheir place of work;
  - (e) ensure that all signs used at a workplace shall be inconformity with the provisions of the Work Place
  - (f) electrical installations shall not present a fire/explosion hazard
    - Protect workers from direct/indirect contact
    - Have protection devices

Work Place (Minimum Health and Safety Requirements) Regulations – SL 646.08
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- Employer to ensure structure and solidity of the building
- Emergency routes and exists shall be provided and maintained, are kept clear and are adequate, provided with emergency lighting and indicated by adequate luminescent directional signs
- Emergency doors to open outwards, not be locked, made of fire resistant material – sliding/revolving doors cannot be used as emergency doors
- Employer to provide for first aid, fire detection, fire fighting equipment, and evacuation of workers. Employer to designate workers responsible for fire fighting
- Fire drills to be carried out at least once every 6 months
- Workspaces shall be adequately ventilated
- Ventilation systems to be well maintained
- It shall be the duty of an employer to ensure that mechanical ventilation systems and air conditioning systems operate in such a way which ensures that workers are not exposed to draughts which cause discomfort

Work Place (Minimum Health and Safety Requirements) Regulations – SL 646.08 LN 44 of 2002

- Employers shall maintain in every workplace inside buildings or other structures in which people are employed, a thermal environment which is reasonably practicable and comfortable, having regard to the working methods being used and the physical demands placed on the workers, other than for short periods, in conformity with accepted standards.
- The employer shall take all the necessary measures to provide and maintain in every workplace suitable and sufficient lighting, which so far as reasonably practicable, shall be by natural light
- The employer shall take all the necessary steps to ensure that all floors, steps, stairs, passages, gangways and traffic routes are of sound and suitable construction and properly maintained, and they shall be kept free from any obstruction, from any defect in the surface, and from any substance likely to cause persons to slip, trip, fall or otherwise cause accidents
- It shall be the duty of the employer to take the necessary steps to ensure that suitable and sufficient means of access to any workplace are provided and maintained
- The employer shall take all necessary steps, including the installation of appropriate devices, to prevent unauthorised access to any person in any area where there exists a risk to health and safety
- The employer shall ensure that all parts of a workplace and the place itself where work is carried out are of sufficient dimensions and suitable design and have sufficient surface area, height and air space to allow workers and others to perform their work without risks to safety, health or well-being
- It shall be the duty of the employer to provide and maintain at suitable points at the workplace an adequate supply of drinking water and to provide for its hygienic consumption

Work Place (Minimum Health and Safety Requirements) Regulations – SL 646.08
LN 44 of 2002

- The employer shall provide sufficient and suitablesanitary conveniences at readily accessible places,
- The employer shall identify areas, which are physically separate from other areas where smoking is allowed, in which smoking is prohibited, so as to protect non-smokers against discomfort caused by tobacco smoke
- No work shall be carried out in any underground room (not being an underground room used only for the purpose of storage)which is unsuitable for the purpose as regards construction, height,light, dimensions or ventilation, or is otherwise unsanitary, or which has no adequate means of escape in case of fire or other emergency. Workers with disability.
- The employer shall ensure that the workplace is so organised and arranged to take account of the health and safety requirements of any workers with disability, if necessary

Work Place (Minimum Health and Safety Requirements) Regulations – SL 646.08
LN 44 of 2002

Minimum number of sanitary conveniences and washing stations which shonld be provided by an employer.

The number of people at work shown in column 1 refers to the maximum number of workers likely to be in the workplace at any one time.

Column 1	Column 2	Column 3
Number of people at work	Number of sanitary conveniences	Number of washing stations
1 to 5	1	1
6 to 25	2	2
26 to 50	3	3
51 to 75	4	4
76 to 100	5	5

Provided that an additional water closet and an additional washing facility shall be provided for every twenty-five persons above one hundred.

Work Place (Minimum Health and Safety Requirements) Regulations – SL 646.08
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SECOND SCHEDULE

Minimum workplace dimensions.

1. The total volume of a room used for work purposes, except those rooms used only for short periods of time, when empty, and when divided by the number of people normally working in it should be at least eleven cubic metres.

A room or part of a room which is more than 3.0 metres high shall be counted as 3.0 metres.

