

Construction Hazard and Risk Control

Lecture Title:

S.L 646.27- HEALTH AND SAFETY AT WORK (MINIMUM
HEALTH AND SAFETY REQUIREMENTS FOR WORK AT
CONSTRUCTION SITES)REGULATIONS

Deep dive into S.L 646.27-

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**Undergraduate Diploma in
Occupational Health and Safety**

HEALTH AND SAFETY IN CONSTRUCTION SITES

KEEP YOURSELF INFORMED



ohsa.mt

IF YOU ARE COMMENCING A CONSTRUCTION PROJECT, YOU ARE CONSIDERED A CLIENT. THIS BRINGS ABOUT A NUMBER OF RESPONSIBILITIES.

- ✓ You will need to appoint a Project Supervisor to take care of health and safety on site (excluding domestic projects).
- ✓ The chosen Project Supervisor must be listed in the OHSa Competent Person Register.
- ✓ You will need to inform OHSa of the Project Supervisor's appointment and other related notifications tied to the project.
- ✓ No works can start before the Project Supervisor is appointed and approvals are issued.
- ✓ Ensure that the Project Supervisor keeps you updated with their responsibilities and actions taken.
- ✓ You may opt to appoint a representative who will assume all legal responsibility for the client.
- ✓ Send all necessary notifications to OHSa via the website ohsa.mt

TYPES OF PROJECTS



DOMESTIC PROJECTS

- | Minor works which do not fall under the large projects criteria in a private house, apartment or any type of property.
- | The property will not be used for business purposes.
- | One contractor will be engaged.
- | No high risks according to legislation.



No need to appoint Project Supervisor.



LARGE PROJECTS

- | Works will take longer than 30 days and involve more than 20 workers, or exceed 500 person days.
- | May include large apartment blocks, commercial buildings or public infrastructure.



Project Supervisor needs to be appointed.

Construction Notification Form to be sent to OHSa.



OTHER PROJECTS

- | All other works (including small apartment blocks or offices and businesses).
- | They involve more than one contractor.
- | There are specific risks according to legislation.



Project Supervisor needs to be appointed.



WHAT IS 'CONSTRUCTION WORK'?

Construction work refers to all types of work that include development, renovations, restorations, maintenance (including paint work and cleaning), dismantling, demolition, general repairs, excavations, refurbishments, drainage works and other related works amongst others.

A construction site is where such works take place.

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1. Citation, scope and applicability

SUBSIDIARY LEGISLATION 646.27HEALTH AND SAFETY AT WORK (MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR WORK AT CONSTRUCTION SITES)REGULATIONS.

- Scope to meet the requirements of Council Directive 92/57/EEC
- Do not apply to quarries but apply to the material coming out from quarries
- Apply in addition with the requirements of S.L. 646.11- General Provisions for Health and Safety at Work Places Regulations



S.L. 646.11- General Provisions for Health and Safety at Work Places Regulations

- General duties of employers
- Evaluation of risks by the employer
- Co-operation between employers, contractors and, or self employed person
- Workers not to suffer any charge (welfare & hygiene)
- Carrying out of Risk Assessments
- Provisions for serious imminent danger
- Provision of information with respect to all identified risks



S.L. 646.11- General Provisions for Health and Safety at Work Places Regulations

- Consultation and participation of workers- H&S Reps
- Training of workers and representatives
- Workers' obligations
- Risk groups and vulnerable groups
- Temporary workers
- Duty not to interfere and misuse.



2. Interpretation

SUBSIDIARY LEGISLATION 646.27 HEALTH AND SAFETY AT WORK (MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR WORK AT CONSTRUCTION SITES) REGULATIONS

- Reference to H&S Act (Cap.646)
- 'Client' = natural or legal person for whom the project is carried out
- 'client representative' = means any natural or legal person appointed by and responsible for the design and/or execution and, or supervision of the execution of a project, on behalf of the client, and to carry out the duties specified in these regulations; who shall fully assume responsibility and appear for the client



2. Interpretation

SUBSIDIARY LEGISLATION 646.27 HEALTH AND SAFETY AT WORK (MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR WORK AT CONSTRUCTION SITES) REGULATIONS

- "competent person" means a person possessing adequate qualifications and minimum accreditations in terms of law or administrative instruments, suitable training and sufficient knowledge, experience and skill for the safe performance of the specific task or work required, and who provides advice with regard to the health and safety at work preventive and protective measures required to be taken, and whose name appears in the competent person register administered or otherwise delegated by the Authority in relation to such matters which are regulated by the Authority



COMPETENT PERSON REGISTER

ADMINISTERED BY THE OHSA IN TERMS OF ACT XXXIII CH. 646.2024

Chapter 646.24	https://legislation.mt/eli/cap/646/20241126/mlt https://legislation.mt/eli/cap/646/eng
Administrative Instrument Number 1/2025	https://www.ohsa.mt/sites/default/files/2025-07/OHSA-ADMIN-INST-01-2025-MT.pdf https://www.ohsa.mt/sites/default/files/2025-07/OHSA-ADMIN-INST-01-2025-EN.pdf

