

Annual
Report


2016



AWTORITÀ GHAS-SAHHA U S-SIGURTÀ FUQ IL-POST TAX-XOGHOL

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 OHS Malta



AWTORITÀ GHAS-SAHHA U S-SIGURTÀ FUQ IL-POST TAX-XOGHOL

Report of Activities for the period

1st January 2016 - 31st December 2016

Budgeted Income and Expenditure Account

1st January 2017 - 31st December 2017

Financial Statements

1st January 2016 - 31st December 2016

Occupational Health and Safety Authority

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2017



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Preface

The Occupational Health and Safety Authority Act, Cap. 424, was published on the 17th November 2000 and brought into force in its entirety on the 29th January 2002. In terms of the Act, it is the responsibility of the Occupational Health and Safety Authority to ensure that the physical, psychological and social well being of all workers in all work places are promoted and safeguarded by whosoever has such a duty.

The following is a report of the Authority's activities for the period 1st January 2016 to 31st December 2016, and is being published in terms of section 37 of the Act. It includes the Authority's Budgeted Income and Expenditure Account for the period 1st January 2017 to 31st December 2017 (section 31 of the Act). The document includes the audited statement of accounts for the period 1st January 2016 to 31st December 2016.

Currently, the Authority has four sources of revenue - the annual grant made by the Ministry of Finance, the Authority's own revenues from services for which a fee is charged, the payment to OHS of administrative fines by persons who were intimidated that they are in breach of the law, and funds which are made available through foreign assistance.

OHS has ended the financial year with a surplus of €81,836. It is projected that this surplus together with additional funds received late in the last quarter of 2016, will be utilised to alleviate anticipated cash flow issues during 2017, most of which will be related to events associated with the MT Presidency of the Council of the European Union.

OHS Objectives

OHS's overall objectives are:

- to foster a culture which values prevention,
- to increase awareness about the benefits of achieving and maintaining adequate levels of occupational health and safety,
- to mainstream OHS into all policy areas including public policy, procurement, and education,
- to maintain the downward trends with regards to ohs-related incidents which lead to injuries, diseases and deaths.

Vision of the OHS

The development of a culture which goes beyond the workplace, which adopts a holistic view of health and that values risk prevention.

The Maltese workplace will be an environment where health and safety are not considered as afterthoughts but are integrated throughout all work systems and processes.

Appropriate preventative measures will be in place in all workplaces in Malta to minimise the probability and severity of occupational incidents and illness. The ultimate goal is zero preventable incidents that can affect health and safety.

Employers and employees will be aware of the importance of preventative health and safety measures, and will have the knowledge, expertise and commitment to apply these measures to their workplace. The OHS will be a partner to organisations, working together to improve health and safety at every opportunity.

Within the context of the European Union, Malta will participate effectively in discussions regarding the continuous development of occupational health and safety levels.

Mission Statement

'Working with others to ensure healthier and safer workplaces in Malta.'

Mission analysis

OHS's mission is concise and direct: 'Working with others' means that in fulfilling its role, OHS collaborates with, and involves other stakeholders (e.g. persons, employers, workers, constituted bodies, international organisations) in order to gather feedback on policies, generate commitment and obtain consensus - the OHS does not want to be seen strictly as a controlling regulatory body.

The only way by which health and safety in the workplace will improve is if the process is self-regulating i.e. the employers themselves recognise that it is in their best interests to provide their workforce with a healthy and safe environment, while workers understand the need to cooperate with their employer in the preventive and protective measures that are required to be taken.



Chairperson's Message

“Small but organised in an appropriate way and is well functioning”. That is how the European Evaluators described OHSA in their final report following an intensive evaluation exercise carried out by the Senior Labour Inspectors Committee on behalf of the European Commission. Although the scope of their visit was to evaluate OHSA, the Evaluators also recounted how they themselves benefited from their experience in Malta as they noticed many examples of good practice which they wanted to take back to their respective organizations. One Evaluator even admitted that the staff at OHSA performed as much work as the much larger organization within his own country.

These are very encouraging words, which will underpin OHSA's drive and resolve to continue with its stated mission, since OHSA is not in the habit of resting on its laurels.

Publicly available statistics show persistent downward trends for several negative events including occupational injuries and fatal accidents. Whereas more can be achieved, it is expected that these trends will be leveling off as they approach a statistical plateau. Further improvements in the prevailing levels will then be harder to achieve, especially in the absence of support and participation by a number of key stakeholders, whose involvement in the process remains lukewarm and detached.

I urge all to give their unwavering support to OHSA in its mission to continue improving the levels of occupational health and safety, for the overall benefit of the country, employers and workers.

The Hon. Dr. Deo Debattista, MD, MP.

Members of the OHS Authority

Chairperson

The Honourable Dr. Deo Debattista

Deputy Chairperson (ex officio)

Ms. Sandra Gatt, the Director of Industrial and Employment Relations

Members

Mr. Edwin Balzan

Ms. Carmen Borg

Mr. Victor Carachi

Mr. Joseph Delia

Dr. Zed Teebi

Prof. Stephen Montefort (as of the 15th January 2016)

Mr. Matthew Vella (as of the 1st July 2016)

Dr. Lisa D'Amato (until the 30th June 2016)

Secretary

Dr. Gaynor Saliba

Chief Executive Officer

The OHSA Act provides for the appointment of a Chief Executive Officer who is responsible for the executive conduct of the Authority, its administration and organization as well as the administrative control of its officers and employees.

Dr. Mark Gauci is the incumbent Chief Executive Officer of OHSA.



Introduction

Societal expectations and aspirations change over time, in part as a result of an increased awareness about the benefits of having improved levels of occupational health and safety. Without doubt, the prevailing levels are markedly different to those extant at the time when the Authority was established. So are the statistics, since the rates of injuries and fatal accidents for 2016 are almost three times less than what they used to be in 2012.

The increased awareness has also led to an increase in demands for interventions and assistance by the Authority, which to most people's minds, remains the apparent one-all and be-all in this field. In view of these increased demands, OHSA adopts a risk based approach, whereby the greatest risks receive the quickest and greatest attention. But whereas enforcement remains one of OHSA's core functions, it is not the only one requiring time and resources - the OHS Authority Act 2000 assigns a total of twelve functions to the Authority, translated into a whole range of activities addressing as many sectors of activity as possible.

OHSA also has to ensure that its Officers develop a wide range of skills, seeking in the first place to work cooperatively with both employers and employees, while being careful not to compromise their role of independent assessors of the control of risk at the workplace.

This approach to inspection necessitates a balance to be struck between the fundamental need to ensure that the law is complied with, and the importance of promoting and encouraging self-regulation. OHSA also seeks the involvement of many other stakeholders, especially the social partners, since it is only through their engagement can further improvements be registered.

Despite the sustained downward trends in occupational injury rates and other incidents at work, OHSA feels that it remains an important part of its mission to keep emphasizing the positive correlations between sound occupational health and safety levels, enhanced productivity and the sustainability of operations.

In terms of the OHS Authority Act, 2000, the Occupational Health and Safety Authority has the primary duties of promoting high levels of occupational health and safety for all workers at all workplaces, and ensuring that they are safeguarded by whosoever has such an obligation. These duties have to be fulfilled within the parameters of the general national policy established by the Minister.

Review of Activities

Awareness building, information and education

Awareness building, information and education have always been at the core of the Authority's operations. Indeed, since it was established, OHSA always dedicated a lot of resources to disseminate information, raise awareness and increase the knowledge available about current and emerging occupational health and safety issues. OHSA also believes in the importance of awareness-building (especially about the accruable benefits to society in general, the economy, the nation and individual workers when achieving adequate levels of occupational health and safety) and the need to ensure that the information available is continuously updated in view of the ever-changing world of work and the emergence of new risks.

The Authority therefore continues to provide information and to disseminate it as widely as possible through various means including through the issue of press releases and the preparation of feature articles which are published in the local media. This year OHSA also launched its own page on Facebook which has generated quite some interest. As in previous years, the Authority also organised a number of information campaigns, some of which were linked with European initiatives, particularly those organized by the European Agency for Safety and Health and the Senior Labour Inspectors Committee (SLIC).

1 Initiatives with schoolchildren - Napo and Napo for teachers

Mainstreaming health and safety into education from an early stage is the foundation of a risk preventive culture. OHSA recognizes the need to have basic concepts of occupational health and safety explained from an early age. Using the popular character Napo, OHSA has collaborated with a number of schools to increase awareness about occupational health and safety amongst primary school children (to complement classes given at school by health and safety teachers and the information received during such lessons as part of the social studies curriculum). The initiative also aims to enhance a risk preventive culture through which students develop a basic knowledge in risk identification and prevention.

A number of online educational resources for teachers featuring the character Napo, which are aimed at 7 to 11 year old schoolchildren, were used again this year by teachers in a number of schools, after having been disseminated by OHSA. These resources include a lesson plan on a number of different subjects and scenarios that school children are bound to have come across at home or at school. These would include safety and security signage, prevention against dangers to the skin and the identification of risk and dangerous situations.

Each one of the six lessons includes an introduction for the teachers to follow, short clips and other resources. The clips featuring Napo and the creative activities aim to explore the subject in an informative but at the same time, enjoyable way. On the other hand, the interactive nature of these lesson plans ensure that the children will be kept interested and involved in the subject.

These resources have been designed in such a way that they can be utilised across various subjects such as health and safety, Personal Social and Character Development, science and mathematics; they feature Napo in a way that keeps the children more engaged.



It is highly encouraging to note that the Health and Safety Unit within the Education Division is taking a number of initiatives with students and teachers, so that OHSA's vision of mainstreaming the subject of occupational health and safety into a number of key policy areas has become, at least in so far as the education system is concerned, a reality.

2 Media initiatives - Getting the message across

Media interventions are considered to be powerful tools by which to raise awareness and promote the importance of managing OHS. Over the past few years, OHSA has significantly increased its interventions through media channels, and particularly over the past year, has been actively involved in various radio and television programmes where participation is free of charge. During these programmes, members of staff from OHSA discussed a wide range of topics of general interest to as wide an audience as possible. OHSA has issued a number of press releases and letters to local newspapers, and developed a number of guidelines covering various areas of occupational health and safety. As with other promotional, instructional or educational material, these guidelines are made available free of charge to whosoever requires them.

3 The role of the media

Time and time again, OHSA has felt the need to chastise sections of the media for their sensational approach to occupational health and safety. Such an approach helps alienate people who would otherwise believe that they can benefit from an intervention by OHSA while fuelling wrong perceptions about the real prevailing levels of occupational health and safety in Malta. When a communications channel publishes a photo or airs a film portraying unsafe work practices, days after the photo or film was recorded, and without having informed OHSA at the time of receipt of the document, a worker, a group of workers or members of the general public would have remained exposed to a risk to their health and safety, until such a time as OHSA becomes aware of the occurrence.

Furthermore, and whilst recognising the importance and the unalienable rights pertaining to every citizen's freedom of expression, OHSA firmly believes that online comments should be better moderated, and the identity of persons posting comments online verified.

OHSA's concerns were also noted in the report issued in connection with OHSA's evaluation by the Senior Labour Inspectors Committee on behalf of the EU Commission, which stated that *"despite the actions taken by OHSA, it seems that the media mostly pays attention to negative news"*. The report further recommends that *"OHSA and the social partners should collaborate in order to change the OHS communication in the media from mostly negative news to highlighting achievements and benefits of having an adequate level of occupational health and safety."*

4 European Agency for Safety and Health at Work and the Maltese Focal Point

In its role of National Focal Point for the European Agency for Safety and Health at Work (EU-OSHA), OHSA has been actively involved in European initiatives and campaigns which are organised throughout the year by EU-OSHA. EU-OSHA is a network organisation which has a focal point in each Member States as well as in European Free Trade Association States and candidate and potential candidate countries.

