

No. 44

THE HEALTH AND SAFETY AT WORK ORDINANCE, 1999
(Ordinance 6 of 1999)

REGULATIONS MADE UNDER SECTION 38

In exercise of the powers conferred upon him under section 38 of the Health and Safety at Work Ordinance 1999^(a), and of all other powers enabling him in that behalf, the Administrator hereby makes the following Regulations:-

Citation and commencement

1. These Regulations may be cited as the Health and Safety at Work (Temporary and Mobile Construction Sites) Regulations 2003 and shall come into force on the date of their publication in the Gazette.

Interpretation

2. – (1) In these Regulations, unless the context otherwise requires:-

“the 1974 Regulations” means the Building and Works of Engineering Construction (Safety, Health and Welfare) Regulations 1974^(b);

“competent person” means any person having the appropriate experience and knowledge to ensure that the work being executed is properly supervised and carried out in a safe manner;

“contractor” means any person who enters into an agreement with the project owner to execute the project or part thereof;

“co-ordinator for health and safety matters at the project preparations stage” means any person appointed pursuant to regulation 4(1)(a);

“co-ordinator for health and safety matters at the project execution stage” means any person appointed pursuant to regulation 4(1)(b);

“construction site” means any temporary or mobile construction site;

“employer” means any contractor or subcontractor who employs others to carry out work on a construction site;

“the Management Regulations” means the Management of Health and Safety at Work Regulations 2003^(c);

“the Ordinance” means the Health and Safety at Work Ordinance 1999;

“project owner” means the person for whom a project is carried out;

“project supervisor” means the person responsible for the design, execution or supervision of the execution of a project, acting on behalf of the project owner;

(a) Ordinance No.6 of 1999.

(b) P.I. No. 38 of 1974.

(c) P.I. No. 22 of 2003.

“the Safety Signs Regulations” means the Health and Safety at Work (Signs, Signals and Markings) Regulations 2001^(d);

“self-employed person” means any contractor or subcontractor who personally carries out work on the construction site and who does not employ others to do so on his behalf;

“subcontractor” means any person who enters into an agreement with a contractor to execute the project or part thereof;

“temporary or mobile construction site” means any construction site where building or civil engineering works are carried out, including any works specified in section 3(1) of the Factories Ordinance^(e) and any works which fall into any of the categories of works specified in the non-exhaustive list in Schedule 1;

“traffic” means pedestrian traffic and vehicle traffic and “traffic route” shall be construed accordingly.

- (2) In these Regulations, unless the context otherwise requires:-
- (a) any reference to a numbered regulation or a numbered Schedule is a reference to the regulation or Schedule so numbered in these Regulations;
 - (b) any reference to a numbered paragraph is a reference to the paragraph so numbered in the regulation or Schedule in which it appears.

Application

3. - (1) These Regulations specify the minimum health and safety requirements for construction sites.

(2) These Regulations shall not apply to or in relation to drilling and extraction in the extractive industries.

(3) The provisions of the Ordinance and of the Factories Ordinance, and any regulations made thereunder, shall apply to and in relation to construction sites, without prejudice to any more restrictive or specific provisions contained in these Regulations.

Persons upon whom duties are imposed by these Regulations

4. – (1) Except where otherwise stated, it shall be the duty of every employer and every self-employed person to comply with the provisions of these Regulations, insofar as they:-

- (a) affect him or any persons at work under his control; or
- (b) relate to matters which are within his control.

(2) Except where otherwise stated, it shall be the duty of every person (other than a person having a duty under paragraph (1) or (3)) who controls the way in which any construction work is carried out by a person at work to comply with the provisions of these Regulations, insofar as they relate to matters within his control.

(3) Except where otherwise stated, it shall be the duty of every employee carrying out construction work to comply with the requirements of these Regulations, insofar as they relate to the performance of or refraining from an action by him.

(d) P.I. No. 18 of 2003.

(e) Cap.134 (Laws of Cyprus)

(4) It shall be the duty of every person at work:-

- (a) as regards any duty or requirement imposed on any other person under these Regulations, to co-operate with that person, so far as is necessary to enable that requirement to be performed or complied with; and
- (b) where working under the control of another person, to report to that person any defect which he is aware may endanger the health or safety of himself or another person.

Appointment of co-ordinators

5. Where two or more contractors or subcontractors undertake to carry out works on any construction site, the project owner or, where one has been appointed, the project supervisor, shall appoint:-

- (a) one or more co-ordinators for health and safety matters at the project preparations stage; and
- (b) one or more co-ordinators for health and safety at the project execution stage.

Health and safety plan and health and safety file

6. - (1) Prior to the setting up of a construction site, the project owner or, where one has been appointed, the project supervisor shall ensure that a health and safety plan is drawn up where:-

- (a) pursuant to regulation 4(1)(a), a co-ordinator for health and safety matters at the project preparations stage is required to be appointed;
- (b) the works to be executed present specific risks to the health or safety of employees, such as works which fall into any of the categories of works specified in the non-exhaustive list in Schedule 2; or
- (c) a prior notice is required, pursuant to regulation 6(1).

(2) The health and safety plan must set out:-

- (a) the rules applicable to the construction site, taking into account, where necessary, any industrial activities which are carried out on the site; and
- (b) the special measures to be taken, where the works to be executed present specific risks to the health or safety of employees, such as works which fall into any of the categories specified in the non-exhaustive list in Schedule 2.