2. Interpretation

SUBSIDIARY LEGISLATION 646.27 HEALTH AND SAFETY AT WORK (MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR WORK AT CONSTRUCTION SITES) REGULATIONS

- "duty holder" means a person upon whom a duty is imposed by virtue of these regulations, and shall include a client, a client representative, a project supervisor for health and safety matters, an employer, a contractor, a self-employed person and a worker, as the case may be;
- "health and safety file" means a file containing relevant health and safety information to be taken into account during any subsequent works



"health and safety file"

SUBSIDIARY LEGISLATION 646.27 HEALTH AND SAFETY AT WORK (MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR WORK AT CONSTRUCTION SITES) REGULATIONS

13.(1) The project supervisor for health and safety matters shall prepare a file appropriate to the characteristics of the project containing relevant health and safety information to be taken into consideration during any subsequent works.

Such as:

1. The Project Description: Nature of the work, Key design and construction phases, Significant structural principles

2. Residual Health and Safety Risks:

Risks that remain after construction and must be managed during: Maintenance; Cleaning; Alterations; Demolition

Example Include: Fragile roof areas; Restricted access spaces; Load-bearing elements; Hazardous materials



"health and safety file"

SUBSIDIARY LEGISLATION 646.27HEALTH AND SAFETY AT WORK (MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR WORK AT CONSTRUCTION SITES)REGULATIONS

4. (1)The client shall ensure that a health and safety file is compiled, kept and made available for inspection, which health and safety files have been prepared in accordance with regulation 13 and any other relevant information regarding health and safety, for inspection by any person who may need information in the file for the purpose of compliance with any statutory obligations.

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"health and safety file"

SUBSIDIARY LEGISLATION 646.27 HEALTH AND SAFETY AT WORK (MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR WORK AT CONSTRUCTION SITES) REGULATIONS

3. As- Built Drawings: Structural drawings; Services layouts; Drainage plans; Electrical and mechanical systems

These are critical for future risk assessment and safe intervention

4. Materials Information: Fire protection materials; Cladding systems; Hazardous substances; COSHH-related materials

5. Maintenance and Cleaning Requirements: Safe access routes; Equipment needed for servicing; Inspection schedules



https://youtu.be/URX_5B1EaIE

"health and safety plan"

SUBSIDIARY LEGISLATION 646.27 HEALTH AND SAFETY AT WORK (MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR WORK AT CONSTRUCTION SITES) REGULATIONS

- means a document establishing the rules and information applicable to the construction site and the specific measures concerning work which falls within one or more categories of Schedule II:
- The client shall ensure that prior to the setting up of a construction site, a health and safety plan is drawn up in accordance with regulation 12

12.(1) The project supervisor for health and safety matters shall draw up a health and safety plan setting out the rules applicable to the construction site concerned, taking into account, where necessary, of the industrial activities taking place on the site. The said plan shall also include specific measures concerning work which falls within one or more of the categories of Schedule II.



"health and safety plan"

SUBSIDIARY LEGISLATION 646.27 HEALTH AND SAFETY AT WORK (MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR WORK AT CONSTRUCTION SITES) REGULATIONS: schedule II

- SCHEDULE II (Regulations 2, 8 and 12) NON-EXHAUSTIVE LIST OF WORK INVOLVING PARTICULAR RISKS TO THE HEALTH AND SAFETY OF WORKERS

1. Work which puts workers at risk of burial under earth falls, engulfment in swamp land or falling from a height, where the risk is particularly aggravated by the nature of the work or processes used or by the environment at the place of work or site

"health and safety plan"

SUBSIDIARY LEGISLATION 646.27 HEALTH AND SAFETY AT WORK (MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR WORK AT CONSTRUCTION SITES) REGULATIONS: schedule II

- SCHEDULE II (Regulations 2, 8 and 12) NON-EXHAUSTIVE LIST OF WORK INVOLVING PARTICULAR RISKS TO THE HEALTH AND SAFETY OF WORKERS

2. Work which puts workers at risk from chemical or biological substances constituting a particular danger to the health and safety of workers or involving a legal requirement for health monitoring

"health and safety plan"

SUBSIDIARY LEGISLATION 646.27 HEALTH AND SAFETY AT WORK (MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR WORK AT CONSTRUCTION SITES) REGULATIONS: schedule II

- SCHEDULE II (Regulations 2, 8 and 12) NON-EXHAUSTIVE LIST OF WORK INVOLVING PARTICULAR RISKS TO THE HEALTH AND SAFETY OF WORKERS

3. Work with ionizing radiation requiring the designation of controlled or supervised areas.

(a) Controlled area means an area subject to special rules for the purposes of protection against ionizing radiation and to which access is controlled.