The role and participation of National Focal Points is considered to be essential in obtaining the desired result of achieving safer and healthier workplaces. This is due to the fact that National Focal Points are the primary contributors to the implementation of the EU-OSHA's work programmes, which include the dissemination of relevant information about occupational health and safety, the identification and control of risks as well as the sharing of information amongst duty-holders, including through the promotion of examples of good practice and data collection.

Throughout this year, the Focal Point has also been actively involved in the 'Healthy Workplaces - Manage Stress' campaign (which was a two-year pan-European campaign focusing on stress and well-being at the workplace) as well as in the new campaign 'Healthy Workplaces - Healthy Workplaces for All Ages'.

5 General promotional activities

5.1 Provision of roll-up posters

Roll-up posters provide a logical and cost-effective way of raising awareness and promoting the importance of managing OHS. A number of roll-up posters were produced by OHSA in collaboration with the European Agency for Safety and Health at Work (EU-OSHA). The roll-up posters were created with the intention to reach a diverse audience covering a range of topics pertaining to OHS such as the provision of risk assessment, work-related stress, safe use of work equipment, construction safety, manual handling, ergonomics, heat exposure, noise, active ageing, young workers, pregnancy and noise. The roll-up posters were exhibited in seminars organised by OHSA in collaboration with EU-OSHA. A number of entities (both from the public and the private sector) have also requested the provision of these roll-up posters for a definite period of time to be used during their in-house events and to increase awareness of OHS among their employees.

5.2 Online interactive risk assessment (OiRA tool)

Micro and small enterprises present special challenges in achieving healthier and safer workplaces. They experience difficulty in understanding their statutory roles and in implementing the legislation. Viewing OHS regulations as overly complex, micro and small enterprises tend to give OHS activities low priority, thus failing to recognise the risks posed by their workplaces.

In terms of Regulation 10 of the General Provisions of the Health and Safety at Work Places Regulations, employers and self-employed persons are required to carry out, or ensure that is carried out a suitable, sufficient and systematic assessment of all the occupational health and safety hazards which may be present at the place of work and the resultant risks involved concerning all aspects of the work activity. This is considered to be a fundamental element for a successful health and safety management. Unfortunately micro and small enterprises tend to view the process of risk assessment as an administrative and financial burden, mainly due to their lack of knowledge and resources in managing their working environment properly.

On-line tools such as the Online interactive Risk Assessment (OiRA), facilitate the provision of risk assessments - they are cost-free, simple and practical. Recognising the effectiveness of such tools, OHSA in collaboration with EU-OSHA, continued its promotion of this risk assessment tool, particularly the one catering for work within an office environment which had been adapted to the local scenario. This on-line tool is in Maltese and is based on Maltese occupational health and safety legislation. This will further facilitate the process and development of control measures by dutyholders.

According to statistics published by EU-OSHA, 209 accumulated assessments have been carried out in Malta using the OiRA tool since it was launched. Although this is an encouraging statistic, more people need to realize the value of this online interactive tool, which apart from assisting duty-holders to comply with their legislative obligations, can also be used at no cost to the enterprise.

OHSA has started negotiations with the EU-OHSA to assess the possibility of issuing a tender for the preparation of a number of OiRA tools which make reference to Maltese legislation to be used by local SMEs in fulfilment of their legal obligations to carry out a risk assessment of their work activities.

5.3 World Day for Safety and Health at Work

The commemoration of the World Day for Safety and Health at Work emanates from the Workers Memorial Day started in America and Canada in 1989 to commemorate dead and injured workers. This has become an annual event, held on the 28th April, a date which the International Confederation of Free Trade Unions and Global Union Federations converted into a global event endorsing also the concept of sustainable workplaces and work. This day has also entered the annual calendar of the International Labour Organisation and is also marked by OHSA each year.

The theme for 2016 was 'Workplace Stress: A collective Challenge' to highlight the fact that nowadays, many workers are facing greater pressure to meet the demands of modern working life. Psychosocial risks associated with increased competition, higher expectations on performance and longer working hours are contributing to the workplace becoming an ever more stressful environment. With the pace of work dictated by instant communications and high levels of global competition, the lines separating work from life are becoming more and more difficult to identify. In addition, due to the significant changes in labour relations and the current economic recession, workers are experiencing various organizational changes and restructuring with serious consequences to their mental health and well-being.

5.4 European Week for Safety and Health at Work

The European Week for Safety and Health at Work is organised every year in October by the European Agency for Safety and Health at Work (EU-OSHA) and its partners - the theme chosen by EU-OSHA for 2015 and 2016 was 'Healthy Workplaces for All Ages'. Activities held before, during and after the Week focused on raising awareness about the need of life-long training, safeguarding OHS from the first to the last day at work as well as the importance of eradicating age discrimination.

OHSA organised a number of initiatives and also helped other entities in their events related to this campaign. One such seminar organised by OHSA in collaboration with EU-OSHA was entitled "Fostering Healthy Workplaces for All Ages", where participants were given an overview of the demographic situation in Malta, as well as various means on how to foster healthier workplaces.

5.5 Information material for schools

During 2016, the information campaign involving the various colleges in Malta and Gozo was continued. Each college received a campaign large exhibition frame with the slogan "Healthy Workplaces for All Ages" which has been going round the various schools within each college as a roving exhibition. Hence throughout the 2 year campaign, each public school in Malta and Gozo could host this exhibition.

Information material was also given to the Colleges for distribution to all schools at both primary and secondary level. The material included booklets, leaflets, posters and DVDs for every classroom as well as for individual students in specific classes. The campaign was in line with the theme of the European Agency for Safety and Health's campaign on 'Healthy Workplaces for All Ages'. More than 6,000 items were distributed during this campaign. A number of talks were also held in a number of schools where students were shown clips about health and safety, followed by a discussion and exercises.

5.6 Occupational stress

Occupational stress and other psychosocial risks remain high on OHSA's agenda. Various initiatives were taken in this area, including the organisation of information sessions and the distribution of material to various social partners and other entities. Another event was the screening of the award-winning European film 'Automatic Fitness' by Alejandra Tomei and Alberto Couceiro from Germany which is an animated satire on the modern working world which takes the meaning of the term 'human resources' to its extreme. It shows a world where work and life have become a relentless conveyor belt and people act more like medicated robots, monotonously undertaking tasks before rushing to the next one.

The screening of the film was followed by a discussion by OHSA entitled "Occupational Stress in SMEs: Turning Concerns into Actions". The discussion included presentations from key experts in the area who addressed such issues as the various aspects leading

to work-related stress, the Maltese framework for the control of work-related stress and the importance that this is adopted by the social partners at the national level as well as the tools available in handling work related stress. The discussion was also characterised by a series of presentations by the main Social Partners in Malta followed by a general discussion.

5.7 Information for film producers

Given the impact that television programmes have on viewers, OHSa in collaboration with the Malta Broadcasting Authority and EU-OSHA, organised an information session for film producers in Malta and Gozo. The aim of this initiative was two-fold. On one side OHSa wanted to raise awareness about OHS issues amongst producers, explain their obligations as employers on the set as well as highlighting those issues they have to be aware of in their day-to-day operations. On the other hand, one must also be aware of the social obligations in the sense that should unsafe OHS practices be aired or featured during programmes (such as DIY programmes, etc), these could have a negative effect on the viewers who might see this as acceptable ('since it is being shown on TV'). This information session has led to better cooperation with some producers and was deemed as a positive initiative.

5.8 Healthy Workplaces for All Ages

In line with the pan-European campaign, OHSa in collaboration with EU-OSHA organised a seminar entitled 'Fostering Healthy Workplaces for All Ages'. The aim of this seminar was to raise awareness about the situation of older and younger workers at workplaces in Malta and to stress the importance and resources that both older and younger workers can provide to workplaces. The seminar also raised awareness about the importance of life-long learning and of placing workers in a workplace adapted to their needs. The importance of rehabilitation and early return to work following an accident or ill-health was also discussed. The seminar also included the screening of the short film 'Napò in...Back to a Healthy Future', followed by a discussion. It is envisaged that this seminar will be followed up next year.

5.9 Guidance and information material for local councils

During 2016, OHSa launched a guidance document '*Linji Gwida għall-Kunsilli Lokali*' providing an overview of the legal duties and obligations pertaining to local councils.

The guidance addresses the various roles local councils assume. For instance, in the case where local councils fulfil the role of "employer", the Occupational Health and Safety Authority Act lays down a general duty to ensure the health and safety at all times of all persons who may be affected by their work. Other duties are laid down in various subsidiary regulations emanating from the said Act such as the duty to carry out or ensure that is carried out, suitable, sufficient and systematic risk assessments.

Local councils may also find themselves in situations where they have to assume the role of the "client" in terms of L.N. 281 of 2004 - Work Place (Minimum Health and Safety Requirements for Work at Construction Site) Regulations. This role may be fulfilled in the case of construction works. In such situations, the Local council would have to follow a number of duties intended to ensure better health and safety management during construction work.

Moreover, in collaboration with the Local Councils Association, OHSa distributed a substantial amount of material pertaining to the European campaign 'Healthy Workplaces for All Ages'. Material distributed included leaflets, campaign guides, posters as well as DVDs featuring the character NApO.

5.10 Other guidance material - lead, cranes, cyanides, FLT's and lifts

During 2016 OHSa issued a number of online guidance documents. These documents all have the aim of raising awareness about the safe use of various materials and/equipment in a bid to increase OHS standards at the workplace and to reduce the number of accidents and cases of ill-health at work. The guidance documents published last year concerned the safe use of lead, cranes, cyanide, fork lift trucks and lifts at the place of work. OHSa also started working on a number of other guidance documents to be published during 2017.

5.11 Dissemination of information material

OHSa has been in contact with a number of companies who have agreed to distribute information material about various issues of OHS amongst their employees. Several companies have distributed information leaflets together with the pay slip of the employees, while others have organised specific ohs-themed events at their workplace and distributed the material then. These initiatives are envisaged to continue in the future.

5.12 Awareness-raising amongst stakeholders

In line with its business plan, the Authority retained its core awareness raising activities. The beneficiaries of these awareness raising events included workers and representatives of management from companies covering most of the gainfully occupied such as the manufacturing sector, hotel and catering establishments, construction, transport, shipping, entertainment, engineering, audit firms, retail and marketing, ICT and iGaming, dental practitioners, the Armed Forces of Malta, Malta Freeport, fisheries and aquaculture, farmers co-operatives, the Public Service, teachers, union representatives and HR managers.

The *Workers' Health and Safety Representative Course* and *Ergonomics & Manual Handling* topped the list of courses followed by *Principles of Risk Assessment*, *Introduction to OHS* and *Workplace Health & Well-being*.



5.13 Training for operators of fork lift trucks and cranes

OHSa continued to cooperate with the Chamber of Engineers (CoE) regarding the joint delivery of courses for forklift truck and crane operators in the principles of safe use of this equipment. 2 courses were organised, reaching a total of 22 participants.

5.14 Degree-Plus - University of Malta

Following the positive feedback received from the University of Malta, OHSa continued its collaboration in the delivery of a set of lectures on occupational health and safety as part of the Degree-Plus Programme. The subject areas covered within this module include the work-health relationship, risk assessment, the legal framework, chemicals, work equipment, ergonomics, construction safety, occupational health, new and emerging risks, OHS statistics and the European dimension to occupational health and safety. Practical examples from different places of work were also shared with the students. The rationale behind this initiative is to mainstream basic concepts of occupational health and safety into as many diverse undergraduate courses at the University of Malta as possible.

5.15 Website - <http://www.ohsa.org.mt>

OHSa's website remained popular with safety practitioners and members of the general public, and is used by an increasing number of persons searching for information about different aspects of occupational health and safety in Malta - web statistics show that [ohsa.org.mt](http://www.ohsa.org.mt) has around 31 daily visitors, 6142 monthly page views, and 2,268 monthly visitors.

The pages relating to online tools (OiRA) and Maltese legislation are the two highest-visited pages.

