

INTRODUCTION TO LAW

Lecture 5 –

The Subsidiary Legislations Part 4

Safety Regulations in the Construction Sector

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Undergraduate Diploma in
Occupational Health and Safety

Work Place(Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from exposure to Noise) Regulations SL 646.20 LN 158 of 2006

- 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 exposure to noise and in particular the risk to hearing. The requirements of these regulations shall apply to all those activities in which workers are, or are likely to be exposed to risks from noise as a result of their work
- The employer shall assess and, if necessary, measure the levels of noise to which workers are exposed
- The assessment and measurement shall be planned and carried out by competent persons at suitable intervals. The results obtained from the assessment and, or measurement of the level of exposure to noise shall be preserved in a suitable form so as to permit consultation at a later stage.



Work Place(Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from exposure to Noise) Regulations SL 646.20 LN 158 of 2006

- The employer shall give particular attention, when carrying out the risk assessment, to the following:
 - (a) the level, type and duration of exposure, including any exposure to impulsive noise;
 - (b) the exposure limit values and the exposure action values laid down in regulation 3;
 - (c) any effects concerning the health and safety of workers belonging to particularly sensitive risk groups;
 - (d) as far as technically possible, any effects on workers' health and safety resulting from interactions between noise and work related ototoxic substances, and between noise and vibrations;
 - (e) any indirect effects on workers' health and safety resulting from interactions between noise and warning signals or other sounds that need to be observed in order to reduce the risk of accidents;
 - (f) information on noise emission provided by manufacturers of work equipment in accordance with the relevant Community Directives in force;
 - (g) the existence of alternative work equipment designed to reduce the noise emission;
 - (h) the extension of exposure to noise beyond normal working hours where the worker is under the employer's responsibility;
 - (i) appropriate information obtained following health surveillance, including published information, as far as possible;
 - (j) the availability of hearing protectors with adequate attenuation characteristic

Work Place(Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from exposure to Noise) Regulations SL 646.20 LN 158 of 2006

- Every employer shall take measures to eliminate **at their source** or minimize the risks arising from exposure to noise, taking account of technical progress and of the availability of measures to control the risk at source. The reduction of such risk shall be based on the general principles of prevention:
 - (a) alternative work methods
 - (b) the choice of appropriate work equipment with the aim or effect of limiting exposure to noise;
 - (c) the design and layout of workplaces and work stations;
 - (d) adequate information, training and instruction of workers to use work equipment correctly;
 - (e) noise reduction by technical means:
 - (i) reducing airborne noise, such as by shields, enclosures, sound-absorbent coverings;
 - (ii) reducing structure-borne noise, such as by damping or isolation;
 - (f) appropriate maintenance programmes for work equipment
 - (g) organisation of work to reduce noise:
 - (i) limitation of the duration and intensity of the exposure;
 - (ii) appropriate work schedules with adequate rest periods.

Work Place(Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from exposure to Noise) Regulations SL 646.20 LN 158 of 2006

- (1) If the risks arising from exposure to noise cannot be prevented by other means, appropriate, adequately-fitting individual hearing protectors shall be made available to workers and used by them under the conditions set out below:
 - (a) where noise exposure exceeds the lower exposure action values, the employer shall make individual hearing protectors available to workers;
 - (b) where noise exposure matches or exceeds the upper exposure action values, individual hearing protectors shall be used;
 - (c) the individual hearing protectors shall be so selected as to eliminate the risk to hearing or to reduce the risk to a minimum
- Under no circumstances shall the exposure of the worker exceed the exposure limit values



Work Place(Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from exposure to Noise) Regulations SL 646.20 LN 158 of 2006

- Without prejudice to each worker's right, if the worker 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 records shall be made available to the Authority

Work Place(Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from exposure to Noise) Regulations SL 646.20 LN 158 of 2006

- Noise exposure limits:

3. (1) The occupational exposure limit values and exposure action limit values in respect of the daily noise exposure levels and peak sound pressure shall be as follows:

- (a) exposure limit values: $L_{EX,8h} = 87 \text{ dB(A)}$ and $P_{\text{peak}} = 200 \text{ Pa}$ ⁽¹⁾ respectively;
- (b) upper exposure action values: $L_{EX,8h} = 85 \text{ dB(A)}$ and $P_{\text{peak}} = 140 \text{ Pa}$ ⁽²⁾ respectively;
- (c) lower exposure action values: $L_{EX,8h} = 80 \text{ dB(A)}$ and $P_{\text{peak}} = 112 \text{ Pa}$ ⁽³⁾ respectively.