(b) Supervised area means an area subject to appropriate supervision for the purpose of protection against ionizing radiation



"health and safety plan"

SUBSIDIARY LEGISLATION 646.27 HEALTH AND SAFETY AT WORK (MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR WORK AT CONSTRUCTION SITES) REGULATIONS: schedule II

○ SCHEDULE II (Regulations 2, 8 and 12) NON-EXHAUSTIVE LIST OF WORK INVOLVING PARTICULAR RISKS TO THE HEALTH AND SAFETY OF WORKERS

4. Work near high voltage power lines.
5. Work exposing workers to the risk of drowning.
6. Work on wells, underground earthworks and tunnels.
7. Work carried out by drivers having a system of air supply.
8. Work carried out by workers in caisson with a compressed-air atmosphere.
9. Work involving the use of explosives.
10. Work involving the assembly or dismantling of heavy prefabricated components



3. Duties of client

- (1) It shall be the duty of a client to appoint, in respect of a project as is applicable under these regulations, a project supervisor for health and safety matters, and any such appointment may be terminated, changed or renewed provided that another project supervisor for health and safety matters is appointed to carry out such duties throughout the duration of the project.



3. Duties of client

- (2) The client may act as project supervisor for health and safety matters if he himself is competent to undertake the duties as outlined under these regulations and provided that his name appears in the register for competent persons administered or otherwise delegated by the Authority



3. Duties of client

(2) The client may act as project supervisor for health and safety matters if he himself is competent to undertake the duties as outlined under these regulations and provided that his name appears in the register for competent persons administered or otherwise delegated by the Authority

(3) Upon or prior to the appointment of the project supervisor for health and safety matters, an engagement agreement in writing regulating the appointment of the project supervisor for health and safety matters shall be entered into between the client or, where applicable, the client representative and the project supervisor for health and safety matters



3. Duties of client

- (9) The client shall take into account any directions given by the project supervisor for health and safety matters, maintaining a safe environment on the project particularly with regards to any health and safety matters under these, or any other regulations under the Act. The client shall ensure that any directions given by the project supervisor for health and safety matters in ensuring a safe and, or healthy place of work, are implemented and the client shall take all reasonable measures to ensure that duty holders abide by their obligations within the limits of their respective responsibilities.
- (10) The client shall keep the project supervisor for health and safety matters updated on the engagement of new contractors and self-employed persons



(6) Informing OHSA

- In the case of construction sites on which work is scheduled to last longer than thirty (30) working days and on which more than twenty (20) workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred (500) person-days, the client shall communicate a prior notice drawn up in accordance with Schedule III to the Authority, along with any other document or information required by the Authority from time to time, at least four (4) calendar weeks before work starts on the project. Once any work activity on the project commences, a copy of the prior notice in such form as prescribed by the Authority shall be clearly displayed on the construction site by the client and, if necessary, periodically updated by the project supervisor for health and safety matters.



(6) Informing OHSA- Schedule III

- 1.Date of notification.
- 2.Exact address of the construction site.
- 3.Clients' names and addresses.
- 4.Type of project.
- 5.Client representatives names and addresses.
- 6.Name and address of project supervisor for health and safety matters including a declaration of acceptance duly signed by the project supervisor for health and safety matters to the effect that he has undertaken to accept the role of project supervisor for health and safety matters and that he is competent to carry out the duties imposed by these regulations.
- 7.Date planned for start of works on the construction site.
- 8.Planned duration of works on the construction site.
- 9.Estimated maximum number of workers on the construction site.
- 10.Planned number of contractors and self-employed persons on the construction site.
- 11.Details of contractors already chosen.



(6) Informing OHSA- Schedule III

- 6.Name and address of project supervisor for health and safety matters including a declaration of acceptance duly signed by the project supervisor for health and safety matters to the effect that he has undertaken to accept the role of project supervisor for health and safety matters and that he is competent to carry out the duties imposed by these regulations.
- 7.Date planned for start of works on the construction site.
- 8.Planned duration of works on the construction site.
- 9.Estimated maximum number of workers on the construction site.
- 10.Planned number of contractors and self-employed persons on the construction site.
- 11.Details of contractors already chosen.



eForms / Construction eForms List

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Workplace](#)[Removal of Asbestos](#)[The use of Group 2, 3, or 4
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Construction eForms List

1. [Construction Notification Form \(CNF\)](#)
2. [Engagement of New Contractors](#)
3. [Appointment of Project Supervisor](#)
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5. [Work or any activity stopped by Project Supervisor](#)
6. [Termination of Project Supervisor](#)
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8. [Demise of Project Supervisor](#)