(3) In addition, the health and safety plan must include the following information:-

- (a) a general description of the works to be carried out under the project;
- (b) details of the estimated time within which the project and the different stages of its construction are to be completed;
- (c) details of the risks to the health and safety of the persons who are to execute the works or of other persons who may be affected by the execution of the works;
- (d) specific information regarding the design of the project

which the co-ordinator for health and safety matters at the project preparations stage is aware of and which the contractors and subcontractors must be made aware of in order to comply with existing health and safety legislation;

- (e) arrangements for safe access to the construction site and to workstations;
- (f) traffic arrangements on the construction site;
- (g) details of the working methods to be used at each stage of the project;
- (h) arrangements for storing construction materials and the special arrangements for storing hazardous materials;
- (i) arrangements for collecting general refuse and the special arrangements for collecting hazardous materials;
- (j) sanitary arrangements, arrangements for the taking of meals and first aid facilities;
- (k) the design for the erection of any scaffolding;
- (l) other arrangements to ensure the health and safety of the persons who carry out works on the construction site and of other persons who may be affected by the execution of works on the construction site (including, where appropriate, arrangements regarding the management and organisation of the construction site, the traffic arrangements adjacent to the construction site and the monitoring of compliance with existing legislation).

(4) At the project preparations stage, the project owner or, where one has been appointed, the project supervisor, shall ensure that a health and safety file is compiled which is appropriate to the type of project to be executed and contains the following information:-

- (a) the plans required to be submitted with the application for a building permit;
- (b) a technical description of the project; and
- (c) relevant health and safety information to be taken into account during any works to be carried out on the construction site.

(5) The health and safety plan and the health and safety file must be revised and updated, as necessary, whenever any changes are made to the project at the preparations stage or during the execution stage.

Prior notice

7. - (1) In the case of construction sites on which:-

- (a) works are scheduled to last longer than 30 working days and on which more than 20 employees are occupied simultaneously; or
- (b) the volume of work is scheduled to exceed 500 man-days,

the project owner or, where one has been appointed, the project supervisor, shall submit to the Chief Inspector a prior notice, the

form and content of which must conform to that specified in Schedule 3, before work commences.

(2) The prior notice must be clearly displayed on the construction site and, where necessary, periodically updated.

General principles of prevention concerning health and safety at the project preparations stage

8. - (1) The project owner or, where one has been appointed, the project supervisor, shall take account of the general principles of prevention concerning health and safety referred to in the Management Regulations, during the various stages of designing and preparing the project, and, in particular, when:-

- (a) architectural, technical or organisational aspects are being decided, in order to plan the various works or stages of work which are to take place simultaneously or in succession;
- (b) estimating the period required for completing such works or stages of work.

(2) The project owner or the project supervisor, as the case may be, shall also take account of the health and safety plan and the health and safety file drawn up in accordance with regulation 5, whenever this appears necessary.

Qualifications and duties of co-ordinators at the project preparations stage

9. - (1) Co-ordinators for health and safety matters at the project preparations stage must have:-

- (a) the qualifications entitling them to exercise their profession, in accordance with the Cyprus Scientific and Technical Chamber Laws of 1990 to 1997 and the regulations made thereunder; or
- (b) a university qualification in workplace health and safety.

(2) The co-ordinator for health and safety matters at the project preparations stage shall:-

- (a) co-ordinate implementation of the provisions of regulation 8;
- (b) draw up or ensure the drawing up of the health and safety plan; and
- (c) compile the health and safety file.

Qualifications and duties of co-ordinators at the project execution stage

10. - (1) In the case of construction sites on which:-

- (a) work is scheduled to last longer than 100 working days and on which more than 20 employees are to be occupied simultaneously; or
- (b) the volume of work is scheduled to exceed 2000 man-days,

the co-ordinators for health and safety matters at the project execution stage must have:-

- (c) the qualifications entitling them to exercise their profession, in accordance with the Cyprus Scientific and Technical Chamber Laws of 1990 to 1997 and the regulations made thereunder, a university qualification in workplace health and safety, a diploma in engineering of the Higher Technology Institute or an equivalent qualification;
- (d) at least three years previous experience on a construction site; and
- (e) adequate knowledge on health and safety matters.

(2) Subject to paragraph (3), in the case of construction sites on which:-

- (a) work is not scheduled to last longer than 30 working days or on which no more than 20 employees are to be occupied simultaneously; or
- (b) the volume of work is not scheduled to exceed 500 man-days, the co-ordinators for health and safety matters at the project execution stage must have:-
 - (c) a school leaving certificate;
 - (d) at least seven years previous experience on a construction site; and
 - (e) adequate knowledge on health and safety matters.

(3) In the case of construction sites on which no more than 5 employees are to be occupied simultaneously, the co-ordinators for health and safety matters at the project execution stage must have adequate knowledge on health and safety matters.

(4) Co-ordinators for health and safety matters at the project execution stage shall:-

- (a) co-ordinate the implementation of the general principles of prevention concerning health and safety when:-
 - (i) technical or organisational aspects are being decided, in order to plan the various works or stages of work which are to take place simultaneously or in succession;
 - (ii) estimating the period required for completing such works or stages of work;
- (b) co-ordinate the implementation of the relevant provisions in order to ensure that employers and, where necessary for the protection of employees, self-employed persons:-
 - (i) apply the principles referred to in regulation 12 in a consistent manner; and
 - (ii) where required, follow the health and safety plan;
- (c) revise or ensure the revision of the health and safety plan and the health and safety file, to take account of the progress of the work and any changes which have occurred, in accordance with regulation 6(5);
- (d) organise co-operation between employers (including successive employers on the same site), co-ordination of their activities, with a view to protecting employees and

preventing accidents and occupational health hazards, and exchange of information, as provided for in regulation 10 of the Management Regulations, ensuring that self-employed persons are brought into this process, where necessary;

- (e) co-ordinate arrangements to check that the working procedures are being implemented correctly;
- (f) take all necessary measures so that only authorised persons are allowed onto the construction site.