OHSa also maintains and updates the Malta portal of EU-OSHA¹. OHSa's website includes a number of links to external sites, including ILO's OSH Information Centre, and other pages of EU-OSHA.

5.16 Facebook Page - OHSa Malta

Towards the end of 2016, OHSa launched its Facebook page 'OHSa Malta'. Through this page topical issues are uploaded together with events and other information deemed as useful to users. This page has also been used quite extensively by people to lodge complaints about unsafe practices. It has facilitated this process also through the fact that people could send photos of the actual unsafe work, assisting OHSa in its investigations. Since its launch, Facebook statistics show that it has 39 daily page visits, a weekly reach of 259, and 439 page likes.

¹ <https://osha.europa.eu/en>.

6 Social Partners' Sponsorship Fund for OHS Initiatives

The sponsorship fund, launched during 2014 to support social partners with OHS initiatives, remained open during 2016. The scope of this sponsorship fund is to encourage and assist social partners, to promote the benefits of having adequate levels of OHS and to disseminate information or guidance about different aspects of OHS. The total threshold available for this sponsorship fund does not exceed €5,000 for a given calendar year.

For eligibility, an OHS initiative should, as far as possible: (a) demonstrate a real, identifiable intervention to prevent or minimize risks at places of work, (b) Improve working conditions through effective social dialogue between employers and workers and (c) aim to achieve an identifiable long term or permanent benefit.

Interventions should, as a minimum, meet all relevant legislative requirements in Malta, and shall in particular be consistent with the general principles of prevention as laid down in Act XXVII of 2000.²

Since no requests for assistance were received from the social partners during 2016, OHSa intends to retain last year's unutilised funds and to make them available during 2017 to assist any social partner organisation intending to organise any OHS-related event under the MT-Presidency.

7 The introduction of Skills Cards for the construction sector

During 2016 OHSa continued with its participation in discussions within the Building Industry Consultative Council (BICC) on various aspects of construction, particularly on the introduction of skill cards for workers in the construction sector, through which the skills of construction workers are certified and recognized. The scheme was officially launched in May 2016 for painters and plasterers, tile layers, assistant electricians and plumbers following the publication of a white paper on the subject. During the launch, an address was made by OHSa on the Authority's contribution for the development of the course on health and safety at the workplace in collaboration with MCAST, Jobsplus (ETC) and NCFHE. During the year, OHSa continued to collaborate with BICC to promote the dissemination of information on the scheme as well as regarding occupational health and safety and the methods required to prevent occupational injury, ill health or death. The Skill Cards Initiative is intended to continue in the coming years, by including other trades in the construction industry.

² More details about this fund may be obtained from: <http://ohsa.org.mt/Portals/0/Docs/SocialPartnersFundingCriteria.pdf>



B Ensuring compliance with existing legislation

The Authority considers enforcement as one of its key core functions since it ensures that duty holders adequately control risks at their place of work. A safe environment can only be achieved if duty holders take action which is commensurate with the degree of risk. It is in those circumstances where no such action is taken, that the enforcing authority intervenes within the legal perimeters and take legal action or any other action permitted by law.

The term 'enforcement' has a wide interpretation, but is often taken to include all interactions between the enforcing authority and the duty holders, which may include employers, employees, the self-employed, appointed competent persons, workers' health and safety representatives and others. The term should not be taken to mean exclusively punitive action, as for example through prosecution, but can also mean the provision of advice or information, or the issue of a warning or an order by an OHS Officer.

It remains the Authority's current policy to focus on those work activities that give rise to the greatest risk, although less risky activities are also subject to monitoring, including by organising periodical information/inspection campaigns.

1 Handling of requests for assistance or for information

OHSA had set itself a target whereby all requests for assistance or information are handled within a maximum of two working days. In those cases necessitating a workplace visit, OHSA has managed to meet its own target in 98% of occasions.

Year after year a slight increase in the number of requests for information by members of the public has been recorded, especially through the use of electronic mail with considerably more than a thousand being received during 2016. Invariably, the information requested was supplied by OHSA on the same day that it was received; other more complex requests, especially where they involved a workplace visit, were handled within a maximum of two days.

2 Organisation of campaigns

OHSA periodically organises campaigns which focus on a particular sector or on a specific activity which is associated with a high degree of risk. The objective of organising such campaigns can be either to disseminate information or to raise awareness about a hitherto unidentified hazard or risk, or to ascertain compliance with the relevant legislative requirements. Campaigns which are used to disseminate information or raise awareness are invariably followed, within a reasonable period of time, by another campaign to determine whether there has been actual compliance.

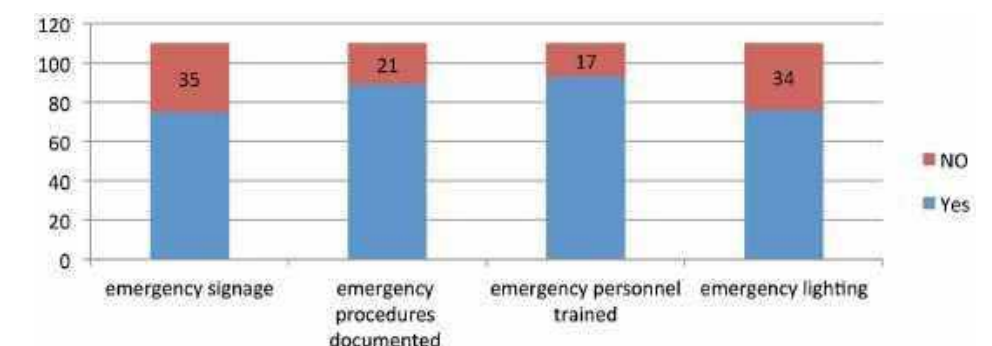
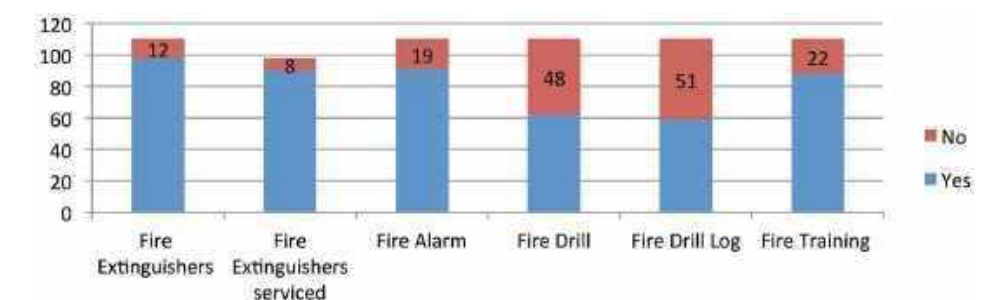
2.1 Insurance companies

OHSA continued with its inspection campaign targeting insurance companies, which was initiated the previous year. The main aim of this campaign was to ensure compliance with the minimum statutory health and safety requirements inside an office environment, and to promote the use of online interactive tools (similar to the OiRA tool developed by OHSA) amongst duty holders.

The campaign focused on risk assessments, pregnant workers and young persons who may have been working inside the offices, the appointment of workers' health and safety representatives, and preparedness for emergencies, first aid and fire.

110 office buildings were visited during the course of the campaign - just under a third of the companies visited employ between 10 and 49 employees, while just over 40% employ up to 4 employees. 38% of the companies visited had actually carried out a general risk assessment exercise and ensured the appointment of Workers' Health and Safety Representatives. In those companies where pregnant workers were present, only 25% of the companies had included specific references to pregnancy in their risk assessment. The vast majority of companies were found to be fulfilling their legal obligations regarding the safe use of visual display terminals, training requirements and the provision of supervision.

The tables below show the degree of compliance found within these companies with regards to other legal requirements concerning fire fighting and emergency preparedness.



At the end of the campaign, OHSA initiated enforcement action against all companies found in breach of the legislation.



2.2 Printing presses

OHSA organised another inspection campaign through which 50 printing presses were visited. During their visits, OHS Officers focused on the following - CE marking on the machinery in use, guarding of machinery, the safe use of chemicals (including the availability of Material Safety Data Sheets (MSDS), the labeling of chemical containers and the safe storage of chemicals, health surveillance and air monitoring, the carrying out of risk assessments and whether adequate signage had been put up at the place of work.

Whereas the majority of the printing companies visited employed less than 10 workers, there was a small number which employed young workers (under 18 years of age) and pregnant workers. A wide-ranging level of compliance with legal obligations was noted - 58% of companies were noted to have carried out a risk assessment, 45% had a workers' health and safety representative, while only 20% carried out fire drills as requested by law. On a worrying note, only 6 out of the 50 companies visited had machinery which conformed with all the relevant health and safety legislation, with the majority lacking adequate guards and other safety features (emergency stops and or electrical circuit breakers). Noise monitoring studies were carried out in around 25% of the companies visited, while only 2% organised health surveillance for the employees involved.

At the end of the campaign, official letters were sent to the establishments visited, outlining the shortcomings noted - follow-up inspections will be carried out during 2017 to ensure full compliance.

2.3 Soft stone quarries

An inspection campaign involving soft stone quarries in Malta was carried out between July and September 2016. A total of 77 inspections were carried out, involving 58 soft stone quarries.

Of the inspected quarries, 16 were found to be still operational, whilst no mineral extraction activity was noted in another 21 quarries. Similarly, 21 other quarries were found to be beyond extraction potential, as these have since been converted to fields or landfills.

The scope of the campaign was to ensure that quarry operators are abiding by statutory obligations to ensure the health and safety of their workforce. During the inspections, an initial interview was carried out with the employer, followed by a site inspection of the premises. OHS Officers verified compliance with a number of important statutory obligations including risk assessments, workers' health and safety representatives, personal protective equipment, certification of equipment, first aid arrangements as well as the adequacy of the work environment and of the welfare facilities.

Out of 16 operating quarries, 8 had a suitable, systematic and sufficient risk assessment (50% compliance). Only 1 of the inspected quarries had an accident record book. All the employers confirmed that they provide training and information to their workers - however no documented evidence was made available at the time of inspection. 14 quarry operators claimed to make regular maintenance on their mechanical plant,

and records were presented in 6 cases. 11 quarry operators similarly claimed to make regular maintenance on their electrical plant. Records were only made available by 1 quarry operator. Workers in 8 quarries claimed that they were sent for regular medical examinations; however no documented evidence was made available by the operators.

The majority of operators (13) had first aid equipment available. Only 6 quarries were equipped with a first aid room and only 3 quarries had a sufficient number of workers trained in the use of first aid equipment. In only two quarries, risks of falls from heights were noted, and OHS officers issued orders in terms of the law for immediate preventive measures to be taken. A suitable restroom was found available in 11 quarries. Clean toilets were found in 9 quarries. Employers provided a potable supply of water in 11 quarries.

It was noted that all workers interviewed were equipped with a suitable safety shoes and other personal protective equipment.

At the of the campaign, OHSA initiated enforcement action against all companies found in breach of the legislation.

2.4 Local council administration offices

During 2016 OHSA continued with its information campaign targeting local council offices in Gozo, following the campaign organized in Malta during 2015. As highlighted in last year's annual report local councils fall under the applicability of the OHS Authority Act, 2000 in view of the employer-employee relationship. Once all offices were visited, a letter was sent to every local council listing the shortcomings noted. Additionally a meeting with the Regional executive secretaries was held to explain and further highlight the findings of the inspection campaign.

OHS Officers verified compliance with a number of important statutory obligations such as risk assessments, workers' health and safety representatives, fire-fighting equipment and the organisation of fire / emergency drills, the provision and use of personal protective equipment, certification of lifting equipment, first aid arrangements and the safe use of work equipment especially visual display terminals.

2.5 The iGaming sector

OHSA also carried out an inspection campaign amongst all operators in the iGaming sector, involving 130 inspections of establishments. As with insurance companies, the main aim of this campaign was to ensure compliance with the minimum statutory health and safety requirements inside an office environment, and to promote the use of online interactive tools (similar to OiRA tool developed by OHSA) amongst dutyholders.