2. The figure of 11 cubic metres per person shall be considered a minimum and shall be increased to take account of furniture, equipment, machinery or fittings present.

3. The figure of 11 cubic metres per person shall not apply to:

(*a*) small structures where space is necessarily limited, as in retail sales kiosks, shelters for use by watchmen, security personnel and attendants, machine or plant control cabs, mobile broadcasting units and mobile clinics; and to

(*b*) rooms already in use for work purposes before the date of publication of these regulations, provided that where the room undergoes any modifications or structural alterations, its dimensions should be made to conform with the requirements of these regulations.

Work Place(Provision of Health and, or Safety Signs) Regulations – SL 646.09
LN 45 of 2002

- Legislation provides for the minimum requirements of health and safety signs
- It is the duty of an employer to provide and to ensure the presence at all times of suitable and appropriate health and, or safety signs at every place of work under his control, and in all cases where hazards cannot be avoided or adequately reduced by techniques for collective protection or measures, methods or procedures used in the organization of work, or when the risks resulting from such hazards cannot be adequately reduced except through the provision of the appropriate sign

No smoking

No access for unauthorised persons

Flammable material

Overhead load

Colour	Meaning or purpose	Instructions and information
Red	Prohibition sign	Dangerous behaviour
	Danger alarm	Stop, shutdown, emergency cut-out devices. Evacuate.
	Fire-fighting equipment	Identification and location
Yellow or amber	Warning sign	Be careful, take precautions. Examine.
Blue	Mandatory sign	Specific behaviour or action. Wear personal protective equipment.
Green	Emergency escape, first aid sign	Doors, exits, routes, equipment, facilities.
	No danger	Return to normal.

Safety helmet

Ear protection must be worn

First-aid post

Protection against Risks of Back Injury at Work Places Regulations – SL646.10
LN 35 of 2003

- The scope of these regulations is to establish minimum occupational health and safety requirements for the manual handling of loads, in particular where there is a risk of back injury to workers.
- It is the duty of an employer to take appropriate organizational measures, or to provide the appropriate means, in particular the mechanical equipment, in order to avoid the need for the manual handling of loads by workers whenever there exists a risk of injury, including injuries to the back, as a result of such operations, where the need of manual handling cannot be avoided, the employer shall make such handling as health and safety as possible.
- Where an employer assigns work which involves manual handling to any worker, and in carrying out the required risk assessment, the employer shall take into account the nature of the activity and the worker's capabilities as regards health and safety, as well as the worker's medical fitness to carry out the assigned task. the employer shall allow a worker the possibility, if the worker so wishes, to undergo health surveillance at regular intervals
- Employer shall give information about the weight of load, centre of gravity of heaviest side and provide training

Protection against Risks of Back Injury at Work Places Regulations – SL646.10
LN 35 of 2003

SCHEDULE I

1. Characteristics of the load

The manual handling of a load may present a risk particularly of back injury if it is:

- too heavy or too large,
- unwieldy or difficult to grasp,
- unstable or has contents likely to shift,
- positioned in a manner requiring it to be held or manipulated at a distance from the trunk, or with a bending or twisting of the trunk,
- likely, because of its contours and, or consistency, to result in injury to workers, particularly in the event of a collision.

2. Physical effort required

A physical effort may present a risk particularly of back injury if it is:

- too strenuous,
- only achieved by a twisting movement of the trunk,
- likely to result in a sudden movement of the load,
- made with the body in an unstable posture.

Protection against Risks of Back Injury at Work Places Regulations – SL646.10
LN 35 of 2003

3. Characteristics of the working environment

The characteristics of the work environment may increase a risk particularly of back injury if:

- there is not enough room, in particular vertically, to carry out the activity,
- the floor is uneven, thus presenting tripping hazards, or is slippery in relation to the worker's footwear
- the place of work or the working environment prevents the handling of loads at a safe height or with good posture by the worker,
- there are variations in the level of the floor or the working surface, requiring the load to be manipulated on different levels,
- the floor or foot rest is unstable,
- the temperature, humidity or ventilation is unsuitable.