Responsibilities of project owners project supervisors and employers

11. - (1) The appointment of a project supervisor to perform any duties referred to in these Regulations on his behalf shall not relieve the project owner of his responsibilities in that respect.

(2) The appointment of co-ordinators to perform the duties referred to in regulations 9 and 10, shall not relieve the project owner, or project supervisor, as the case may be, of his responsibilities in that respect.

(3) The application of regulations 9 and 10 and of paragraph (1) of this regulation shall not affect the principle of employers' responsibility, as provided for in the Management Regulations.

Duties of employers

12. - (1) During the execution of the project, the principles of prevention set out in regulation 4 of the Management Regulations, shall be applied by the employers concerned, in particular as regards:-

- (a) keeping the construction site in good order and in a satisfactory state of cleanliness;
- (b) choosing the location of the workstations, bearing in mind how access to these stations is to be obtained, and determining traffic routes;
- (c) the conditions under which various materials are handled;
- (d) technical maintenance, pre-commissioning checks and periodic control of the installations and equipment with a view to correcting any faults which may affect the health or safety of employees;
- (e) the demarcation and laying-out of areas for the storage of various materials, in particular where dangerous materials or substances are concerned;
- (f) the conditions under which the dangerous materials used are removed;
- (g) the storage and disposal or removal of waste and debris;
- (h) the adaptation, based on progress made on the construction site, of the actual period to be allocated to the various types of work or stages of work;
- (i) the co-operation between employers and self-employed persons;

- (j) the interaction with industrial activities at the place within which or in the vicinity of which the construction site is located.

(2) In order to preserve health and safety on the construction site under the conditions set out in regulations 10 and 11, the employers concerned shall:-

- (a) in particular when complying with paragraph (1), take measures that are in line with the minimum requirements set out in Schedule 4; and
- (b) take into account directions from the co-ordinators for health and safety matters.

Duties of other groups of persons

13. - (1) In order to preserve health and safety on the construction site, self-employed persons shall:-

- (a) comply, in particular, with the following provisions:-
 - (i) section 14 of the Ordinance and regulations 10 and 14 of the Management Regulations;
 - (ii) regulation 12 of and Schedule 4 to these Regulations;
 - (iii) regulation 5 of and the relevant provisions of Schedule 1 to the Health and Safety at Work (Use of Work Equipment) Regulations 2002^(f); and
 - (iv) regulations 4, 5 and 6 of the Health and Safety at Work (Use of Personal Protective Equipment) Regulations 2002^(g); and
- (b) take into account directions from the co-ordinators for health and safety matters.

(2) In order to preserve health and safety on the construction site, employers who are personally engaged in work activity on the construction site shall:-

- (a) comply, in particular, with the following provisions:-
 - (i) section 15 of the Ordinance and regulation 14 of the Management Regulations;
 - (ii) regulation 5 of and the relevant provisions of Schedule 1 to the Health and Safety at Work (Use of Work Equipment) Regulations 2002;
 - (iii) regulations 4, 5 and 6 of the Health and Safety at Work (Use of Personal Protective Equipment) Regulations 2002;
- (b) take account of the comments of the co-ordinators for health and safety matters.

Information for employees

14. - (1) Without prejudice to the relevant provisions of the Ordinance and regulation 9 of the Management Regulations, employees or their representatives shall be informed of all the measures to be taken concerning their health and safety on the construction site.

^(f) P.I. No. 63 of 2002.

^(g) P.I. No. 68 of 2002.

(2) The information provided pursuant to paragraph (1) must be comprehensible to the employees concerned.

(3) Without prejudice to the generality of paragraph (1), the employers concerned shall ensure that all employees are informed of the evacuation procedures to be followed in the event of imminent danger.

Consultation and participation of employees

15. Consultation and participation of employees shall take place in accordance with the relevant provisions of the Ordinance and regulation 12 of the Management Regulations on the matters covered by regulations 10 and 12, ensuring, wherever necessary, proper co-ordination between employees or their representatives in the undertakings, having regard to the degree of risk and the size of the work site.

SCHEDULE 1

(Regulation 2(1))

NON-EXHAUSTIVE LIST OF BUILDING AND CIVIL ENGINEERING WORKS

1. Excavation.
2. Earthworks.
3. Construction.
4. Assembly and disassembly of prefabricated elements.
5. Conversion or fitting-out.
6. Alterations.
7. Renovation.
8. Repairs.
9. Dismantling.
10. Demolition.
11. Upkeep.
12. Maintenance - Painting and cleaning.
13. Sewage and drainage.

SCHEDULE 2

(Regulation 6(1)(b) and (2)(b))

NON-EXHAUSTIVE LIST OF WORK INVOLVING SPECIFIC RISKS TO THE HEALTH OR SAFETY OF EMPLOYEES

1. Work which puts employees at risk of burial under earth falls, engulfment in swampland 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.

2. Work which puts employees at risk from chemical or biological substances constituting a particular danger to the health or safety of employees or involving a legal requirement for health monitoring.
3. Work with ionising radiation requiring the designation of controlled or supervised areas as defined in the relevant legislation.
4. Work near high voltage power lines.
5. Work exposing person at work 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 employees 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.