Work Equipment(Minimum Safety and Health Requirements)

Regulations S.L. 646.24

L.N. 293 of 2016

- The scope of these regulations is to lay down minimum health and safety requirements for the use of work equipment by workers at the work place
- "work equipment" means any machine, apparatus, tool or installation used at work
- Obligation of employer:
 - To ensure that the work equipment is properly adapted for that purpose and may be used by workers without impairment to their safety or health.
 - In selecting the work equipment the employer shall pay attention to the specific working conditions and characteristics and to the hazards which exist in the undertaking and, or establishment, in particular at the workplace, for the safety and health of the workers, and, or any additional hazards posed by the use of work equipment in question

Work Equipment(Minimum Safety and Health Requirements)

Regulations S.L. 646.24

L.N. 293 of 2016

- When equipment is subject to installation, inspection shall be carried out after installation (after installation and before first being put into service) and an inspection after assembly at a new site or in a new location by competent persons, to ensure that the work equipment has been installed correctly and is operating properly.
- The employer shall ensure that work equipment exposed to conditions causing deterioration which is liable to result in dangerous situations is subject to –
 - (a) periodic inspections and, where appropriate, testing by competent persons,
 - (b) special inspections by competent persons each time that exceptional circumstances which are liable to jeopardize the safety of the work equipment have occurred, such as modification work, accidents, natural phenomena or prolonged periods of inactivity,

Work Equipment(Minimum Safety and Health Requirements)

Regulations S.L. 646.24

L.N. 293 of 2016

- The working posture and position of workers while using work equipment and ergonomic principles must be taken fully into account by the employer when applying minimum health and safety requirements
- Training and information shall be provided to workers

Work Equipment(Minimum Safety and Health Requirements)

Regulations S.L. 646.24

L.N. 293 of 2016

- Schedule 1:
- Safe installation, and observing manufacturer's requirements
- Safety devices to be visible
- ll work equipment must be fitted with a control to stop it completely and safely
- Where there is a risk of mechanical contact with moving parts of work equipment which could lead to accidents, those parts must be provided with guards or devices to prevent access to danger zones or to halt movements of dangerous parts before the danger zones are reached
- Warning devices on work equipment must be unambiguous and easily perceived and understood
- Maintenance to be carried out when equipment is shut down. If not possible, workers must stay out of the danger zone
- Maintenance logs to be kept up to date

Work Equipment(Minimum Safety and Health Requirements)

Regulations S.L. 646.24

L.N. 293 of 2016

- Moving equipment
 - Appropriate traffic rules to be drawn up
- Equipment for lifting loads
 - Ground conditions to ensure stability
 - Possible to lift persons as long as equipment is designed to lift persons. Must have 2-way communication systems
 - All lifting operations must be properly planned, appropriately supervised and carried out to protect the safety of workers
- Fork-lift trucks carrying one or more workers must be adapted or equipped to limit the risk of the fork-lift truck overturning, e. g.:
 - - by the installation of an enclosure for the driver, or
 - - by a structure preventing the fork-lift truck from overturning, or
 - - by a structure ensuring that, if the fork-lift truck overturns, sufficient clearance remains between the ground and certain parts of the fork-lift truck for the workers carried, or
 - - by a structure restraining the workers on the driving seat so as to prevent them from being crushed by parts of the fork-lift truck which overturn

Work Equipment(Minimum Safety and Health Requirements)