4. Requirements of the activity

The activity may present a risk particularly of back injury if it entails one or more of the following requirements:

- over-frequent or over-prolonged physical effort involving in particular the spine,
- an insufficient bodily rest or recovery period,
- excessive lifting, lowering or carrying distances,
- a rate of work imposed by a process which cannot be altered by the worker.

(With a view to making a multi-factor analysis, reference may be made simultaneously to the various factors listed in Schedules I and II.)

Protection against Risks of Back Injury at Work Places Regulations – SL646.10
LN 35 of 2003

SCHEDULE II

The worker may be at risk if he/she:

- is physically unsuited to carry out the task in question,
- is wearing unsuitable clothing, footwear or other personal effects,
- does not have adequate or appropriate knowledge or training.

(With a view to multi-factor analysis, reference may be made simultaneously to the various factors listed in Schedules I and II.)

General Provisions for Health and Safety at Work Places Regulations – SL 646.11 LN 36 of 2003

- The scope is to introduce measures by which to encourage and ensure improvements in the health and safety of workers at work through the prevention of risks, thepromotion and safeguard of occupational health and safety, and through the elimination of those risks and factors which are likely to cause accidents at work
- An employer shall make such appropriate arrangements for the effective planning, organisation, control, monitoring and review of the preventive and protective measures, taking into consideration the nature of the activities and the size of the undertaking
- Without prejudice to the generality of the provisions of these regulations, an employer shall, after taking into account the nature of the activities of the enterprise and, or establishment –
  - (a) identify hazards at the place of work and shall avoid risks to occupational health and safety;
  - (b) evaluate those risks to the health and safety of workers which cannot be avoided and shall combat them at source;
  - c) adapt the work to the individual, especially with regards to the design of work places, the choice of work equipment and the choice of working and production methods, with a view in particular to alleviate monotonous work and work at a predetermined work-rate and to reduce their effect on health

General Provisions for Health and Safety at Work Places Regulations – SL 646.11
LN 36 of 2003

- An employer shall evaluate risks to occupational health and safety, inter alia in the **choice of work equipment, the chemical substances or chemical preparations used, the work practices or activities, andthe design and fitting-out of work places, as well as the workers' capabilities to carry out safely the task or tasks entrusted to them**.
- Where several employers, contractors and, or self-employed persons share a work place, the employers, the contractors and theself-employed persons shall co-operate in implementing the occupational health, safety and hygiene provisions and, taking into account the nature of the activities, shall co-ordinate their actions in matters which concern protective and preventive measures, and shall inform one another and their respective workers and, or workers' representatives of these risks
- Employer shall not ask any workers to pay for any OHS provisions

General Provisions for Health and Safety at Work Places Regulations – SL 646.11
LN 36 of 2003

- In any workplace, an employer shall designate one or more persons having the necessary aptitude, capabilities, competence and training to assist him in undertaking the measures which are required to be taken in relation to the protection of occupational health and safety and the prevention and control of occupational risks
- **If, for whatever reason, the protective and preventive measures required by these regulations cannot be organised for lackof competent personnel in the undertaking and, or establishment, the employer shall enlist competent external services or persons having the necessary aptitudes and the necessary personal and professional means**

General Provisions for Health and Safety at Work Places Regulations – SL 646.11
LN 36 of 2003

- It shall be the duty of every employer and of every self-employed person to carry out, or to ensure that is carried out, a suitable, sufficient and systematic assessment of all the occupational health and safety hazards which may be present at theplace of work and the resultant risks involved concerning all aspects of the work activity. Such assessments shall consider the risks to the health and safety of workers and of self-employed persons to which they are exposed whilst at work, as well as the risks to the health and safety of other persons, including visitors to the place of work, which risks arise out of, or in connection with the work being carried out, or by the conduct of the undertaking

General Provisions for Health and Safety at Work Places Regulations – SL 646.11
LN 36 of 2003