SCHEDULE 3

(Regulation 7(1))

FORM AND CONTENT OF THE PRIOR NOTICE

1. Date of submitting the notice:

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2. Address of the construction site:

.....

3. Project owner(s) (name(s), address(es) telephone number(s)):

.....

4. Type of project:

.....

5. Project supervisor (name, address, telephone number):

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6. Contractor for the whole project (if any) (name, address, telephone number):

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7. Co-ordinator(s) for health and safety matters at the project preparations stage (name(s), address(es) telephone number(s)):

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8. Co-ordinator(s) for health and safety matters at the project execution stage (name(s), address(es), telephone number(s)):

.....

9. Planned date for commencement of work on the construction site:

.....

10. Planned duration of the work on the construction site:

.....

11. Estimated maximum number of employees on the construction site:

.....

12. Planned number of contractors and subcontractors on the construction site:

.....

13. Contractors and subcontractors already chosen (names, addresses and telephone numbers):

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SCHEDULE 4

(Regulations 12(2)(a) and 13(1)(a)(ii))

MINIMUM HEALTH AND SAFETY REQUIREMENTS FOR CONSTRUCTION SITES

Preliminary

1. – (1) For the purposes of this Schedule:-

- (a) the term “rooms” includes huttet accommodation;
- (b) any reference to a numbered Table is a reference to the Table so numbered in this Schedule.

(2) The provisions of this Schedule shall apply wherever required by:-

- (a) the features of the construction site,
- (b) the activity,
- (c) the circumstances; or
- (d) a hazard.

(3) The provisions of this Schedule shall apply without prejudice to any more restrictive provisions in the 1974 Regulations and where any provision in this Schedule contradicts or conflicts with any provision in the 1974 Regulations, the provision which imposes the higher standard shall prevail.

PART A**GENERAL MINIMUM REQUIREMENTS FOR ON-SITE
WORKPLACES****Stability and solidity**

2. - (1) Materials, equipment and, more generally, any component which, when moving in any way, may affect the health or safety of employees must be stabilised in an appropriate and safe manner.

(2) Access to roofs or any other surface made of insufficiently resistant materials must not be permitted unless appropriate equipment or means are provided to enable the work to be carried out safely.

Energy distribution installations

3. - (1) The installations must be designed, constructed and used so as not to present a fire or explosion hazard.

(2) Persons must be adequately protected against the risk of electrocution caused by direct or indirect contact.

(3) The design, construction and choice of equipment and protection devices must take account of:-

- (a) the type and power of the energy distributed;
- (b) external conditions; and
- (c) the competence of persons with access to parts of the installation.

Emergency routes and exits

4. - (1) Emergency routes and exits must remain clear and lead as directly as possible to a safe area.

(2) In the event of danger, it must be possible for employees to evacuate all workstations quickly and as safely as possible.

(3) Stores containing flammable materials must not be placed in the vicinity of emergency routes and exits.

(4) The number, distribution and dimensions of emergency routes and exits must take account of the use, equipment and dimensions of the site and of the rooms and the maximum number of persons that may be present.

(5) Specific emergency routes and exits must be indicated by signs in accordance with the Safety Signs Regulations, which signs must be sufficiently resistant and be placed at appropriate points.

(6) Emergency routes and exits, the traffic routes and any doors giving access to them, must be free from obstruction so that they can be used at any time without hindrance.

(7) Emergency routes and exits requiring illumination must be provided with emergency lighting of adequate intensity in case the lighting fails.

Fire detection and fire fighting

5. - (1) An adequate number of appropriate fire-fighting devices and, where required, fire detectors and alarm systems must be provided, taking into account:-

- (a) the characteristics of the construction site;
- (b) the dimensions and use of the rooms;
- (c) the on-site equipment;
- (d) the physical and chemical properties of the substances present; and
- (e) the maximum potential number of people present.

(2) The fire-fighting devices, fire detectors and alarm systems provided must be regularly checked and maintained.

(3) Appropriate tests and drills must take place at regular intervals to ensure the effectiveness of the fire-fighting devices, fire detectors and alarm systems.

(4) Non-automatic fire-fighting equipment must be easily accessible and simple to use and any person activating any alarm system must not be exposed to danger thereby.

(5) The equipment must be indicated by signs in accordance with the Safety Signs Regulations, which signs must be sufficiently resistant and placed at appropriate points.

Ventilation

6. - (1) Steps must be taken to ensure that there is sufficient fresh air, having regard to:-

- (a) the working methods used; and
- (b) the physical demands placed on the employees.

(2) Where a forced ventilation system is used, it must be maintained in working order and must not expose employees to draughts which are harmful to health.

(3) Any breakdown must be indicated by a control system where this is necessary for employees' health.

Exposure to particular risks

7. - (1) Employees must not be exposed to harmful levels of noise or to harmful external influences such as gases, vapours or dust.

(2) Where employees are required to enter any area where the atmosphere is liable to:-

- (a) contain a toxic or harmful substance;
- (b) have an insufficient oxygen level; or
- (c) be inflammable,

such atmosphere must be monitored and appropriate steps taken to prevent any hazards.

(3) Subject to sub-paragraph (4) below, employees must not be exposed in any circumstances to high-risk confined atmospheres, where possible.