38% of the companies visited do not employ any workers since although registered in Malta, they operate from another country. Within the companies actually employing workers in Malta, a wide range of compliance was noted, with 42% actually having a documented risk assessment (of which only 29% having pregnant workers



including them in the risk assessment), and 50% having a workers' health and safety representative. Similar levels of compliance were noted regarding visual display terminal use. Workstation design and conformity with the legislation fared better since around 90 to 95% of the companies were found to be in compliance with their legal obligations in this regard. Other acceptable standards were noted with regards to lighting, ventilation, temperature and humidity, and general housekeeping. In 97.5% of all cases, the welfare facilities offered to workers were also adequate.

With regards to fire safety issues it was found that 87.5% of all inspected companies had a suitable number of fire extinguishers, although in the case of 9 companies, no servicing of the extinguishers had taken place. 24% of the inspected companies had no fire exit signage, 23% did not have emergency exits which could be easily opened from the inside, and 15% did not have an adequate fire alarm system installed. Only 54% of the inspected companies had appointed and trained emergency personnel, while 52% of the companies had documented emergency procedures. 74% had smoking restrictions in place, whereas only 49% had conducted fire drills. Regarding the provision of first aid, 92% of all companies had clean and orderly first aid boxes, with 90% having the contents of the first aid boxes meeting the legal requirements. 72.5% of all companies had trained and qualified first aiders.

Inspected businesses were verbally informed of the findings of the inspection and made aware of their legal obligations in safeguarding health and safety in their workplace. Letters informing each employer of the inspection findings were also sent in order to encourage them to ensure that they carry out the necessary improvements to render their workplaces safer. It is envisaged that a follow-up campaign will be carried out in 2017 to ensure that remedial action has been taken.

3 Notification of injuries and accident investigation

OHSA received 767 notifications from employers concerning injuries which result in a worker being incapacitated for work for more than three consecutive days or which resulted in the injured worker being hospitalised for more than 24 hours beyond the period for observation.

4 The construction sector

According to EU-OSHA's Factsheet 'Accident prevention in the construction sector', construction is the sector in the European associated with the highest risk of accidents, with more than 1300 people being killed in construction accidents every year. Worldwide, construction workers are three times more likely to be killed and twice as likely to be injured as workers in other occupations. Comparative sectoral statistics compiled by OHSA show that this sector, as in the rest of the European Union, is associated with the highest accident rate - however, this rate has been showing a downward trend for the past three years.

The problems encountered in this sector are not unique to Malta - construction activities are by their very nature temporary (the term used in the EU Directive is 'temporary and mobile construction sites'), the sector relies on low-skilled, migrant workers, while most contractors are often small and are involved in multiple construction projects at the same time. In view of the legal interpretation given to the term 'construction', many construction-related activities (which according to the interpretation given also include routine maintenance works) are carried out by part-time or unregistered workers (that is workers, who may or may not be legally registered employees or self-employed persons, but who have a different, registered occupation).

For this reason, the construction sector remains a focus of attention for OHSA. Throughout the year, OHS officials carry out a number of inspections, either in a proactive manner, or as a result of a complaint (usually from third parties). Almost all construction site inspections are routinely followed up by further inspections to ensure compliance with the law, and, or with any Order that may have been issued. Apart from carrying out strict enforcement action, OHS Officers also hold meetings with the duty holders in order to outline the shortcomings noted and ask for remedial measures to be taken.

Unfortunately OHSA also receives countless requests for assistance from the general public on matters which fall outside the applicability of the OHS Authority Act, including complaints concerning nuisance dust and noise and other inconveniences, damages to third party property; there has also been an increase in requests for intervention in matters of a civil nature (for example loss of earnings for a commercial enterprise resulting from nearby construction activities). Despite not falling under OHSA's remit, OHS Officers invariably inspect the sites which give rise to such complaints, so as to ascertain compliance with the relevant ohs legislation.

4.1 Construction notification forms

OHSA processed 1045 Construction Notification Forms received in accordance with Legal Notice 281 of 2004. Every form received results in site monitoring by OHS Officers. It should be stressed that visits by Officers are not limited to those sites covered by a notification form - that is those projects which require 500 man days or where there are more than 20 workers working on any particular site for more than 30 days.

5 Radiation protection

All regulatory activities in EU member states are based on the EURATOM Treaty. The Treaty is one of the founding Treaties of the European Union and was established in 1957. Two important aspects of the Treaty which are of greater relevance to Malta are the objective of guaranteeing high standards of safety for the public and workers and to ensure that nuclear material is not diverted from civil to military use.

All regulatory aspects of the EURATOM Treaty fall under the remit of the inter-ministerial Radiation Protection Board (RPB) set up by Legal Notice 44 of 2003. The work of the RPB is not limited to occupational radiation issues but also covers a vast range of other issues including: medical radiation exposure control; radiological emergency



preparedness; protection & monitoring of the environment and fulfilling Maltese obligations under the nuclear related treaties of the International Atomic Energy Agency.

OHSA is the lead entity in RPB, providing administrative support, and coordinating the activities of the constituent entities through the work of its Radiation Protection Section. Two formal RPB meetings were held during the 2016.

The focus of the work in the Radiation Protection Section in 2016 concerned the recommendations of the IAEA Integrated Regulatory Review Services (IRRS) which was performed in 2015. To this end following Cabinet approval a dedicated Act for Nuclear Safety and Radiation Protection has been prepared and preparatory work is at an advanced stage for regulations to fall under this Act. The regulations under preparation include regulations for the transposition of 2014/71/EURATOM Amendments to the Nuclear Safety Directive and 2013/59/EURATOM EU Basic Safety Standards.

The RPB coordinated the inspection conducted by the European Commission in connection with monitoring the environment for radioactivity (performed in connection with article 35-36 of the EURATOM Treaty) in March 2016. At the time of the inspection no major issues were identified; Malta is currently awaiting the official report from the Commission.

As part of Malta's on-going collaboration with the IAEA the RPB hosted an Interregional Workshop on the IAEA 'Code of Conduct and Guidance Implementation to Ensure Control of Radioactive Sources During International Transfers' in November. 39 overseas participants from 19 different countries attended this workshop as well as three international experts from the IAEA. Malta was represented at the workshop by representatives of the Radiation Protection Board and the Customs Department.

RPB submitted the national report for the Convention on Nuclear Safety ahead of the Seventh Review Meeting, to be held in March 2017 at the IAEA headquarters in Vienna.

OHSA's radiation protection section performed 75 inspections of medical, industrial, veterinarian and security screening facilities. Currently the national inventory of users of all sources of ionizing radiation, which is updated and maintained by RPB stands at 219 (this total remains unchanged since the last report).

6 Machinery, equipment, plant and installations

OHSA continued with its review of eight sets of existing regulations concerning the use of work equipment, with the aim of simplifying the legal requirements whilst removing unnecessary bureaucratic burdens on duty holders. This had to be achieved without reducing the level of health and safety protection in the use of work equipment. The work resulted in the revocation of six sets of regulations and the amendment of two others. This exercise was finalised ahead of schedule and following a period of public consultation, the approval of the OHSA Board and Cabinet, the new Work Equipment (Minimum Safety and Health Requirements) Regulations, Legal Notice 293 of 2016, were published in July 2016.

Work was also undertaken to transpose Directive 2013/35/EC of the European Parliament and of the Council into the Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Electromagnetic Fields) Regulations, Legal Notice 257 of 2016.

OHSA receives various examination reports concerning specific items of work equipment, which are vetted to ascertain that such items can be used safely. Following the procurement of the necessary equipment, the received reports are scanned and filed in digital format. This aims at reducing the amount of paper and toners used to print all the documents sent by email and the time to file them. Employers are now urged to send relative documents in digital format to further reduce the time required in scanning and filing.

The number of entries related to the various types of machinery and equipment in the database at the end of the year amounted to 7122. These were divided as follows: 3308 lifts, 893 cranes, 484 boilers, 1244 forklift trucks, and 1193 other equipment (e.g. car jacks, lifting platforms, hoists, cherry pickers etc). The total number of examination reports received at OHSA and subsequently vetted was 5898: 4229 lift reports, 287 for cranes, 108 for boilers, 494 for forklift trucks and 780 for other equipment.

Besides collaborating with other officers in construction and printing presses inspections, OHS Officers from this section also targeted engineering workshops, vehicle tail lifts and ship repair yards. The engineering workshops inspections highlighted mainly an issue of housekeeping, while the tail lifts inspections was conducted mainly to provide awareness for employers of the risks to their employees in using such equipment.

Throughout 2016 extensive work was carried out in collaboration with other authorities and consultants regarding the evaluation of the safety reports, safety management systems and internal emergency plans submitted by the operators at the Delimara Power Station. This involved frequent meetings with the operators and their consultants, review of documentations and discussions with the consultants engaged by the Control of Major Accident Hazards (COMAH) Competent Authority (CA) leading to the IPPC public hearing for the issue of the operational permit of the LNG storage and generation plant. As the lead authority in the COMAH CA, OHSA organised and conducted all inspections in the COMAH establishments as required by the regulations. In preparation for the inspections that will have to be carried out in this establishment in conformity with the COMAH regulations, two officers from MEPI, together with officers from MEPA and the CPD, attended training at the Health and Safety Executive in the UK.

Discussions were held with officials at Transport Malta regarding the Dock Safety Regulations to assess whether these regulations are still valid or whether they should be enacted under a different Act. OHSA also participated in meetings with other stakeholders organised by the MCCA to review the Inspection of Lifts Regulations.

7 Occupational health

Workers can suffer from physical and mental illness as a result of physical, chemical, biological, ergonomic and psychological hazards at the place of work. OHSA provides a regulatory, consultative and advisory service in this regard, and besides providing assistance to employers/employees, OHSA serves as a focal point on matters concerning workplace complaints on occupational or work-related illnesses. OHSA, acting through its own occupational physician evaluates the medical certificates which are submitted and liaises with company doctors, general practitioners and hospital consultants.

Whilst in terms of LN 36 of 2003, health surveillance should be carried out whenever a risk assessment reveals an identifiable disease or adverse health condition related to the work involved, and, or the likelihood that the disease or condition may occur under particular conditions of work, other regulations such as in the case of asbestos at work or lead, health surveillance is mandatory irrespective of the degree of exposure.

OHSA is represented on the Advisory Committee for Safety and Health at Work's Working Group on Occupational Diseases, which is currently discussing an update to the present EU list of occupational diseases. It is also represented in an expert group on diagnostic criteria of occupational diseases. The aim of this expert group is to simplify data collection of occupational diseases for statistical purposes. For this purposes experts representing member states have discussed ways of simplification and convergence of data collection of recognized occupational diseases. A short list of occupational diseases agreed by the majority of EU Member States, has been drawn up. This list will be the basis of an EU occupational diseases (ODs) pilot stage trial exercise which is now to be carried out by EUROSTAT and the European Occupational Diseases Statistics (EODS) group with the objective of testing the feasibility of ODs statistical data collection in the EU in a consistent and comparable manner. This and other measures such as the possibility of developing a software tool for medical professionals would ensure harmonization of data collection by EUROSTAT which is the EU official body for the collection of statistics from member states.

OHSA was also involved with the Department of Health in drafting the Occupational Health and Safety section of the National Cancer plan for the next 5 years.

Several initiatives have taken place over the years to encourage medical practitioners to report occupational diseases such as the setting up of an online reporting system but there has been very little participation in these initiatives. This failure of reporting can be attributed to various reasons amongst which one can mention the lack of incentives for doctors to report and the lack of awareness. There is also the lack of motivation on the part of an employee to report because of fear for his/her work and the lack of compensation. This situation has been further compounded by the fact that there is no legal obligation for medical practitioners to report occupational diseases.

OHSA has thus set up a Centre for the recognition of occupational diseases to encourage patients and employers to report occupational diseases. It should be emphasized that occupational diseases are indicators of lack of control of hazards and therefore reporting such occupational diseases should lead to improvement of health and safety standards.