- n employer shall establish and give effect toappropriate procedures to be followed in the event of serious andimminent danger, and for this purpose shall nominate a sufficientnumber of competent persons to implement those procedures to befollowed when the circumstances or the situation require theevacuation of persons from the place of work
- Employer shall provide information to workers:
  - Upon recruitment
  - In the event of a transfer or a change of job or task;
  - in the event of the introduction of new work equipment or a change in equipment;
  - on the introduction of any new technology;
  - on the introduction of new work practice
- It shall be the duty of an employer to consult workers in his employ and, or the workers' health and safety representatives, in advance and in good time, for the purpose of making and maintaining arrangements which will enable the employer and the workers to co-operate fully and effectively in promoting and developing preventive and protective measures by which to ensure the health, safety and welfare at work, and to ascertain the effectiveness of such measures

General Provisions for Health and Safety at Work Places Regulations – SL 646.11
LN 36 of 2003

- It shall be the duty of each worker to take care as far aspossible of his own safety and health as well as that of other persons who can be affected by his acts or ommissions at work in accordance with the training and the instructions given by the employer

- Every worker is entitled to undergo health surveillance atregular intervals, and for this purpose an employer shall ensure thatworkers are provided with health surveillance appropriate to the health and safety risks at work, and shall make all arrangements as are required

Control of Major Accident Hazards Regulations – SL 646.12
LN 171 of 2015

- The scope of these regulations is to lay down rules for the prevention of major accidents which involve dangerous substances, and the limitation of their consequences for human health and the environment, with a view to ensuring a high level of protection
- “major accident" means an occurrence such as a major emission, fire, or explosion resulting from uncontrolled developments in the course of the operation of any establishment covered by these regulations, and **leading to serious danger to human health or theenvironment**, immediate or delayed, inside or outside the establishment, and involving one or more dangerous substances;
- Every operator shall take all necessary measures to prevent major accidents and to limit their consequences for human health and the environment (Operator - Employer)
- Every operator shall draw up a document in writing setting out the major-accident prevention policy (MAPP) and to ensure that it is properly implemented. The MAPP shall be designed to ensure a high level of protection of human health and the environment. It shall be proportionate to the major-accident hazards. It shall include the operator’s overall aims and principles of action, the role and responsibility of management, as well as the commitment towards continuously improving the control of major-accident hazards, and ensuring a high level of protection
- Where there is a risk of major accident, the operator shall send a notification to the Competent Authority

Control of Major Accident Hazards Regulations – SL 646.12 LN 171 of 2015

- Every operator of an upper-tier establishment shallproduce a safety report for the purposes that the MAPP has been put into effect, emergency plans have been drawn up
- Every operator shall ensure that the information is permanently available to the public, including electronically. The information shall be kept updated
- The competent authority shall be notified and provided with information after every major accident
- The competent authority shall prohibit the use or bringing into use of any establishment, installation or storage facility, or any part thereof where the measures taken by the operator for the prevention and mitigation of major accidents are seriously deficient. To this end, the competent authority shall, inter alia, take into account serious failures to take the necessary actions identified in the inspection report
- The competent authority shall organise a system of inspections which shall be appropriate to the type of establishment concerned
- Schedule 1 lists down the Dangerous Substances to which this legislation applies (ex. Explosives, flammable gases/liquids/aerosols, etc.)
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Minimum Requirements for the Use of Personal Protective Equipment at Work Regulations – SL 646.13
LN 121 of 2003

- "personal protective equipment" means, without prejudice to the provisions of the Personal Protective Equipment Regulations, allequipment designed to be worn or held by the worker to protect himagainst one or more hazards likely to endanger his health and safety at work, and any addition or accessory designed to meet thisobjective, excluding:-
  - ordinary working clothes and uniforms not specificallydesigned to protect the health and safety of the worker;-
  - equipment used by emergency and rescue services;-
  - personal protective equipment for means of road transport;-
  - sports equipment;-
  - self-defence or deterrent equipment; and-
  - portable devices for detecting and signalling risks and nuisances
- It shall be the duty of the employer to ensure that, where applicable, all personal protective equipment shall comply with the provisions specified in the Personal Protective Equipment Regulations
- Where the presence of more than one risk makes it necessary for a worker to wear simultaneously more than one item of personal protective equipment, the employer shall ensure that such equipment is compatible and continues to be effective against the risk or risks in question

Minimum Requirements for the Use of Personal Protective Equipment at Work Regulations – SL 646.13
LN 121 of 2003