(4) Where due to the nature of the work being carried out it is not possible to comply with sub-paragraph (3) above:-

- (a) appropriate steps must be taken to minimise the risks to the health and safety of the employees concerned;
- (b) the employees must be watched at all times from outside; and
- (c) all appropriate precautions must be taken to ensure that the employees can be provided with effective and immediate assistance, where necessary.

Temperature

8. During working hours, the temperature must be appropriate for human beings, having regard to:-

- (a) the working methods used; and
- (b) the physical demands placed on the employees.

Natural and artificial lighting of workstations, rooms and traffic routes on the construction site

9. - (1) Workstations, rooms and traffic routes must as far as possible:-

- (a) have sufficient natural lighting; and
- (b) be provided with appropriate and sufficient artificial lighting:-
 - (i) at night; and
 - (ii) when natural daylight is inadequate.

(2) Where necessary, portable light sources that are impact resistant must be used to provide sufficient lighting in workstations, rooms and along traffic routes.

(3) The colour of artificial light used in workstations, rooms and along traffic routes must not alter or affect the perception of signals or signposts.

(4) Lighting installations in workstations, rooms and along traffic routes must be placed in such a way that there is no risk of accident to employees as a result of the type of lighting fitted.

(5) Workstations, rooms and traffic routes where employees are especially exposed to risks in the event of any failure in artificial lighting must be provided with emergency lighting of adequate intensity.

Doors and gates

10. - (1) Sliding doors must be fitted with a safety device to prevent them from being derailed and falling over.

(2) Doors and gates opening upwards must be fitted with a mechanism to secure them against falling back.

(3) Doors and gates along escape routes must be appropriately marked.

(4) In the immediate vicinity of gates intended primarily for

vehicle traffic, there must be doors for pedestrian traffic (unless it is safe for pedestrians to cross); and such doors must be clearly marked and kept free from obstruction at all times.

(5) Mechanical doors and gates must:-

- (a) operate without any risk of accident to employees;
- (b) be fitted with emergency stop devices which are easily identifiable and accessible; and
- (c) be such that they can be opened manually, unless they open automatically in the event of a power-cut.

Traffic routes - danger areas, work sites and means of access

11. - (1) Traffic routes (including stairs, fixed ladders and loading bays and ramps) must be located and dimensioned to ensure easy, safe and appropriate access for pedestrians or vehicles in such a way as not to endanger employees working in the vicinity of these traffic routes.

(2) Traffic routes, must be dimensioned, having regard to the number of potential users and the type of activity concerned.

(3) Where means of transport are used on traffic routes, a sufficient safety clearance or adequate protective devices must be provided for pedestrians.

(4) Traffic routes must be clearly marked, regularly checked and properly maintained.

(5) Sufficient clearance must be allowed between vehicle traffic routes and doors, gates and passages for pedestrians, corridors and staircases.

(6) Where the site includes limited-access areas, these must be equipped with devices to prevent unauthorised employees from entering.

(7) Appropriate measures must be taken to protect employees who are authorised to enter danger areas.

(8) Danger areas must be indicated by signs in accordance with the Safety Signs Regulations.

(9) There must be adequate space around each piece of machinery, which must be kept clean and free from obstruction when such piece of machinery is in operation or when work is being carried out either on it or around it, so that the work can be executed without risks.

(10) All buildings, steps, staircases, passages and corridors must be made of resistant materials which do not emit exhalations and which are suitably maintained.

(11) Floors, steps, staircases, passages and corridors must be kept free from any obstacles and any materials or substances which would make them slippery.

(12) Where flammable or oxidising substances or materials are stored, produced or emitted or where dust is produced or emitted with such characteristics and in such concentration that an explosion or combustion may occur, the whole building, steps, stairs, passages and corridors must be fireproof.

(13) Flammable substances must be stored in storage houses but not in buildings where employees are present.

(14) Staircases (whether indoor or outdoor) must be fitted with at least one handrail, which must be suitably maintained.

(15) Open stairways must be suitably and securely fenced so as to prevent employees from falling through any gaps.

Loading bays and ramps

12. - (1) Loading bays and ramps must be suitable for the dimensions of the loads to be transported.

(2) Loading bays must have at least one exit point.

(3) Loading ramps must be sufficiently safe to prevent employees from falling off.

Freedom of movement at the workstation

13. The floor area at the workstation must be such as to allow employees sufficient freedom of movement to perform their work, taking account of any necessary equipment or appliances present.

First-aid facilities

14. - (1) The employer must ensure that first-aid can be provided, and the staff trained to provide it can be called upon, at any time.

(2) Measures must be taken to ensure that employees who have had an accident or have suddenly been taken ill can be removed for medical treatment.

(3) One or more first-aid rooms must be provided where the scale of the works or the types of activity being carried out so require and where they are so provided they must be fitted with essential first-aid installations and equipment and be easily accessible to stretchers and must be sign-posted in accordance with the Safety Signs Regulations.

(4) First-aid equipment must be available at all places where working conditions so require, which equipment must be suitably marked and easily accessible and the address and telephone number of the local emergency service must be clearly displayed in such places.

Changing rooms and lockers

15. - (1) Appropriate changing rooms must be provided for employees if they have to wear special work clothes and if, for reasons of health or propriety, they cannot be expected to change in another area.

(2) Changing rooms must be easily accessible, be of sufficient capacity and be provided with seating.

(3) Changing rooms must be sufficiently large and have facilities to enable each employee, where necessary, to dry his working clothes as well as his own clothing and personal effects and to lock them away.

(4) Where circumstances so require (such as the presence of

dangerous substances, high humidity or dirt), facilities must be provided to enable working clothes to be kept in a place separate from employees' own clothes and personal effects.