Powers and other duties of project supervisor for health and safety matters

16. In order to preserve health and, or safety on the construction site, the project supervisor for health and safety matters shall have the following powers:

(a) to inspect at any time of day or night the construction site to which he has been appointed to act as project supervisor for health and safety matters to fulfil the duties made under these regulations;

(b) to make such examination, interview and investigation as may in any circumstances be necessary in the interest of occupational health and, or safety;



Powers and other duties of project supervisor for health and safety matters

- c) to take such measurements, photographs, video recording and, or any other recordings, including the use of monitoring equipment and atmospheric sampling, as the project supervisor for health and safety matters considers necessary for the purpose of fulfilling the duties under these regulations:
- Provided that the handling and storage of personal data resulting from the said activities shall conform to the provisions of the Data Protection Act

Powers and other duties of project supervisor for health and safety matters

- (d)to order that work or any activity be halted or to give such orders in relation to the carrying out of duties by any employee or self-employed persons on the site if there is a reasonable concern that the carrying out of work and, or activity could likely expose any person present on the construction site to a serious risk to their health and, or safety, emanating from an immediate or imminent exposure to a hazard (pg 11)

Powers and other duties of project supervisor for health and safety matters

- Provided that the project supervisor for health and safety matters shall, without undue delay, notify in writing the duty holders involved in the construction project. The project supervisor for health and safety matters shall inform the Authority of any order made in accordance with this paragraph in such instances where such orders are not observed or complied with:
- Provided further that for the purpose of this paragraph "duty holders" shall not include "workers"



Powers and other duties of project supervisor for health and safety matters

- (e) to require any article, substance, material, equipment, machinery, installation, structure, apparatus, tool and any other thing at the construction site that he may reasonably consider to be a risk to occupational health and, or safety to be dismantled and, or removed from the site and, or rectified and, or subjected to any process or test at the expense of the relevant duty holder; The reporting function of the project supervisor for health and safety matters.
- (f) (i) to receive and register any report made by any person in relation to any matter which may give rise to suspicion of a breach of these regulations, or the Act or any regulations made thereunder:



	5 marks	4 marks	3 marks	2 marks	0 marks
Presentation Etiquette	Student presented the material in a professional manner.	Student presented the material in a mostly professional manner.	Student presented the material in a somewhat professional manner.	Not Applicable	Student did not take presentation seriously.
Citations	All sources (information and graphics) are accurately documented in the desired format.	All sources (information and graphics) are accurately documented, but one is not in the desired format.	All sources (information and graphics) are accurately documented, but two or more are not in the desired format.	Some sources are not accurately documented	No citations
Appearance	Presentation shows considerable originality and inventiveness. The content and ideas are presented in a unique and interesting way.	Presentation shows some originality and inventiveness. The content and ideas are presented in an interesting way.	Presentation shows an attempt at originality and inventiveness on most of the slides.	Presentation shows an attempt at originality and inventiveness in only a few of the slides.	Presentation is a rehash of other people's ideas and/or graphics and shows very little attempt at original thought.
Sequencing of Inform	Information is organized in a clear, logical way. It is easy to anticipate the type of material that might be on the next slide.	Most information is organized in a clear, logical way. One slide or item of information seems out of place.	Some information is logically sequenced. An occasional slide or item of information seems out of place.	There is a haphazard plan for the organization of information.	No plan for the organization of information.
Use of Graphics	All graphics are attractive (size and colours) and support the theme/content of the presentation.	A few graphics are not attractive but all support the theme/content of the presentation.	All graphics are attractive but a few do not seem to support the theme/content of the presentation.	Several graphics are unattractive AND detract from the content of the presentation.	Student did not use any graphics at all.
Timing	The presentation was delivered within the time given.	Presentation was over or under the time given to deliver the whole presentation	The presentation was over 5 minutes longer or shorter than the allocated time.	The presentation was far too long	The presentation was far too short
Preparedness	Student was very well prepared and had obviously rehearsed	Student seemed very prepared but might have needed to rehearse some more.	Student was prepared but lacked rehearsing.	Student was not very prepared and lacked rehearsing.	Student was not prepared at all.
Questions	Student answered all questions made by the other students and tutor in a confident and correct way.	Student answered most of the questions made by the other students and tutor in a way that shows good understanding of the subject.	Student answered only some of the questions made by the other students and tutor in a way that shows lack of a good grasp of the subject.	Student failed to answer most of the questions made by the other students and tutor.	Student failed to answer any of the questions made by the other students and tutor.
	46 - 60 marks	31 - 45 marks	16 - 30 marks	01 - 15 marks	0 marks
Content	Presentation includes all material needed to gain a comfortable understanding of the topic	Presentation includes most material needed to gain a comfortable understanding of the material but is lacking one or two key elements.	Presentation is missing more than two key elements.	Presentation is lacking several key elements and has inaccuracies.	Presentation does not address the assignment question.



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