- If the circumstances require personal protective equipmentto be worn by more than one person, the employer shall take all the appropriate measures to ensure that such use does not create any health or hygiene problem for the different users
- Personal protective equipment shall be provided free of charge by the employer
- Before any worker makes use of personal protective equipment, the employer shall inform him of the risks against which it protects him
- Before choosing personal protective equipment, the employer shall assess whether the personal protective equipment he intends to use satisfies the requirements of the risk assessment, taking into account the risks,

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Protection of Workers from the Risks related to Exposure to Carcinogens, Mutagens or Reprotoxic Substances at Work Regulations – SL 646.14
LN 122 of 2003

- These regulations have as their objective the protection of workers against risks to their health and safety, arising from or arelikely to result from exposure to carcinogens, mutagens or reprotoxic substances at the workplace, including prevention of such risks
- As regards asbestos, insofar as any provisions in these regulations are more favourable to safety and health at work than any other provision contained in regulations dealing with asbestos, these regulations shall apply
- In the case of any activity likely to involve a risk of exposure to carcinogens, mutagens or reprotoxic substances, the nature, degree and duration of workers' exposure shall be determined in order to make it possible to assess any risk to the workers' health or safety and to lay down the measures to be taken.
- The assessment shall be renewed regularly and in any event when any change occurs in theconditions which may affect workers' exposure to carcinogens, mutagens or reprotoxic substances. The employer must supply the Authority at its request with the information used for making the assessment
- The employer shall reduce the use of a carcinogen, mutagen or reprotoxic substance at the place of work, in particular by replacing it, in so far as is technically possible, by a substance, mixture or process which, under its conditions of use, is not dangerous or is less dangerous to workers' health or safety, as the case may be
- In the event of an unforeseeable event or an accident which is likely to result in an abnormal exposure of workers, the employer shall inform the workers thereof
- The employer shall make arrangements for carrying out relevant health surveillance of workers for whom the results of the assessment reveal a risk to health or safety. The doctor or Authority may indicate that health surveillance must continue after the end of exposure for as long as they consider it to be necessary to safeguard the health of the worker concerned

Protection of Workers from the Risks related to Exposure to Asbestos at Work Regulations – SL 646.15
LN 323 of 2006

- In the case of any activity likely to involve a risk ofexposure to dust arising from asbestos or materials containing asbestos, this risk must be assessed in such a way as to determine the nature and degree of the workers' exposure to dust arising from asbestos or materials containing asbestos
- Where there is exposure to asbestos the employer shall notify the Competent Authority. No work involving asbestos or ofmaterial containing asbestos may commence before the Authority is thus notified
- Depending on the results of the initial risk assessment, and in order to ensure compliance with the limit value laid down in the legislation, measurement of asbestos fibres in the air at the workplace shall be carried out regularly.

Protection of Workers from the Risks related to Exposure to Asbestos at Work Regulations – SL 646.15
LN 323 of 2006

In the case of certain activities such as demolition, asbestos removal work, repairing and maintenance in respect of which it is foreseeable that the limit value set out in regulation 8 will be exceeded despite the use of technical preventive measures for limiting asbestos in air concentrations, the employer shall determine the measures intended to ensure protection of the workers while they are engaged in such activities, in particular the following:

(a) workers shall be issued with suitable respiratory and other personal protective equipment, which must be worn; and

(b) warning signs shall be put up indicating that it is foreseeable that the limit value laid down in regulation8 will be exceeded; and

(c) the spread of dust arising from asbestos or materials containing asbestos outside the premises or site of action shall be prevented.

A plan of work shall be drawn up before demolition work or work on removing asbestos and, or asbestos-containing products from buildings, structures, plant or installations or from ships is started

Adequate information and training shall be given to workers

An assessment of each worker's state of health, including a specific examination of the chest, must be carried out prior to the beginning of exposure to dust arising from asbestos or materials containing asbestos at the place of work, and for this purpose, a doctor carrying out such an examination may be guided by the practical recommendations of the Schedule in the legislation

A register shall be drawn up listing the details of workers likely to be exposed to asbestos material

Protection of Workers from the Risks related to Exposure to Asbestos at Work Regulations – SL 646.15
LN 323 of 2006

