VERŻJONI ELETTRONIKA

L.N. 198 of 2015

OCCUPATIONAL HEALTH AND SAFETY AUTHORITY ACT (CAP. 424)

Protection of the Health and Safety of Workers from the Risks related to Chemical Agents at Work (Amendment) Regulations, 2015

IN exercise of the powers conferred by article 12 of the Occupational Health and Safety Authority Act, the Minister for Social Dialogue, Consumer Affairs and Civil Liberties, after consultation with the Occupational Health and Safety Authority, has made the following regulations:-

Citation and Scope.

1. (1) The title of these regulations is the Protection of the Health and Safety of Workers from the Risks related to Chemical Agents at Work (Amendment) Regulations, 2015, and these regulations shall be read and construed as one with the Protection of the Health and Safety of Workers from the Risks related to Chemical Agents at Work Regulations hereinafter referred to as "the principal regulations". S.L. 424.24

(2) The scope of these regulations is the implementation of Directive 2014/27/EU of the European Parliament and of the Council amending Council Directive 94/33/EC on the protection of the health and safety of workers from the risks related to chemical agents at work – the Chemical Agents Directive (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC).

Amends regulation 2 of the principal regulations.

2. The definition "hazardous chemical agent" in regulation 2 of the principal regulations shall be amended as follows:

(a) paragraph (a) thereof shall be substituted by the following:

"(a) any chemical agent which meets the criteria for classification as hazardous within any physical and/or health hazard classes laid down in Regulation (EC) No 1272/2008 of the European Parliament and of the Council, whether or not that chemical agent is classified under that Regulation;"; and

(b) paragraph (b) thereof shall be deleted; and

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(c) paragraph (c) thereof shall be renumbered as paragraph (b) and substituted by the following:

"(b) any chemical agent which, whilst not meeting the criteria for classification as hazardous in accordance with paragraph (a) may, because of its physic-chemical, chemical or toxicological properties and the way it is used or is present in the workplace, present a risk to the safety and health of workers, including any chemical agent that is assigned on occupational exposure limit value under regulation 3;".

Amends regulation 4 of the principal regulations.

3. Paragraph (b) of sub-regulation (2) of regulation 4 of the principal regulations shall be substituted by the following:

"(b) information on safety and health shall be provided by the supplier (e.g. the relevant safety data sheet in accordance with Regulation (EC) No 1907/2006 of the European Parliament and of the Council, including the relevant Material Safety Data Sheet, a copy of which shall be kept at the place of work and made available to the workers and, or the Workers' Health and Safety Representatives, and to the persons designated by the employer in terms of regulation 9 of the General Provisions for Health and Safety at Work Places Regulations.".

Amends regulation 8 of the principal regulations.

4. Sub-paragraph (iv) of paragraph (a) of sub-regulation (1) of regulation 8 of the principal regulations shall be substituted by the following:

"(iv) access to any safety data sheet provided by the supplier in accordance with Article 31 of Regulation (EC) No 1907/2006.".

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