(5) Provision must be made for separate changing rooms or separate use of changing rooms for men and women.

(6) Where changing rooms are not required pursuant to sub-paragraph (1) above, each employee must be provided with a place in which he can lock away his own clothes and personal effects.

Showers and washbasins

16. - (1) Suitable showers in sufficient numbers must be provided for employees where required by the nature of the work or for health reasons.

(2) Provision must be made for separate shower rooms for men and women.

(3) The shower rooms must be sufficiently large to permit each employee to wash without hindrance in conditions of an appropriate standard of hygiene.

(4) The showers must be equipped with hot and cold running water.

(5) Where showers are not required pursuant to sub-paragraph (1) above, a sufficient number of suitable washbasins with running water (hot water, where necessary) must be provided in the vicinity of the workstations and the changing rooms.

(6) The minimum number of washbasins provided pursuant to sub-paragraph (5) above shall be that specified in the relevant entry in column 2 of Table 1 for the number of employees interrupting their work at the same time specified in column 1 thereof.

(7) An adequate supply of soap or other suitable means of cleaning and an adequate supply of towels or other suitable means of drying must be provided in the immediate vicinity of the showers and washbasins.

(8) Provision must be made for separate washbasins for men and women.

(9) Where the rooms housing showers or washbasins are separate from the changing rooms, there must be easy communication between the two.

Sanitary conveniences (lavatories, latrines and washbasins)

17. - (1) An adequate number of lavatories and latrines must be provided for employees in the vicinity of workstations, rest rooms, changing rooms and rooms housing showers or washbasins.

(2) The minimum number of lavatories and latrines provided pursuant to sub-paragraph (1) above for male employees shall be that specified in the relevant entry in columns 2 and 3 of Part A of Table 2 respectively for the number of male employees specified in column 1 thereof.

(3) The minimum number of lavatories provided pursuant to sub-paragraph (1) above for female employees shall be that specified in the relevant entry in column 2 of Part B of Table 2 for the number of female employees specified in column 1 thereof.

(4) Provision must be made for separate, clearly marked sanitary conveniences for men and women.

(5) Each lavatory must be installed in a separate cubicle within the sanitary convenience, which cubicle must be appropriately enclosed, for reasons of propriety.

(6) An adequate number of suitable washbasins must be provided in or in the immediate vicinity of the sanitary conveniences.

(7) All latrines, lavatories and washbasins must be connected to a suitable plumbing and, where appropriate, sewage system, taking into account the constraints imposed by the construction site itself.

Rest rooms and rest areas

18. - (1) Where the health or safety of employees (in particular because of the type of activity carried out or the remote nature of the site) so requires, employees must be provided with easily accessible rest rooms or rest areas.

(2) Rest rooms and rest areas must be large enough and equipped with an adequate number of tables and seats with backs for the number of employees concerned.

(3) If rest rooms and rest areas are not required pursuant to sub-paragraph (1) above and they are not otherwise provided, other facilities must be provided in which employees can stay during interruptions of work.

(4) Permanently sited rest facilities (unless used only in emergency situations) must:-

- (a) include a leisure room;
- (b) be equipped with suitable sanitary facilities and sanitary equipment;
- (c) be equipped with beds, cupboards, tables and seats with backs, having regard to the number of employees; and
- (d) take into account, where appropriate, the presence of employees of both sexes.

(5) Appropriate measures must be taken for the protection of non-smokers against discomfort caused by tobacco smoke in rest rooms and rest areas.

Pregnant women and nursing mothers

19. Pregnant women and nursing mothers must be able to lie down to rest in appropriate conditions.

Disabled persons

20. - (1) Workplaces must be organised to take account of the special needs of disabled persons at work.

(2) Sub-paragraph (1) above shall apply in particular to the doors, passageways, staircases, showers, washbasins, sanitary conveniences and workstations used or occupied by disabled persons at work.

Miscellaneous provisions

21. - (1) The surroundings and the perimeter of the site must be sign-posted and laid out so as to be clearly visible and identifiable.

(2) Employees must be provided at the site with a sufficient quantity of drinking water and possibly another suitable non-alcoholic beverage both in occupied rooms and in the vicinity of workstations.

(3) Employees must be provided with facilities enabling them to take their meals in satisfactory conditions and, where appropriate, with facilities enabling them to prepare their meals in satisfactory conditions.

TABLE 1
(Paragraph 16(6))

Column 1	Column 2
Number of persons interrupting their work at the same time	Minimum number of washbasins
Up to 7	1
8 to 14	2
Every additional 10	1

TABLE 2
(Paragraph 17(2) and (3))
SANITARY CONVENIENCES

Part A-Males

Column 1	Column 2	Column 3
Number of male employees	Minimum number of lavatories	Minimum number of latrines
Up to 15	1	1
16 to 25	1	2
26 to 50	2	3
51 to 75	3	4
Every additional 30	1	1

Part B - Females

Column 1	Column 2
Number of female employees	Minimum number of lavatories
Up to 15	1
16 to 30	2
31 to 50	3
51 to 70	4
Every additional 30	1

PART B**SPECIFIC MINIMUM REQUIREMENTS FOR ON-SITE WORKSTATIONS****Preliminary**

22. Where special situations so dictate, the classification of these minimum requirements into two sections, as below, should not be regarded as binding.

SECTION 1**ON-SITE INDOOR WORKSTATIONS****Stability and solidity**

23. Premises must have a structure and stability appropriate to the nature of their use.

Emergency doors

24. - (1) Emergency doors must open outwards.