The role of the centre for the recognition of occupational diseases is to act as a focal point for the compiling of statistics on occupational diseases, to act as a centre

where employees who suspect an occupational disease can self-refer or be referred by employers or medical doctors, and to coordinate and communicate with employers and health and safety personnel on how to control exposure to the hazards causing the occupational diseases.

7.1 Health Surveillance

Health surveillance is a process involving a range of strategies and methods for the systematic detection and assessment of the early signs of adverse effects on the health of workers exposed to certain health hazards - in other words, health surveillance means watching out for early signs of work-related ill health in employees exposed to certain health risks. It is an important tool, and when used as part of an appropriate risk assessment process, serves to determine the adequacy of preventive and protective measures, or to indicate the need for new ones.

OHSA continuously provides advice to duty holders of when and how health surveillance is to be carried out. In particular, OHSA has become a point of reference for medical practitioners, who often seek advice on the examination parameters indicated to be used in the case of specific exposures.

7.2 Notification of industrial diseases

The notification of all industrial diseases is important not just from a statistical point of view, but would be of assistance to the Authority to identify areas where greater intervention is required. Having worked with the Department of Social Security in developing a single form which can be used to file a claim for a benefit under the Social Security Act, as well as to notify the Authority of the occurrence or suspected occurrence of a disease that has been caused by work, OHSA continued with its ongoing drive to increase the notification rate for such occurrences. This information would be of great assistance to OHSA in its task of identifying uncontrolled risks at different places of work. The most severe cases are investigated by OHSA and steps are taken to ensure compliance by whosoever has such a duty in terms of the law. This is of benefit to the workers concerned, not only to avoid recurrence of any similar occurrence, but also to reduce the risks to other workers. This ultimately also reduces the burden on the social security system and society in general.

Unfortunately, there still remains a problem with regards to the notification of occupational diseases, which remain largely not notified to OHSA, while no claim for benefits arising out of the Social Security Act is made with the Department for Social Security (DSS). Despite the various initiatives already taken in this regard by OHSA, few notifications are sent - in fact the numbers are so low that they cannot even be used for statistical analysis to estimate the real prevalence of occupational diseases in Malta.

The challenges of occupational diseases to workplaces are not restricted to Malta, as other Member States have reported similar positions. In fact, the European Commission has also included measures to address this trend through the recently published EU Strategic Framework for OHS 2014 - 2020.

8 Work related accidents - statistical trends

Statistics about work related accidents, including injuries, fatalities and ill-health remain an important tool to assess the current state of occupational health and safety especially the effectiveness of current measures. Locally, these statistics are obtained from various Government entities including the Occupational Health and Safety Authority, the National Statistics Office as well as the Department for Social Security.

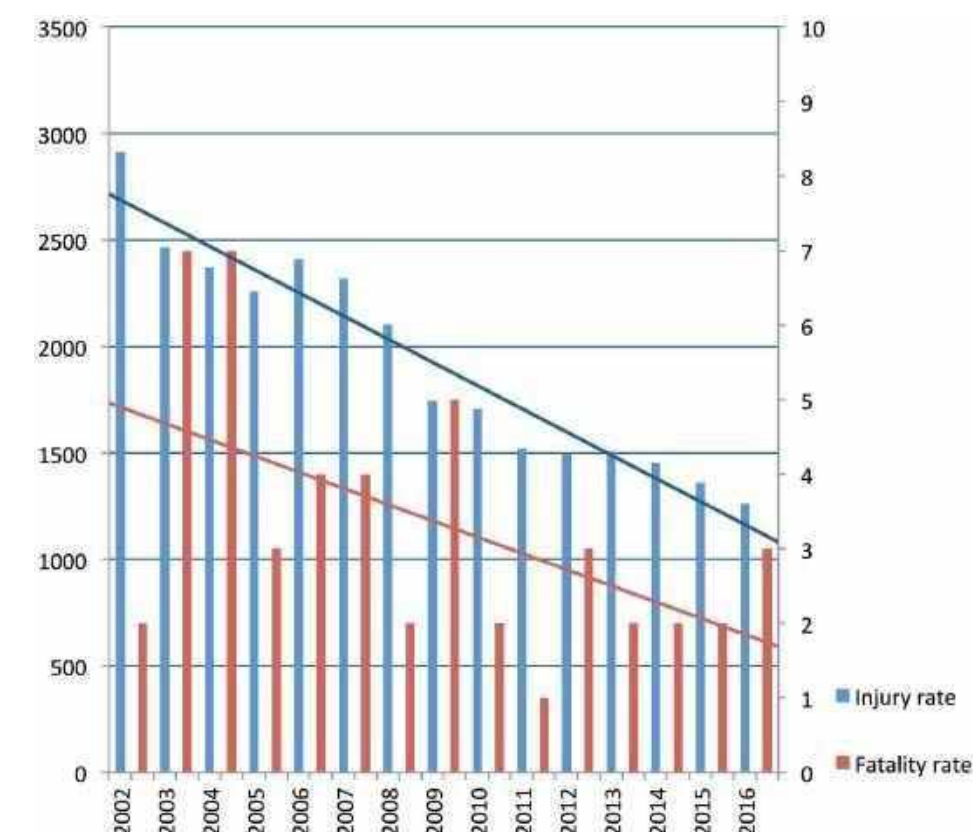
The downward trends in both the number and more significantly, the rate of industrial injuries (for which a claim for a benefit under the Social Security Act has been filed), remain evident. The figures regarding injuries at work refer to gross data published by the National Statistics Office, from data provided to them by the Department of Social Security. These figures are revised by NSO during the following year to take account of double entries and claims which are shown to be not related to any work activity - the correct, revised number of claims for injury benefits for 2016 will be included in OHSA's 2017 activity report.

The following table shows a comparative overview of the basic statistical trends over the past years. The table has been reviewed extensively to include part-time workers (whose part-time job is the main source of income) within the gainfully occupied population.

	Gainfully occupied (Full time and part time) ¹	Injuries at work	Injuries per 100,000 workers	Fatalities at work	Fatalities per 100,000 workers
2002	169,511	4,936	2912	4	2
2003	170,792	4208	2464	12	7
2004	173,379	4,111	2371	12	7
2005	177,103	4,002	2260	6	3
2006	181,314	4,366	2408	7	4
2007	186,741	4,328	2318	7	4
2008	191,506	4,023	2101	3	2
2009	192,842	3,366	1745	9	5
2010	194,194	3,314	1707	4	2
2011	198,857	3,024	1521	1	1
2012	204,327	3057	1496	6	3
2013	210,656	3176	1508	4	2
2014	219,644	3195	1455	4	2
2015	229,225	3112	1358	5	2
2016	240,154 ⁽⁴⁾	3028	1261	7	3

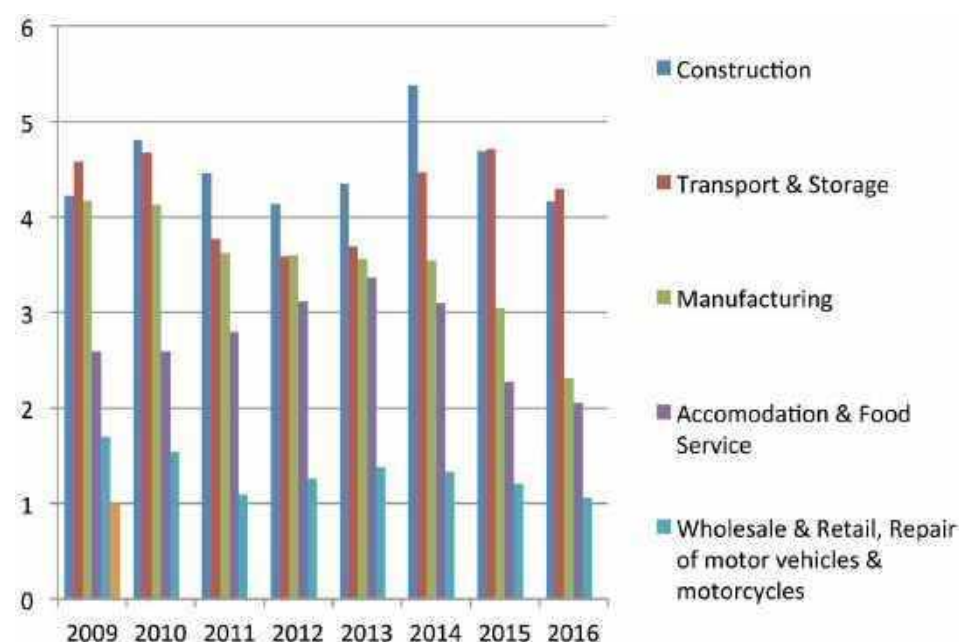
⁽¹⁾Source: NSO, ⁽²⁾Source: DSS / NSO, ⁽³⁾Source: OHSA, ⁽⁴⁾Based on data available at time of writing.

The following diagram shows in a pictorial manner how both injury rates and the numbers of annual occupational fatalities have been showing a persistent downward trend since 2002, OHSA's first full year of operations. As predicted in previous reports, there is evidence of levelling of the relevant statistics onto a plateau - once this situation is reached, it will be extremely difficult to start obtaining further decreases in rates, which would be only be possible through the use of substantially more resources.



During the period January 2016 - December 2016, 7 fatal accidents at work were recorded, all of which were the subject of a magisterial inquiry while an OHSA investigation was carried out in terms of article 9 (2) (j) of the Act.

Sectoral rates (per 100,000 employees) were obtained through an analysis of the number of injuries occurring in each of these sectors, which was then divided by the number of workers in the same sector (based on the Data for Gainfully Occupied published periodically by the NSO).



Whereas the construction sector remained associated with the highest injury rates, it is encouraging to point out that these rates have been in decline over the past three years.

9 Administrative fines

As of February 2012, OHSA has been applying a system whereby persons found in breach of the law are informed of their legal failings and a fine imposed according to the Schedule of fines established by Legal Notice 36 of 2012 (the Occupational Health and Safety (Payment of Fines) Regulations) - in the case of an admission of guilt and payment of the fine, no judicial proceedings are initiated by the Authority.

During 2016, 361 letters of intimation were issued by OHSA with a total value of €152,000 being imposed, out of which €112,500 were collected. It may be opportune to mention that the regulations allow staggered payments, so that the total fine is collected by OHSA over a longer period of time.

Where payments are not effected, even for the reason that the intimated person wishes to appeal before the Courts, the regulations require judicial action.

During 2016, only two Court sittings were appointed, as opposed to three from the previous year, hampering OHSA's efforts to recuperate the applicable fines.

10 Prosecutions conducted by OHSA

Judicial prosecutions continue to be carried out by the Authority mainly before the Court of Criminal Judicature. Following the increase in competence of the courts of Magistrates, offences under both the Criminal Code as well as others under the OHSA Act, are heard before the Courts of Magistrates without the need of the Attorney General's consent. During 2016 OHSA prosecuted in a number of cases, including a number of pending criminal cases which had already been appointed, as well as in a number of cases appointed before the Courts of Magistrates - currently there are 32 pending cases. In addition, OHS Officers have been summoned to testify in cases before the civil courts. In respect of civil cases the OHSA has not only been called to testify in a number of cases but was itself also involved in a number of civil suits filed against a number of government agencies. These suits were filed both before the Civil court as well as the Constitutional Court, by persons who are suffering from Asbestos related diseases or have in fact succumbed to such illnesses and the heirs have take the case to court. Cases in these instances take a considerable time and so far in all cases OHSA has been relieved from any responsibility since the exposure occurred decades before the Authority was established.

11 DSS investigations

As in previous years a number of claims for benefits according to the Social Security Act, were referred to OHSA for its investigation, in accordance with a memorandum of understanding signed by the Department of Social Security and OHSA. The latter has the task of investigating the alleged injury to determine whether the injury was truly work related, and, or to determine negligence. These referred claims are investigated by OHS Officers, who interview both the injured party as well as the employer, and draw up a comprehensive report which is sent to the Department of Social Security. This year a total of 7 cases were referred to OHSA. In addition OHSA has also been called to testify before the Department's Appeal Tribunal in cases where an appeal had been lodged by the aggrieved person.