- Employers shall provide appropriate training for all workers who are, or are likely to be, exposed to asbestos-containing dust. Such training must be provided at regular intervals and at no cost to the workers

Protection of the Health and Safety of Workers from the Risks related to Chemical Agents at Work Regulations – SL 646.16
LN 227 of 2003

- The scope of these regulations is to lay down minimum requirements for the protection of workers from risks to their health and safety arising, or likely to arise, from the effects of chemical agents that are present at the workplace or as a result of any work activity involving chemical agents;
- The occupational exposure limit values for chemical agents shall be those listed in Schedule V, and others which may be prescribed from time to time
- Where chemical agents are present at a workplace, the employer shall assess any risk to the health and safety of workers arising from the presence of those chemical agents
- The employer shall ensure that the risk from a hazardous chemical agent to the health and safety of workers at work is eliminated or reduced to a minimum
- The first-aid, fire-fighting and evacuation measures aswell as the warning and communication systems related to matters covered by these regulations including the Schedules hereto shalltake place in accordance with the Work Place (First Aid)Regulations, the Work Place (Minimum Health and Safety Requirements) Regulations, and the Work Place (Provision ofHealth and, or Safety Signs) Regulations.

Protection of the Health and Safety of Workers from the Risks related to Chemical Agents at Work Regulations – SL 646.16
LN 227 of 2003

- Employers shall provide all the training and information needed to their workers. This may vary from oral communication, instructions and training, must be updated and take account any changing of circumstances
- To prevent the exposure of workers to health risks from certain chemical agents and, or certain activities involving chemical agents, the production, manufacture or use at work of the chemical agents and the activities set out in Schedule III shall be prohibited to the extent specified therein
- Without prejudice to each worker's right, if he so wishes, to receive health surveillance at regular intervals, an employer shall make arrangements for carrying out appropriate health surveillance of workers for whom the results of the assessment reveal a risk to health, and such health and exposure records shall be made available to the Authority. Records of such surveillance shall be kept by the employer

Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations SL 646.19 LN 41 of 2004

- "confined space" means an enclosed space which has limited openings for entry or egress, and, or which may contain insufficient levels of oxygen or contain or produce dangerous air contaminants liable to cause a risk to the health and safety of workers who enter such a space, and includes any room, chamber, booth, tunnel, tank, silo, vat, pit, pipe, drain, sewer or flue and any other enclosed space
- "explosive atmosphere" means a mixture with air, under atmospheric conditions, of flammable substances in the form ofgases, vapours, mists or dusts in which, after ignition has occurred, combustion spreads to the entire unburned mixture
- "supervisor" means a person appointed or employed by an employer having overall direction on site and, or having the task of supervising entry and work in a confined space, and who has received appropriate training for such a task
- "competent person" means a person having suitable training and sufficient knowledge, expertise and skill for the safe performance of the specific task or work required;

Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations SL 646.19 LN 41 of 2004

- An employer shall ensure that all confined spaces at the workplace are identified and must take all reasonable measures to ensure that work in a confined space is avoided if it is so practicable, and for this purpose shall consider alterations to the confined space, including structural alterations, and, or modifications to existing work practices so as to enable work to be carried out from outside the space
- Equipment to be suitable to be operated in a confined area and subject to regular maintenance
- No person shall enter or be allowed to enter a confined space to carry out work for any purpose unless it is not reasonably practicable to achieve that purpose without such entry

Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations SL 646.19 LN 41 of 2004

- Duties and responsibilities of employer:
  - Must have a permit to work system
  - Carry out an assessment of the hazards and take preventive measures
  - Workers to be aware of contents of the permit to work
- Duties and responsibilities of competent person
  - Carry out a risk assessment and ensure proper calibration of equipment
  - Before issuing a permit to work, give consideration of the risks and make recommendations for the control and reduction of risks
  - Issue two copies of permit to work and shall state the level of oxygen concentration, whether works are to be allowed, type of works, safety precautions, maximum number of workers allowed
- Duties of supervisors
  - Manage and implement the permit to work system, and to ensure that the terms, conditions or recommendations laid out in the permit to work are followed.
  - At the end of a working shift, a supervisor should ensure that new workers, including replacements, are informed of the permit to work and its contents, including any terms, recommendations or conditions made by the competent person
- Duties of employees
  - It shall be the duty of a worker to abide by the terms, conditions and recommendations, and to take all precautions which are stipulated in the permit to work system.
  - If modifications are required to the task in hand, or if working conditions change, or if a worker is required to carry out activities not listed on the permit to work, the worker concerned shall inform the supervisor, who on his part shall inform the competent person, who shall amend the original permit to work or issue a new one

Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations SL 646.19 LN 41 of 2004

- A confined space shall, unless there is other adequate means of egress, be provided with a manhole, which may be rectangular, oval or circular in shape, and shall not be less than 45centimetres long and 40 centimetres wide, or if circular, shall not be less than 58 centimetres in diameter
- No person shall enter, or shall be expected to enter, aconfined space which is less than 0.9 metres high and 0.6 metres wide
- No person shall be allowed to enter or remain in a confined space for any purpose unless such person –
  - (a) is authorised to enter by a competent person, and
  - (b) as far as reasonably practicable, is wearing a harness with a securely attached rope, and
  - (c) while another person is keeping watch outside and insofar as such other person is capable of pulling the person in a confined space out, the person outside is holding the free end of the rope
- Provided that no person shall enter a confined space without wearing or using breathing apparatus if in the opinion of the competent person, breathing apparatus has to be worn to safeguard the health of the person or persons entering the space

Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations SL 646.19 LN 41 of 2004

- A confined space shall not be certified unless:
  - (a) effective steps have been taken to prevent any ingress of dangerous fumes or effective steps are taken to protect the workers entering the space from such dangerous fumes; and
  - (b) any sludge or deposit liable to give off dangerous fumes or which can in any other way cause a risk to health or safety, has been removed, and the space contains no other material liable to give off dangerous fumes; and
  - (c) the space has been adequately ventilated and tested for dangerous fumes and has a supply of air adequate for respiration; and
  - (d) steps have been taken to protect workers from the ingress or sudden movement of substances and materials
- It shall be the duty of an employer to ensure that only workers who have undergone health surveillance and who have been certified as being medically fit to enter and work in a confined space are allowed to enter any confined space

Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations SL 646.19 LN 41 of 2004

- An employer shall ensure that all workers in his employ who are to enter a confined space have an understanding of the work to be undertaken, the possible hazards and the resultant risks to health and safety, the necessary precautions which need tobe taken, how to minimise any risks arising during the course of working inside the confined space, and on how to make proper useof any personal protective equipment required to safeguard healthand safety, and for these purposes, an employer shall train and retrain his workers as necessary
- Where it is deemed necessary for work to be carried out in a confined space, it shall be the duty of an employer to make suitable and sufficient arrangements for first aid, rescue, firefighting and for the evacuation of workers.
- An employer shall keep records of the risk assessment, training, maintenance on safety equipment, entilation specifications and checks; atmospheric testing and, or monitoring; completed permits to work; details of emergency, rescue and first aid arrangements; medical examinations.

Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations SL 646.19 LN 41 of 2004

ANNEX I

(Regulation 13 (3)).

Part 1: List of medical conditions for which a person may not be certified fit to enter and work in a confined space.

1. A history of fainting, black-outs or bouts of loss of consciousness, including a history of epilepsy or uncontrolled diabetes mellitus

2. A history of shortness of breath

3. Disabilities related to limited dexterity or mobility, whether temporary or permanent

4. A history of mental disease or of any other relevant mental condition

5. A history of heart disease or high blood pressure

6. Severe disabilities related to hearing or vision

7. A history of drug or alcohol abuse, or when a worker is taking medication liable to cause drowsiness, lack of co-ordination, slowing of reflexes or response times or disorientation

8. Any other serious medical condition which in the opinion of the medical practitioner carrying out the examination should preclude a worker from being certified fit to enter or to work in a confined space.

Part 2: List of categories of workers who may not be certified as being fit for entry or to work in a confined space.

1. Young workers

2. Pregnant workers, or workers who have recently given birth or are breastfeeding.

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Undergraduate Diploma in Occupational Health and Safety