(2) Emergency doors must not be so locked or fastened that they cannot be easily and immediately opened by any person who may require to use them in an emergency.

(3) Sliding or revolving doors are not permitted if intended as emergency exits.

Ventilation

25. - (1) Where air-conditioning or mechanical ventilation installations are used, they must operate in such a way that employees are not exposed to draughts which cause discomfort.

(2) Any deposit or dirt likely to create an immediate danger to the health of employees by polluting the atmosphere must be removed without delay.

Temperature

26. - (1) The temperature in rest areas, rooms for duty staff, sanitary facilities, canteens and first-aid rooms must be appropriate to the particular purpose of such areas.

(2) Windows, skylights and glass partitions should allow excessive effects of sunlight to be avoided, having regard to:-

- (a) the nature of the work; and
- (b) the use of the room.

Natural and artificial lighting

27. Workplaces must as far as possible have sufficient natural light and be equipped with the means of providing artificial lighting which is adequate for the purposes of protecting employees' health and safety.

Floors, walls, ceilings and roofs of rooms

28. - (1) The floors of workplaces must:-

- (a) have no dangerous bumps, holes or slopes; and
- (b) be fixed, stable and not slippery.

(2) The surfaces of floors, walls and ceilings in rooms must be such that they can be cleaned or refurbished to an appropriate standard of hygiene.

(3) Transparent or translucent walls, in particular all-glass partitions, in rooms or in the vicinity of workplaces and traffic routes must be clearly indicated and made of safety material or be shielded from such places or traffic routes to prevent employees from coming into contact with walls or being injured should the walls shatter.

(4) All openings in floors must be securely fenced or covered to prevent people from falling into them.

(5) All floors and all corridors must be made of impermeable materials.

(6) Where the nature of the work is such that liquids may be spilled or otherwise accumulate on any floor in any quantity or it is otherwise necessary to wash the floor thoroughly on a regular basis, the floor must be provided with an effective means of drainage.

Windows and skylights

29. - (1) It must be possible for employees to open, close, adjust or secure windows, skylights and ventilators in a safe manner and when open, they must not be positioned so as to constitute a hazard to employees.

(2) Windows and skylights must be designed in conjunction with equipment or otherwise fitted with devices allowing them to be cleaned without risk to the employees carrying out this work or to employees in the vicinity.

Doors and gates

30. - (1) The position, number and dimensions of doors and gates, and the materials used in their construction must be appropriate, having regard to:-

- (a) the nature of the rooms or areas in which they are fitted; and
- (b) the use made of such rooms or areas.

(2) Transparent doors must be appropriately marked at a conspicuous level.

(3) Swing doors must be transparent or have see-through panels.

(4) Where transparent or translucent surfaces in doors and gates are not made of safety material and where there is a danger that employees may be injured if a door or gate should shatter, the surfaces must be protected against breakage.

Traffic routes

31. Traffic routes must be clearly identified.

Specific measures for escalators and travelators.

32. Escalators and travelators must:-

- (a) function safely;
- (b) be equipped with any necessary safety devices; and
- (c) be fitted with easily identifiable and accessible emergency shut-down devices.

Room dimensions and air space in rooms

33. Workrooms must have sufficient surface area and height to allow employees to perform their work without risk to their health, safety or well-being.

SECTION 2**ON-SITE OUTDOOR WORKSTATIONS****Stability and solidity**

34. - (1) High-level or low-level movable or fixed workstations must be solid and stable, taking into account:-

- (a) the number of employees occupying them;
- (b) the maximum loads they may have to bear and the weight distribution; and
- (c) the outside influences to which they may be subject.

(2) If the support and the other components of the workstations referred to in sub-paragraph (1) above are not intrinsically stable, their stability must be ensured by appropriate and safe methods of fixing to avoid any untimely or spontaneous movement of the whole or any part of the workstations.

(3) The stability and solidity of workstations must be checked appropriately and especially after any change in the height or depth of any workstation.

Energy distribution installations

35. - (1) On-site energy distribution installations, especially those subject to outside influences, must be regularly checked and maintained.

(2) Installations in existence before construction works on the site began must be identified, checked and clearly sign-posted.

(3) Where overhead electric power lines are present they must be redirected away from the area of the site or the current must be cut off, wherever possible.

(4) Where it is not possible to comply with sub-paragraph (3) above, barriers must be fixed or notices displayed to ensure that vehicles and installations are kept away from the area.

(5) Suitable warnings and suspended protections must be provided where vehicles have to pass beneath overhead electric power lines.

(6) Without prejudice to the generality of sub-paragraph (3) above, if the overhead electric power lines are at a distance of at least 2 metres (m) from the floor of the work place or at a distance of 2,60 m above any work being carried out, appropriate barriers must be suitably placed, so as to prevent any contact with the lines by accident.

Atmospheric influences

36. Employees must be protected against atmospheric influences which could affect their health or safety.

Falling objects

37. – (1) Wherever technically feasible, employees must be protected by collective methods against falling materials or objects and materials and equipment must be laid out or stacked in such a way as to prevent their collapsing or overturning.

(2) Where necessary, there must be covered passageways on the side or access to danger areas must be made impossible.

Falls from a height

38. - (1) Falls from a height must be physically prevented in particular by the use of solid cradles which are sufficiently high and have at least an end-board, a main handrail and an intermediate handrail or an equivalent alternative.