12 MicroInvest: Tax Credits for Micro Enterprises and the Self Employed

During the reference period, Malta Enterprise continued to run its MicroInvest scheme which is aimed at encouraging micro enterprises and self employed persons to invest in their business, to innovate, expand, and implement regulatory compliance and/or to develop their operations. Through this scheme, micro-enterprises and self-employed persons are being supported through a tax credit and applications for support under this scheme have to cover investment that would be capitalized and entered in the Fixed Assets Register, which has to be maintained by applicants as part of the conditions of this scheme.

MicroInvest support by Malta Enterprise covers investments undertaken in various areas, details on which may be found in the Malta Enterprise website.³ Malta Enterprise has announced that this incentive will run up to the 31st December 2020.

³ <http://www.maltaenterprise.com/en/support/microinvest>



13 Asbestos in workplaces

Since the introduction of specific regulations intended to protect workers from the risks related to exposure to asbestos at work, documentation for projects concerning the removal of asbestos or asbestos-containing materials has been submitted through the asbestos notification procedure as administered by OHSA in conformity with Regulation 4 of the Protection of Workers from the Risks related to Exposure to Asbestos at Work Regulations - Legal Notice 323 of 2006. When the duty to notify OHSA is not applicable to an asbestos removal project e.g. where worker exposure is sporadic and of low intensity, and if the results of the risk assessment show that the exposure limit for asbestos will not be exceeded, then an employer is only required to submit to OHSA a plan of work (as per requirements of Regulation 11).

In total, documentation relating to thirty notifiable asbestos-removal projects was submitted during 2016 (an increase of sixteen notifications over those received in 2015). These projects involved the handling of various forms of asbestos containing materials such as corrugated asbestos cement, drain pipes, asbestos containing soffit tiles, asbestos containing sprayed coatings and asbestos containing lagging, covering works at disused industrial premises, factories, public buildings and historical sites.

OHSA started work on developing a technical guidance document outlining the legal responsibilities as well as the technical measures which are required to be in place when handling asbestos or asbestos-containing material.

14 Technical Committee - Standard on Combat Sports - Ring Sports (minors)

Throughout the year OHSA continued with its participation in a Technical Committee set up by the Malta Competition and Consumer Affairs Authority tasked with developing a national standard intended to protect children up to 14 years of age. The scope of this standard is to outline the requirements of a system for the management of the safety of minors who practice combat sports (including boxing and martial arts) in a ring during training or competition.

This standard focuses on coaching and competition/exhibition-staging facilities and the operation thereof. OHSA is providing an input on various technical issues, including the planning, design, layout and development of play areas, their management and inspection and maintenance procedures, together with procedures for first aid and emergencies and for reporting injuries. This Technical Committee was initially suggested by the Commissioner for Children and set up by the Standards and Metrology Institute of the Malta Competition and Consumer Affairs Authority. It is anticipated that this standard will be issued for public consultation in early January 2017.

15 LifeMedGreenRoof Project

OHSA also participated in a Technical Committee tasked with developing a GreenRoof standard for Malta. This standard is being developed as part of the deliverable actions of the LifeMedGreenRoof Project, a project partially funded through LIFE+, with is the EU's financial instrument supporting environmental and nature conservation projects throughout the EU. The partners in this project, apart from OHSA, are the University of Malta, the Malta Competition and Consumer Affairs Authority, MACLAB (an Italian agricultural and research laboratory located in Lombardy) and Fondazione Monaprio (a non-profit research and educational corporation located in Lombardy).

The aim of the standard is to set out the basic principles and requirements which apply in general terms to the planning, construction and maintenance of green roofs. OHSA is providing an input on various technical issues from an OHS legal point of view. Amongst the issues being discussed, one can mention the planning and design of green roofs, their management and maintenance procedures, where these involve work as defined by Act XXVII/2000. This Technical Committee is being chaired by the Malta Competition and Consumer Affairs Authority. Prior to its finalization and adoption, this standard will be issued for public consultation.



C Legislative Reform

The legislative framework for the promotion and protection of occupational health and safety is continuously evolving and reflects emerging trends, risks and technological innovation. Since Malta's accession to the European Union, the Authority has continued the exercise of harmonization of all new occupational health and safety legislation, while at the same time reviewing existing legislation to ensure that there are no regulatory gaps, and to identify any conflicting or burdensome legislation, with the scope of simplifying it.

1 Amendments to work equipment regulations

The Work Equipment (Minimum Health and Safety Requirements) Regulations (Legal notice 282 of 2004) were not the only local regulation concerning the use of work equipment as various others were issued along the years, some of which as far back as 1949 (the woodworking regulations). In total there were eight legal notices which referred to the use of work equipment in the workplace, either in their entirety or partially. This was always felt as too cumbersome for employers and other dutyholders to follow as one had to go through a number of regulations to establish the legal requirements of a company, especially if some of the regulations or provisions were no longer applicable following the publication of Legal Notice 282 of 2004.

OHSA embarked on an exercise of review so as to be in a position to suggest amendments to all the legal notices pertaining to work equipment, with the overall scope of repealing old regulations that are no longer applicable and relevant, ensuring that the minimum number of regulations concerning work equipment are in force, removing from the regulations unnecessary bureaucratic burdens whilst consolidating occupational health and safety regulations dealing with work equipment.

This exercise resulted in the repeal of the following regulations: (i) S.L. 424.01 - The Work Places (Woodworking Machinery) Regulations, 1949 (LN 787 / 1949); (ii) S.L. 424.04 - The Work Places (Superintendence and Control of Plant) Regulations, 1954 (LN 340 / 1954); (iii) S.L. 424.05 - The Work Places (Hoists and Lifts) Regulations, 1964 (LN 47 / 1964); (iv) S.L. 424.07 - The Steam and Hot Water Boilers Regulations, 1976 (LN 34 / 1976); (v) S.L. 424.08 - The Power Presses Regulations, 1984 (LN 25 / 1984); and (vi) S.L. 424.30 - The Work Equipment (Minimum Health and Safety Requirements) Regulations, 2004 (LN 282 / 2004).

OHSA also prepared amendments to the following regulations: S.L. 424.09 - The Work Places (Health, Safety and Welfare) Regulations, 1986 (LN 52 / 1986); and S.L. 424.15 - The Work Place (Minimum Health and Safety Requirements) Regulations, 2002 (LN 44 / 2002).

At the end of this process and following consultation with interested stakeholders, the Work Equipment (Minimum Safety and Health Requirements) Regulations, 2016, Legal Notice 293 of 2016 were published in September.

2 Improving legislation without reducing standards

Being a complex industry as both the workplace and the workforce are non-static, the construction industry presents various challenges for the improvement of workplace health and safety. Over the years, however, significant progress has been made in improving the construction industry's OHS standards. Building healthier and safer workplaces requires constant effort and continual improvement both on a practical and legal level. To this end, OHSA commenced a review of the legislative framework of OHS pertaining to the construction industry.

The review's central objective is to raise both the quality and the effectiveness of the Maltese construction OHS legislative framework without reducing protection afforded by the same legislation. The review seeks to build on the strengths of the present regulatory system which is mainly based on EU directives. The review exercise identified a number of duplicate, sometimes conflicting, provisions, which need to be repealed. OHSA has prepared draft regulations which, amongst other actions, add legal interpretations to a number of terms, while the provisions dealing with the duties of the project supervisor are being addressed in a systematic manner.

OHSA strongly believes that through a process of continuous improvement, the objectives of legislation can be reached in a more effective and efficient way.

3 MEPA reform

During the reference year, OHSA participated in the MEPA reform which came into effect last year. During these discussions, OHSA stressed that one of the leading principles of this reform had to be the reduction of bureaucratic burdens on applicants as well as on the Government entities acting as consultees with MEPA. A number of proposals on this regard were also put forward by OHSA, including a change to the planning e-application system and commencement notice procedure. Following the conclusion of the reform and the embarkation of a new planning application system, the reduction of bureaucratic burdens, especially on Government entities as proposed by OHSA is yet to materialise.



D Consolidating the Authority's resources

The Authority continued working on the development of professional competence for its technical staff, who all continued to receive training, and kept abreast of all legislative and technical developments in this field. The support members of staff also received appropriate training. OHSa recognizes the need to have technical people who are competent in a generalist way to act as OHS Officers, as well as others trained to a high degree of specialisation in specific areas (e.g. ionising and optical radiation protection, the implementation of the Seveso II Directives and the safety of chemical and biological agents).

Furthermore, the Authority continued to operate a Human Resource Management System which when implemented in its entirety is expected to better service emerging HR requirements, in particular implementation of family friendly and other measures.

During the period under consideration, a tender for the lease of low emission service vehicles awarded in the third quarter of 2015, underwent a change in supplier following serious breaches of contract by the original winning contractor. Work is now in an advanced stage for the publication of a call for tender for the provision of accountancy services to replace another call which was to be cancelled as the offers were not technically compliant. The Department of Contracts assisted in the preparatory stages leading to the issue of both tenders.

1 Staff development

A number of OHSa employees attended conferences and seminars organised locally and overseas covering a wide range of OHS areas, including occupational diseases, the prevention of industrial accidents, as well as well-being at work. Other events included participation by specialised personnel in High level EU Scenario-based exercise on Nuclear Security and training in LNG inspections.

Continuous development for all its members of staff remains a priority. This entails the organisation of regular information sessions held at OHSa premises where topics of interests are discussed. During 2016 the subject areas covered included the use of Automated External Defibrillator (AED), OHSa technical operations and updates on legislation covering safe use of work equipment. All members of staff received ICT & electronic file-share training and were exposed to basics of media communication.

Staff development encompasses a life-long learning strategy which OHSa implements so that while continuing educating and training the public, its officers and support staff continue to develop further their knowledge and skills on various aspects in the domain of occupational health and safety and management. OHSa encourages further self development by part-sponsoring tuition fees where this is found to enhance the staff member's skills and abilities in line with the holder's job description. In fact, during 2016, a number of employees continued to benefit from the award of such a qualification allowance whilst two others have been awarded a part-sponsorship to pursue further studies in OHS.

1.1 Media training

All staff at OHSa underwent media training as part of EU-OSHA's Awareness Raising and Promotion Package. This was done on 2 separate days with an introduction to the importance of effective inter-personal skills and how to communicate effectively. On a separate day, more in-depth training was given on how to handle the media and how to conduct interviews. This training was carried out by the EU-OSHA's contractor in Malta.

2 Recruitment

As at 31st December 2016, the total human resource complement stood at 35 employees - this amount includes 2 personnel seconded from Engineering Resources Ltd (ERL), one person on loan from Resource Support & Services Ltd (RSS-IPSL) and two others, attached to the Office of the Chairperson. The work force may be categorised as twenty one persons in professional and technical grades, nine others engaged in administration and support, three persons constitute senior management and two other persons, engaged as persons of trust to the Office of the Chair.

During the period under review, OHSa did not experience any staff turnover but managed to strengthen its HR complement with a number of technical and support staff. A health and safety officer and an Electrical Engineer were taken on board through secondment by ERL. A clerk filled a long standing vacancy and will partially alleviate the vacuum created by serving female members of staff who availed themselves over the years from family friendly measures, whilst two recruits were engaged at OHS Officer I grade. The process for recruitment of two OHS Officers and to eventually replace a Mechanical Engineer who shall be reaching retirement age was initiated during Q4/2016. OHSa benefited from the paid deployment of 2 participants from the MITA's Student Placement Programmes. The two students worked on a proposal to upgrade OHSa's website and also forwarded useful suggestions on OHSa's Management Information System. Implementation of family-friendly measures, tough as they might be to implement considering the size and composition of the organization, consisted amongst others of staff benefitting from reduced hours, urgent leave, flexitime and bereavement leave. There were also a number of instances where a member of staff was released to attend to ante-natalexaminations.