Regulations S.L. 646.24

L.N. 293 of 2016

- Minimum requirements for work equipment for lifting loads
 - When work equipment for lifting loads is installed permanently, its strength and stability during use must be assured, having regard, in particular, to the loads to be lifted and the stress induced at the mounting or fixing point of the structures.
 - Machinery for lifting loads must be clearly marked to indicate its nominal load, and where appropriate a load plate giving the nominal load for each configuration of the machinery. Accessories for lifting must be marked in such a way that it is possible to identify the characteristics essential for safe use.
 - Work equipment which is not designed for lifting persons but which might be so used in error must be appropriately and clearly marked to this effect.
- Permanently installed work equipment must be installed in such a way as to reduce the risk of the load:
 - (a) striking workers;
 - (b) drifting dangerously or falling freely;
 - (c) being released unintentionally.

Work Equipment(Minimum Safety and Health Requirements)

Regulations S.L. 646.24

L.N. 293 of 2016

Provisions concerning the use of work equipment provided for temporary work at height

Ladders may be used as work stations for work at a height only when the use of other, safer work equipment is not justified because of the low level of risk and either the short duration of use or existing features on site that the employer cannot alter

Rope access and positioning techniques may be used only under circumstances where the risk assessment indicates that the work can be performed safely and where the use of other, safer work equipment is not justified

Temporary work at a height may be carried out only when the weather conditions do not jeopardise the safety and health of workers

Work Equipment(Minimum Safety and Health Requirements)

Regulations S.L. 646.24

L.N. 293 of 2016

- Specific provisions regarding the use of scaffolding
 - Depending on the complexity of the scaffolding chosen, an assembly, use and dismantling plan must be drawn up by a competent person. This may be in the form of a standard plan, supplemented by items relating to specific details of the scaffolding in question.
 - It must be ensured that the scaffolding is stable. Wheeled scaffolding must be prevented by appropriate devices from moving accidentally during work at a height.
 - The dimensions, form and layout of scaffolding decks must be appropriate to the nature of the work to be performed and suitable for the loads to be carried and permit work and passage in safety. Scaffolding decks must be assembled in such away that their components cannot move in normal use. There must be no dangerous gap between the deck components and the vertical collective safeguards to prevent falls.
 - When parts of a scaffolding are not ready for use, they must be marked with general warning signs and be suitably delimited by physical means preventing access to the danger zone
 - Scaffolding may be assembled, dismantled or significantly altered only under the supervision of a competent person and by workers who must have received appropriate and specific training in the operations envisaged, addressing specific risks, and more particularly in:
 - (a) understanding of the plan for the assembly, dismantling or alteration of the scaffolding concerned;
 - (b) safety during the assembly, dismantling or alteration of the scaffolding concerned;
 - (c) measures to prevent the risk of persons or objects falling;
 - (d) safety measures in the event of changing weather conditions
 - (e) permissible loads;
 - (f) any other risks which the above-mentioned assembly, dismantling or alteration operations may entail.

Work Equipment(Minimum Safety and Health Requirements)

Regulations S.L. 646.24

L.N. 293 of 2016

- Goods lift
- Every goods lift shall be of good mechanical construction, sound material and adequate strength, and be properly maintained.
- Every goods lift shall be thoroughly examined by a competent person once in every period of six months:
- Every lift way shall be efficiently protected by a substantial enclosure fitted with gates, being such an enclosure as to prevent, when the gates are shut, any person falling down the lift way or coming into contact with any moving part of the goods lift
- Any such gate shall be fitted with efficient interlocking or other devices to secure that the gate cannot be opened except when the cage or platform is at the landing and that the cage or platform cannot be moved away from the landing until the gate is closed
- Maximum working load to be marked

Work Equipment(Minimum Safety and Health Requirements)