(2) The height of the solid cradles referred to in sub-paragraph (1) above must be at least 1,10 m from the ground and the distance between the parapet, handrail or other barrier and the floor of the cradles must not exceed 0,45 m.

(3) Subject to sub-paragraph (4) below, work at a height must be carried out only with appropriate equipment or using collective protection devices such as cradles, platforms or safety nets, where possible.

(4) Where, due to the nature of the work, it is not possible to comply with sub-paragraph (3) above, suitable means of access must be provided and safety harnesses or other anchoring safety methods must be used.

Scaffolding and ladders

39. - (1) All scaffolding must be properly designed, constructed and maintained to ensure that it does not collapse or move accidentally.

(2) Work platforms, gangways and scaffolding stairways must be constructed, dimensioned, protected and used in such a way as to prevent people from falling or being exposed to falling objects.

(3) Scaffolding must be inspected by a competent person:-

- (a) before being put into service;
- (b) subsequently, at periodic intervals;
- (c) after any modification period without use, exposure to bad weather or seismic tremors, or any other circumstance which may have affected its strength or stability.

(4) Ladders must be sufficiently strong and correctly maintained.

(5) Ladders must be correctly used, in appropriate places and in accordance with their intended purpose.

(6) Mobile scaffolding must be secured against spontaneous movements.

Lifting equipment

40. - (1) All lifting devices and accessories, including their component parts, attachments, anchoring and supports, must be:-

- (a) properly designed and constructed and sufficiently strong for the use to which they are put;
- (b) correctly installed and used;
- (c) maintained in good working order;
- (d) checked and subjected to periodic tests and inspections in accordance with current legislation;
- (e) operated by qualified employees who have received appropriate training.

(2) All lifting devices and accessories must clearly display their maximum load values.

(3) Lifting equipment and accessories may not be used for other than their intended purposes.

Excavating and materials-handling vehicles and machinery

41. - (1) All excavating and materials-handling vehicles and machinery must be:-

- (a) properly designed and constructed, taking into account, as far as possible, the principles of ergonomics;
- (b) kept in good working order;
- (c) used correctly.

(2) Drivers and operators of excavating and materials-handling vehicles and machinery must possess the relevant licence in accordance with the Motor Vehicles (Control of Use) Ordinance 1980^(h) and the regulations made thereunder.

(3) Preventive measures must be taken to ensure that excavating and materials-handling vehicles and machinery do not fall into the excavations or into water.

(4) Where appropriate, excavating machinery and materials-handling machinery must be fitted with structures to protect the driver against being crushed if the machine overturns, and against falling objects.

Installations, machinery, equipment

42. - (1) Installations, machinery and equipment, including hand tools (whether power-driven or not) must be:-

^(h) Ordinance No.8 of 1980.

- (a) properly designed and constructed taking into account, as far as possible, the principles of ergonomics;
- (b) kept in good working order;
- (c) used solely for the work for which they were designed;
- (d) operated by employees who have received appropriate training.

(2) Installations and equipment under pressure must be checked and subjected to regular tests and inspections in accordance with current legislation.

Excavations, wells, underground works, tunnels and earthworks

43. - (1) Suitable precautions must be taken in an excavation, well, underground working or tunnel:-

- (a) to provide an appropriate support or embankment;
- (b) to prevent hazards entailed in the fall of a person, materials or objects, or flooding;
- (c) to provide sufficient ventilation at all workstations so as to ensure a breathable atmosphere which is not dangerous or harmful to health;
- (d) to enable employees to reach safety in the event of fire or inrush of water or materials.

(2) Before excavation starts, measures must be taken to identify and reduce to a minimum any hazard due to underground cables and other distribution systems.

(3) Safe routes into and out of the excavation must be provided.

(4) Piles of earth, materials and moving vehicles must be kept away from the excavation and appropriate barriers must be built where necessary.

Demolition work

44. - (1) Where the demolition of a building or construction may present a danger to persons at work or to the public:-

- (a) appropriate precautions, methods and procedures must be adopted;
- (b) the work must be planned and undertaken only under the supervision of a competent person.

Metal or concrete frameworks, shutterings and heavy prefabricated components

45. - (1) Metal or concrete frameworks and their components, shutterings, prefabricated components or temporary support, and buttresses must be erected and dismantled only under the supervision of a competent person.

(2) Adequate precautions must be taken to protect employees against risks arising from the temporary fragility or instability of a structure.

(3) Shutterings, temporary supports and buttresses must be devised and designed, installed and maintained so as to safely withstand any strains and stresses which may be placed on them.

Cofferdams and caissons

46. - (1) Cofferdams and caissons must be:-

- (a) well constructed, of appropriate, solid materials of adequate strength;
- (b) appropriately equipped so that employees can gain shelter in the event of an irruption of water or materials.

(2) The construction, installation, transformation or dismantling of a cofferdam or caisson must take place only under the supervision of a competent person.

(3) Cofferdams and caissons must be inspected by a competent person at regular intervals.

Work on roofs

47. - (1) Where necessary to avert a risk or where the height or the slope exceed the values specified in regulation 35 of the 1974 Regulations, collective preventive measures must be taken to prevent employees, tools or other objects or materials, from falling.

(2) Where employees are required to work on or near a roof or on any other surface made of fragile materials through which it is possible to fall, preventive measures must be taken to ensure that they do not inadvertently walk on the surface concerned.

Dated this 28th day of March 2003.

By the Administrator's Command,
J.C.A. JARVIS CBE,
Chief Officer,
Sovereign Base Areas.

(107/6)