3 Internal industrial relations

Team work, flexibility and healthy industrial relations within the Authority have always helped to ensure that a number of strategic objectives be reached, while others are close to being achieved. In anticipation of the agreement's expiry, preparatory work was carried out jointly with the Industrial Relations Unit (IRU) within the People and Standards Division at OPM. Following last year's, change in union recognition, an introductory meeting was held with the General Workers' Union in the presence of officials of the IRU. The PACBU salary structure received in July 2015 to cater for Senior Managerial grades is also up for renewal.



4 ICT infrastructure

Considerable improvement in terms of administration, data storage and infrastructure continued during the period under review. During the final quarter of a programme to gradually replace a number of aging workstations has been initiated and the telephone system's CPU procured in 2004 was upgraded with the latest release. This will also enable better capacity to cater for growing staff complement. File sharing and continuous enhancements to protocol and templates used, has enabled easier access to documentation in most technical and support areas. These developments continue to provide for an adequate, systematic and secure backup of OHSA's data.

5 Use of premises

The Authority tries to maximize the use of its premises - apart from welcoming participants at courses organised by OHSA, the premises are regularly visited by a large number of visitors, including young persons seeking information and data for research purposes and well as advice. It may be pointed out that besides being the operational base for all OHSA staff; these premises house the offices for the Radiation Protection Board as well as the National Focal Point for the European Agency for Safety and Health at Work. Meetings of the COMAH Competent Authority are also held at the OHSA's premises.

Considering the nature of its operations, particularly the regulatory aspect, OHSA maintained the security levels at its premises during and after office hours. Following a risk assessment update, the cash point structure at Reception has been moved to a more secure location and should be fully operational by Q1/2017. This was also in response to shield employees from any form of abuse. *Ad hoc* emergency evacuation drills are conducted periodically to maintain a state of readiness in emergency situations.

6 Equal opportunities and gender mainstreaming

The Occupational Health & Safety Authority recognises the changes taking place in society, in particular the increasing female presence and participation, and of persons with special needs in gainful employment. OHSA strives to effectively include gender mainstreaming and equal opportunities in its employment policies and activities as OHS regulator. OHSA attempts to combat gender segregation by discarding the 'gender neutral approach' where possible and including the gender dimension (and other non-discrimination grounds) into risk evaluation and prevention measures so as to account for specific characteristics of women and other vulnerable groups in terms of workplace health and safety. In furtherance of its equal opportunities policy, the engagement of a person with mild disability was implemented well before this was mandatory. This same approach is mirrored in policies such as its own Collective Agreement, Standard Operating Procedures and periodic Memos. OHSA kept up regular maintenance throughout its premises in order to mitigate the difficulties and open access to those with special needs. It keeps abreast of developments in psychosocial and disability issues at the workplace.

This is mainly carried out by dissemination of information through awareness raising initiatives which include the organisation of lectures, participation in local conferences and sectoral fora, television and radio programmes, the issue of media releases and networking with private and public bodies and NGO's.

During the period under review, the OHSA had a staff complement of 35, of whom 8 (23%) were female. Registration procedures and feedback toolkits used by delegates for OHS awareness raising events enabled the compilation of gender disaggregated statistics and a better understanding of expectations.

As in previous years, the Authority's focal point for equal opportunities participated as necessary in activities organized by the National Commission for the Promotion of Gender Equality (NCPE) and the *Kummissjoni Nazzjonali Persuni b'Diżabilita'* (KNPD). Five of eight female personnel at OHSA are benefiting from Family Friendly Measures - parental leave, flexitime and reduced hours.



E External relations

Many new initiatives and advances occur at an international level and OHSa is ensuring that through its active participation and membership of various entities, the issues and concerns of Malta are voiced. Moreover, good practice and expertise that might be relevant to the island are also taken on board.

Over the past year, OHSa has participated in the ongoing discussions surrounding the launch of the European Union Community Strategy for Occupational Safety and Health, 2013-2020. This new strategy replaces that for the period 2007 - 2012.

1 The Presidency of the Council of the European Union

One of the priorities identified by the Maltese Presidency concerns the protection of workers. The presidency term provides a unique opportunity for Malta to promote the importance of having healthier and safer workplaces. The Member State having the presidency exerts substantial influence on the content of decision outcomes. At the same time, it also constitutes a challenge of taking constructive responsibility for the common good of Member States without suppressing the national interests. This is due to the fact that the Presidency's main task is to achieve decision outcomes on important dossiers.

OHSa has been actively involved in the preparatory work on the development and implementation of the priorities of Malta's presidency of the EU Council. Various members of OHSa have participated in a number of meetings and conferences both locally and abroad in view of the Presidency events.

2 OHS Presidency events

OHSa will also be organising two important events. The first event concerns an Occupational Health and Safety Tripartite Conference which will address the health and safety of vulnerable workers. The conference will be held on the 26th and 27th April 2017 and will also incorporate the European Agency for Safety and Health at Work - Healthy Workplaces Good Practice Ceremony 2017. The conference will seek to promote and raise awareness on the importance of having specific preventive and protective measures at the place of work addressing vulnerable workers. The link between the working conditions and the vulnerability of these workers cannot be underestimated and necessitates the need to promote the importance of having specific policies, strategies and programmes addressing the challenges which arise. The conference will address among others, young workers, older workers, pregnant workers, foreign workers, migrant workers, temporary workers, self-employed persons, situations involving discriminatory attitudes and forms of contractual arrangements which undermine the protection of the health and safety of workers.

The conference will also explore the role and involvement of Trade Unions and Employers in improving working conditions and enhancing social dialogue in OHS. Social dialogue plays an important role in achieving healthier and safer workplaces.

The Good Practice Awards Ceremony will be organised in collaboration with the European Agency for Safety and Health at Work (EU-OSHA). The Ceremony will highlight leading examples of organisations which are actively managing health and safety at work in the context of an ageing workforce. The Ceremony emanates from the 2016- 2017 Healthy Workplaces for All Ages campaign which is carried out on a 2-year basis.

The second event consists of the 72nd Plenary Meeting of the Senior Labour Inspectors Committee (SLIC) and Thematic Day which will be held on the 8th and 9th June 2017. The Thematic Day will address the health and safety of Labour Inspectors. Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the health and safety of workers at work, lays down a general duty on employers to ensure the health and safety of workers in all economic sectors, irrespective of whether such workers are employed within the private or public sector.

The general duty of care incorporates within itself two important duties - the duties to provide a safe place of work and a safe system of work. When taking into account the nature of Labour Inspectors' tasks, the duties to provide a safe place of work and a safe system of work prove to be quite challenging. This is due to the fact that Labour Inspectors face a multitude of occupational risks and challenges which may not be present in other occupations. The type of risks Labour Inspectors face depends on the nature of the place of work and the tasks involved. Risks may include among others, falls from heights, falling objects, violence, bullying, exposure to physical agents, psychosocial risks and stress. Besides the traditional risks that may be present during their course of work, Labour Inspectors also face various challenges which may hinder their work and subsequently the effectiveness of enforcement. Challenges may include among others, lack of resources, inadequate resourcing and lack of support. These risks and challenges have been experienced throughout Europe.

Effective and efficient labour inspections are considered to be an essential element in improving the level of health and safety standards in Member States. The Thematic Day will bring together various experts, academics and practitioners from a wide range of disciplines, and will be looking into the risks and challenges faced by Labour Inspectors during their course of work. The aim is to identify the necessary preventive and protective measures so as to strengthen the protection of Labour Inspectors and improve the efficiency of enforcement regime.

3 Senior Labour Inspectors Committee

The Committee of Senior Labour Inspectors (SLIC) set up by Commission Decision of the 12 July 1995 (95/319/EC), is a forum for discussion between the European Commission and the representatives of the Member States' national authorities who are, amongst other things, responsible for monitoring the enforcement of secondary Community law on OHS matters and who are consequently in direct contact with the businesses affected by it. The Committee provides the Commission with a channel for receiving information about any problems relating to the enforcement of secondary Community law. It is also a forum for the national authorities to compare experience of the structure, methods and instruments of labour inspection. OHSa recognizes the benefits that can accrue from making full use of membership of this group, and participates actively in all meetings, including plenaries, a number of Working Groups, participation in the various SLIC Inspection Campaigns and in the exchange of Labour Inspectors' initiative.



Two thematic days took place in 2016 under the auspices of the Netherlands and Slovak Presidencies. The Thematic Day held in Amsterdam (Netherlands), dealt with the prevention and control of exposure to dangerous substances. The Slovak Thematic Day (Kosice) dealt with issues relating to an ageing workforce in the light of changes to the labour market, together with the anticipated role of labour inspection.

3.1 SLIC evaluation of OHSA

The Occupational Health and Safety Authority (OHSA) was commended following an evaluation exercise conducted on behalf of the European Commission by representatives of the Senior Labour Inspectors Committee (SLIC) which was held in October. The 8-person evaluation team was headed by Finland and included members from Estonia, Portugal, Italy, Greece, Cyprus and Lithuania. The evaluation mission included meetings with other stakeholders in Malta. During their 5 day evaluation, the team analysed OHSA's policies and operations, written and practical procedures and accompanied OHS Officers during their mundane inspections to evaluate the way workplace inspections are carried out. In its report, the evaluation group recognising the hard work, the professionalism of the members of staff and their motivation, as well as noting the wide range of activities carried out by OHSA. In fact, the report makes a number of references to how much is being achieved by such a small organisation (which in the report is described as "small but organised in an appropriate way and is well functioning").

The Evaluation Group also noted that OHSA's resources (financial, human and technical support) are out of proportion to the duties and functions assigned to OHSA. The report noted that the safety culture is promoted well in Maltese society, has developed in a positive direction and that OHSA is committed to this promotion mission and has had an important role in this development. The report said that the social partners in Malta understand the importance of OHS issues. The evaluators noted that OHSA had taken plenty of communication initiatives and has excellent cooperation with different stakeholders in Malta. They regretted that certain media in Malta seemed to pay more attention to negative news rather than promoting positive actions and the benefits of having high levels OHS in place. The legislation was deemed comprehensive and in compliance with the EU legislation and SLIC common principles. The report noted that the strategy and annual rolling plan of OHSA are comprehensive and fulfill the requirements of the EU strategic framework of health and safety at work 2014-2020 and the SLIC common principles for labour inspection. The enforcement procedures were also described as well defined and the inspectors described as competent, while they carry out inspections professionally. The evaluators noted that OHSA is active in international affairs and benefits from an exchange of experience on the international level.

The report also looked at the progress achieved since the last evaluation in 2009. Overall, the major conclusion was that progress has been registered on all fronts, but although OHSA's resources have been increased slightly, there remains room for improvement. The evaluators also made a number of recommendations with the more important ones concerning the need for an integrated IT system, better resourcing for OHSA, and the need to make public all OHSA's enforcement procedures (including extracts of its technical operations manual). The final report will be formally passed on to the Senior Labour Inspectors Committee and the European Commission during 2017.

3.2 SLIC labour inspector exchange

During 2016 OHSA participated in an exchange programme with Ireland involving two OHS Officers from OHSA who visited the Irish Health and Safety Authority to acquire hands on experience of Ireland's methodological ways in inspecting small and medium construction projects. The visiting OHS officers will now be conveying their experiences to other colleagues for an even more efficient method of carrying out inspections locally.

3.3 Labour inspection network and information exchange system (KSS)

Last year OHSA participated in SLIC's information exchange network between Member States. 2 members of OHSA participated in a training workshop held during September in Luxembourg, which was attended by the Member States' respective KSS coordinators. The Knowledge Sharing Site (KSS) is currently being used by the EU 28 and 3 other EFTA countries and is part of the CIRCA (Communication & Information Resource Centre Administrator) extranet tool. It enables Member States to confidentially share documents, exchange information and also to participate in discussion forums on selected topics.