Regulations S.L. 646.24

L.N. 293 of 2016

- Lifting Accessories and Lifting Machine - The following provisions shall be complied with respects to every chain,rope or lifting tackle used for the purpose of raising or lowering persons, goods or materials:
 - (a) no chain, rope or lifting tackle shall be used unless it is of good construction, sound material, adequate strength and free from patent defect;
 - (b) A table showing the safe working loads of every kind and size of chain, rope or lifting tackle in use, and, in the case of a multiple sling, the safe working load at different angles of the legs, shall be posted in the store in which the chains, ropes or lifting tackle are kept, and in prominent positions on the premises, and no chain, rope or lifting tackle not shown in the table shall be used;
 - (c) no chain, rope or lifting tackle shall be used for any load exceeding its safe working load as
 - (d) All chains, ropes and lifting tackle in use shall be thoroughly examined by a competent person at least once in every period of **six months** or at such greater intervals as may be prescribed;
 - (e) no chain, rope or lifting tackle, except a fibre rope or fibre rope sling, shall be taken into use in any work place for the first time in that workplace unless it has been tested and thoroughly examined by a competent person and a certificate of the test and examination specifying the safe working load and signed by the person making the test and examination has been obtained and is kept available for inspection;
 - (f) a register containing the prescribed particulars shall be kept in respect of all such chains, ropes lifting tackle, except fibre rope sling





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Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 **L.N 52 of 2025**

- Applicability – Non Exhaustive List
 - Excavation
 - Earthworks
 - Construction
 - Assembly and disassembly of prefabricated elements
 - Conversion or fitting-out
 - Alterations
 - Renovation or restoration
 - Repairs
 - Dismantling
 - Demolition
 - Upkeep
 - Maintenance – painting and cleaning work
 - Drainage



Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- “Contractor” means a contractor, sub-contractors and to any employer whose workers undertake, carry out or manage construction work, including but not limited to the supply of materials and, or labour to carry out such work. A contractor shall also include a self-employed person unless expressly otherwise specified
- "client" means any natural or legal person for whom a project is carried out
- "project supervisor for health and safety matters" means any natural or legal person appointed by the client or the client's representative as the case may be, to carry out the duties and exercise the powers specified in these regulations throughout the project and whose name appears in the register for competent persons administered or otherwise delegated by the Authority

Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Duties of the Client:
 - 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 (if not done, can incur a fine of up to €1,500)

Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Duties of Client
 - To appoint a Project Supervisor. **They can only appoint a Project Supervisor if their name appears on the competent person register – Meaning that Client has the obligation to check**
 - Prior to appointing a PS, there shall be an **engagement agreement** regulating the appointment of PS. Between the Client, Client representative (where applicable) and the Project Supervisor.
 - **Works shall not commence unless client is appointed and name notified to OHSA**
 - **In case of demise of PS, the Client shall inform OHSA within 15 days. In the meantime, works shall NOT proceed**
 - **Where appointment of PS is terminated, the OHSA shall be informed within 15 days. Termination shall be effective upon notice to OHSA. PS to remain responsible until notice is served**
 - **Notice shall be written and signed.**

Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Duties of Client

- **Until new PS is appointed, works shall NOT start/proceed**
- If client carries out any works without an appointed PS, client (or client representative) will be guilty of an offence against the Act (max fine €1,500)
- 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.
- The Client shall keep the PS updated about new contractors or self employed persons
- The client shall keep a health and safety file and must transfer it to the person who acquires the property if this is the case (failure to do so will be liable to a fine of a maximum €500)
- The client must ensure that a health and safety plan is in place before start of works (max fine €500)
- In case where works exceeds 500 person days, the client shall send a prior notice to the Authority, four calendar weeks before the start of works (max fine €1,500)



Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Client Representative

- The Client can, on each and every project appoint a Client representative to be responsible for the implementation of its obligations on its behalf.
- Appointment of this role is not obligatory but if a Client Rep is appointed, **any obligations imposed on the client shall apply mutatis mutandis and be carried out by the Client Representative.**
- The below details need to be in place to formalise appointment of the client rep with OHSA
 - Date of appointment
 - Address of site
 - Description of project
 - Name/id/address/email/any contact details of the client rep
 - Declaration issued by the Authority duly filled and signed
 - When Client Rep resigns, the Authority shall be informed
 - In default of appointment, the client shall retain the responsibilities emanating on this legislation



Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Definition of Client Representative
 - "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

Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Responsibilities of Client or Client Representative
 - Appointment of a PS can be done either by the client **or client representative**
 - The fact that the PS has been appointed, **this does not relieve the client or client rep from their respective responsibilities**
 - **With the appointment of the Client or Client Representative, the Employer's legal obligations shall NOT be affected**
 - The **client shall take into account any report given in writing by the project supervisor for health and safety matters and shall take all reasonable measures to ensure that duty holders abide by their obligations within the limits of their respective responsibilities**



Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Duties of Project Supervisor at Preparation Stage
 - PS at preparation stage shall coordinate safety matters with respect to architectural, technical, and organisational aspects and to plan works
 - Coordinate during estimating period required for completion of works,
 - Draw up a health and safety plan
 - Prepare a health and safety file

Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

• Duties of Project Supervisor at Execution Stage

- Coordinate implementation of safety matters
- Coordinate provisions in the legislation to ensure that contractors, employers, workers and self employed persons
 - Apply safety principles
 - o Follow the health and safety plan
- Organise cooperation between contractors
- Take steps to allow only authorised persons on site
- Carry out as often as necessary inspections of the whole site and work practices identify hazards and recommend the necessary preventive and protective measures. Frequency of inspections shall commensurate with the size of the construction site, nature, and extent of hazards and risks at the construction site and the type of works being carried out

Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

Duties of Project Supervisor at Execution Stage

- Issue and submit without undue delay, to the relevant duty holders (client, client representative, project supervisor, employer, contractor, self employed person, worker, as the case may be – workers not included for this section), **an inspection report in writing** highlighting the measures being taken , identifying any potential hazards, risks, unaddressed hazards, and risks identified during inspection and corrective action to be taken by the relevant duty holders.
- Give directions in the interest of ohs,
- Coordinate, monitor the implementation of and **ensure the execution of the required preventive and corrective measures** indicated in the inspection report prepared under these regulations, and any other measures required to render the site safe

Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- coordinate, monitor the implementation of and **ensure the execution of, the preventive and protective measures** indicated in the health and safety plan prepared in terms of these regulations;
- **carry out as often as necessary, follow-up inspections** to ensure the implementation of the preventive and protective measures indicated in the inspection report and any directions made and given out under these regulations;
- Give a written copy of the health and safety plan prepared in terms of these regulations, or a relevant extract thereof to all duty holders in terms of these regulations
- **Consult and liaise on matters relating to occupational health and, or safety with respect to the construction project, with any designated persons and, or external services appointed by the employer** in terms of regulation 9 of the General Provisions for Health and Safety at Work Places Regulations



Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Inspect **at any time of day or night the site**
- Make such **examination, interview and investigation** as may in any circumstances be necessary in the interest of occupational health and, or safety
- **Take photographs, video recording and other recordings, including use of monitoring equipment deemed as necessary**
- **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 **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**

Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- 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 such instances where such orders are NOT observed or complied with;
- **Require any article, substance, material, equipment, machinery, installation, structure, apparatus, tools, etc to be dismantled from site or rectified at the expense of the relevant duty holder**



Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Receive and register reports made by any person regarding possible breach of occupational health and safety
 - o Carry out a written report within 15 days from when matter was reported
 - o Once completed, give report to person making the report, to the client, or any of their representatives indicating measures which shall need to be implemented by the client, to ensure its obligation with legislations
- Ensure that any matters are implemented timely, and if not, to inform the OHSA and the client shall be guilty of an offence
- If Project supervisor makes wrong recommendations, the PS shall be liable to an offence under the Act



Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- General Provisions of Health and Safety
 - Keep site clean and in good order
 - Safe passageways
 - Technical maintenance and pre-commission verifications of equipment
 - Demarcation and laying out of materials such as dangerous substances
 - Conditions under which dangerous materials used are removed
 - Storage, disposal, removal of waste and debris
 - Adaptation based on progress made and actual allocation for work and work stages
 - Interaction with industrial activities at the place within which or in the vicinity of which the construction site is located



Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Duties of Contractors:
 - Cooperate with PS
 - Cooperate with PS to enable compliance of duties of PS with this LN
 - Provide information requested to PS promptly
 - Comply without undue delay with any instructions give by the PS
 - **Comply with the directions given by THEIR competent person for OHS (in line with LN 36 of 2003- 9.(1) 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:)**
 - Comply with measures listed in the OHS Plan
 - **Bring to the attention of the workers any rules applicable in the health and safety plan**
 - **Not commence and/or progress any work before a PS has been appointed**

Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Carry out **a written, suitable, sufficient and systematic risk assessment** of all the Occupational health and safety hazards which may be present at the construction site and the resultant risk involved concerning all aspect of the work activity **for EACH project** and **ensure that all workers are informed of its contents**. Assessment shall consider the risks to health and safety of workers, self employed person, and other persons including visitors. Contractor shall keep a written or retrievable electronic copy of the assessments and ensure these are regularly updated. These shall be reviewed when there are major changes in conditions and when these are no longer valid
- **Comply without undue delay with the preventive and proactive measures indicated in the risk assessment**
- Ensure training, information, instructions is given to workers
- Take measures to implement the general provisions for health and safety and ensure that they adhere with:
 - **To implement as a minimum in line with schedule IV**
 - **To ensure PPEs**
 - **To follow Work Equipment Legislation**



Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Duties of Workers
 - Cooperate with the project supervisor for the interest of safety
 - Cooperate with the project supervisor to implement the safety required in the legislation
 - Promptly provide the PS with information requested
 - Comply with any directions given
 - Comply with the measures indicated in the risk assessment
 - Comply with measures indicated in the OHS Plan



Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

- Other Obligations
- **Information to workers**
 - Workers and their health and safety representative shall be informed of all the measures that shall be taken concerning their health and safety on the construction site.
- **Consultation and participation of workers**
 - Ensure proper coordination between workers and their representatives

Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

Description of Breach	Maximum penalty €	Responsible person
Failure to send a prior notice	1,500	Client/Client Representative
Failure to display a copy of the prior notice (Form B)	1,500	Client/Client Representative
Project supervisor failing to draw up a health and safety plan	2,500	Project Supervisor
Failure to prepare a health and safety file	1,500	Project Supervisor
Client fails to keep available the health and safety file	5,000	Client/Client Representative
Client fails to ensure that prior to setting up a construction site, a plan is drawn up	500	Client/Client Representative
Client fails to deliver health and safety file at the end of the works	500	Client/Client Representative



Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

Description of Breach	Maximum penalty €	Responsible person
Failure to ensure that scaffolding has been inspected and is safe for use	2,000	Contractor
Lifting devices and accessories were not displaying their maximum load values	1,500	Contractor
Failure to update health and safety plan	5,000	Client/project supervisor
Client failed to notify the Authority about the appointment of the project supervisor for health and safety matters	1,500	Client/Client Representative
Client failed to notify the Authority following the demise of the project supervisor for health and safety matters	1,500	Client/Client Representative
Project supervisor for health and safety matters failed to notify the Authority on his termination of engagement from acting as such.	500	Project Supervisor

Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

Description of Breach	Maximum penalty €	Responsible person
Project Supervisor failing to issue and submit a report	2,500	Project Supervisor
Project supervisor failing to give a copy of the health and safety plan to duty holders	2,500	Project Supervisor
Project Supervisor failing to do a report after a receiving a complaint	2,500	Project Supervisor
Project supervisor failed to register any report made by any person in relation to any matter which may give rise to suspicion of Breach of OHS	2,500	Project Supervisor
Project Supervisor failing to inform the Authority of any matter reported	2,500	Project Supervisor

Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L 646.27 L.N 52 of 2025

Description of Breach	Maximum penalty €	Responsible person
Project Supervisor fails to inform the Authority that his recommendations have not been implemented and adhered to	5,000	Project Supervisor
Contractor failed to carry out or keep a written copy of the risk assessment	2,500	Contractor
Contractor failed to update the risk assessment	2,500	Contractor



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