4 European Agency for Safety and Health at Work

The Agency is a tripartite European Union organisation and brings together representatives from three key decision-making groups in each of the EU's Member States - governments, employers and workers' organisations. The Administrative Board sets the Agency's goals and strategy, including the identification of priority OSH issues where further information or activity is required, it appoints the Director, adopts the Work Programme, the Annual Report and the Agency's budget, and authorises the Director to administer the budget. Malta has 3 full members on the Agency's Administrative Board, which Board is made up of representatives of the respective governments, employers and workers from EU Member States, representatives of the European Commission and other observers.

The Agency's principal safety and health information network is made up of a 'Focal Point' in each EU Member State, in the four EFTA countries and in the Candidate countries. This network is an integral part of the Agency's organisation and Focal Points are nominated by each government as the Agency's official representative in that country and are normally the competent national authority for safety and health at work. In the case of Malta, the Authority is the Focal Point of the Agency and a national information network was also set up locally to ensure that the views of all stakeholders are represented during Focal Point meetings. Members of this network include government department and entities, trade unions, employers associations and various NGOs.

The Agency also has a number of expert groups to which national experts are nominated on specific subjects according to their competence. Such groups include internet, education and agriculture amongst others.



The Authority endeavours to participate as much as possible, within the constraints of its available time and resources, in all initiatives launched by the European Agency.

5 Advisory Committee for Safety and Health at Work

The Advisory Committee for Safety and Health at Work has been established by means of a Council Decision with the task of assisting the Commission in the preparation, implementation and evaluation of activities in the fields of safety and health at work. Specifically, the Committee shall conduct, on the basis of the information available to it, exchanges of views and experience regarding existing or planned regulations, help to devise a common approach to problems in the fields of safety and health at work, and to identify Community priorities as well as the measures necessary for implementing them. More importantly, the Advisory Committee has the important task of drawing the Commission's attention to areas in which there is an apparent need for new knowledge and for suitable training and research measures, and to express opinions on the annual programme and the rotating four-year programme of the European Agency for Safety and Health at Work. In fulfilling its functions, the Advisory Committee cooperates with the other Committees which are competent for health and safety at work. This Committee is tripartite and the Authority has participated actively not only in the plenary sessions of the Committee, but also in the Governments' Interest Group meetings.

6 International Atomic Energy Agency/European Commission (radiation protection and nuclear issues)

OHSA's Radiation Protection Section acts as the focal point for the International Atomic Energy Agency's (IAEA) Incident and Trafficking Database. A total of 183 reports were received during 2016 and two reports were sent by the RPB (both being made in connection with the unauthorized trans-shipment of contaminated scrap metal through Malta) in the period 1st January 2016 to 31st December 2016.

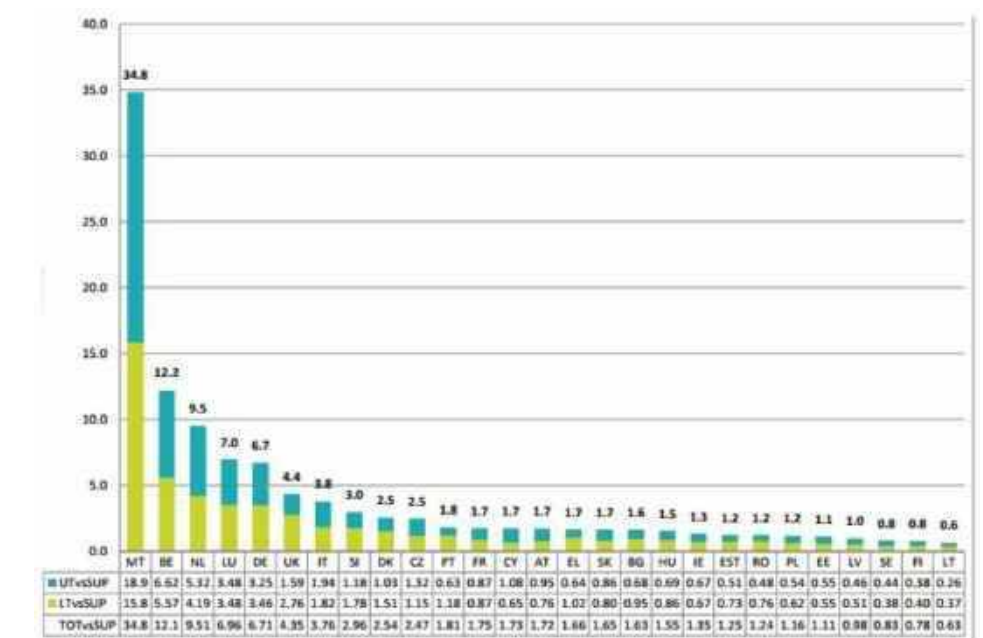
Radiation Protection Section also acts as the focal point for nuclear safeguards activities which includes the obligation to send the necessary reports. The Section also processes environmental monitoring data received from ERA and the Department for Environmental Health and transmits it to the European Commission on an annual basis.

7 Seveso III Committee of Competent Authorities (CCA) and Seveso Expert Group

One meeting of the Seveso Expert Group was held in Brussels. Topics that were discussed included the exclusion of certain substances from the scope of the directive, confidentiality issues regarding the Seveso Plants Information Retrieval System (SPIRS) data linked to security of critical infrastructure and screening of personnel working in

Seveso establishments. The UK delegate presented findings from the Buncefield accident. It was estimated that the total cost of this accident totaled £900M with £625M of them as direct costs to businesses. The Italian delegate highlighted accidents in fireworks factories. One particular accident involved the grinding of charcoal in a concrete mixer using brass balls. Following this meeting, this practice was discussed with local fireworks manufacturers to warn them of the hazard.

The Commission reported on the implementation of the Seveso Directives. All Member States except four have submitted their 3-yearly report. However the situation regarding the transposition of the HFO amendment and the new Seveso III Directive was not good. In fact infringement procedures have been initiated against 19 Member States. Malta fulfilled its obligations regarding the transposition dates on time and was not one of the 19.



Source: European Commission, MAHS, 2016

Number of Seveso Establishments per 1000km²

The chart above shows the distribution of Seveso establishments in the different Member States. It is interesting to note that although Malta has the smallest number of Seveso establishments, it has the highest concentration with 34.81 establishments per 1000km².

8 Working Party to amend the Carcinogens and Mutagens Directive

During 2016, OHSA participated in a number of Working Party meetings to discuss possible amendments to the Directive on the protection of workers from the risks related to exposure to carcinogens or mutagens at work. During these meetings the Commission presented an Impact Assessment accompanying the Proposal. The different options considered by the Commission during the Impact Assessment phase were outlined - the chosen option was considered to be the best option after following a detailed examination of the social, economic and environmental impact of the 13 chemical agents under review.

The Presidency went through the Annex and through the different carcinogenic substances included in it. Overall, there was a positive inclination to approve the limit values of all the chemical substances, with the exception of the Chromium (VI) compounds, which required further discussions. The Working Party also went through the Recitals and the Articles of the proposed directive and with minor amendments put forward by some delegations, there was a general agreement. At a working Party meeting held in September the Presidency presented its compromise text where the majority of delegations agreed with this new text, and also with the Occupational Exposure Limits presented by the Commission.

During the EPSCO council held in October, a General Approach was reached where the Council adopted its official position. An agreement on the OELVs for Chromium (VI) is yet to be reached. Next year these proposals will be discussed in more depth between the European Parliament and the Commission before a final agreement is anticipated to be reached during the Maltese Presidency.

9 4th list of Indicative Occupational Exposure Limit Values

The Commission has been working on a proposal for a Directive establishing a 4th list of indicative occupational exposure limit values for the implementation of the Directive 98/24/EC regarding the protection of workers' health and safety from the risks related to chemical agents at work. Whereas the Commission started its work in 2013 and considered a total number of 123 chemicals, this 4th batch is made up of 31 chemicals. All these chemicals have been thoroughly examined by the Scientific Committee on Occupational Exposure Limit Values (SCOEL) and involved consultation with the Working Party on Chemicals (WPC). Following these discussions, the Advisory Committee on Health and Safety released a favourable opinion having assessed also the economical viability of the proposal.

Pursuant to Article 17 of the Framework Directive, the Commission is empowered to make purely technical adjustments to the individual directives in the field of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and new findings. Those measures, designed to amend non-essential elements of the individual directives, are to be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 17 (2).

During 2016 OHSa participated in a technical progress committee established by the Commission for this purpose. Overall, all the Member State delegations present in the meeting agreed with the draft Directive as amended during the meeting and thus the Technical Progress Committee gave a positive opinion on the draft Directive.

10 Participation in local boards and committees

The Authority is also represented in a number of local boards and entities, most of which have a legal standing. These include:

- **Civil Protection Scientific Committee** - Chaired by the Civil Protection Department, with representatives from various other entities. The Committee gives advice to the CPD on different matters and emergencies that may arise from time to time. Two officials from OHSa have been appointed to sit on this Committee this year. No meetings were held this year.
- **Integrated Pollution Prevention and Control Committee** - The IPPC (Integrated Pollution Prevention and Control) Committee is established by virtue of L.N. 234 / 2002 of the Environment Act. It is chaired by MEPA. The committee oversees the definitive establishment of IPPC installations, the inspection of installations and ensures compliance with the necessary legal requirements. The ultimate aim of the IPPC is to minimise pollution from various point sources. All installations falling under the relevant legal notice are required to obtain a prior authorisation (permit) from MEPA. As Integrated Pollution Prevention is a multi-disciplinary task a Committee to deal with the regulatory aspect of the Regulations has been set up.
- **Biosafety Co-ordinating Committee** - The Biosafety Co-ordinating Committee is a committee the aim of which is to achieve an integrated approach on Biosafety, the contained use of genetically modified micro organisms, the deliberate release into the environment of genetically modified organisms and the placing on the market of genetically modified organisms, in order to achieve a high level of protection of human health and the environment taken as a whole. The main function of the BCC is to give statutory advice to the board of MEPA on the risks to human health and the environment from the release and marketing of GMOs.
- **Pesticides Control Board** - The Pesticides Control Board is established by virtue of the Pesticide Control Act, Chapter 430. The Pesticides Control Board has the responsibility for advising the Director of Plant Health on any matter relating to the registration, restriction, importation, manufacture, sale or use of pesticides including those employed in integrated control management; it also reports to the Director of Plant Health on any matter relating to the regulating, enforcing and monitoring of all legislation relating to pesticides and provides advice on measures to be taken on any matter arising from the application of any regulations made under the Pesticide Control Act.
- **Radiation Protection Board** - The Radiation Protection Board has the responsibility for all aspects of the regulatory control of ionizing radiation and nuclear issues. The Radiation Protection Board is chaired by the OHSa and has members from OHSa, the Department for Environmental Health (formerly Public Health), the Environment Protection Directorate (within MEPA) and the Civil Protection Department.
- **COMAH Competent Authority (CA)** - This is made up of the OHSa, MEPA (Environment Protection Directorate) and the CPD and oversees the implementation of the Control of Major Accidents Regulations, L.N. 179/2015. The OHSa is the lead Authority and coordinates the functions of the COMAH CA.



- **Building Industry Consultative Council (BICC)** - The BICC was set up by the Government to ameliorate the performance of the local construction industry and to serve as a forum for discussion on all matters that affect the construction industry. OHSa is represented by a full Member and by an alternate Member and takes an active participatory role, especially on matters that concern the relationship between the construction industry and occupational health and safety. During 2015, OHSa continued its participation in the Council as well as in BICC's working group discussing Building Regulations & EU Directives, including in BICC's activities related to the launch of the skill cards.
- OHSa participates in a Working Group set up by Transport Malta regarding Medical Fitness to Drive, which includes representatives of Transport Malta, the National Commission Persons with Disability, the Health Division's Occupational Health Unit, the Medical Association of Malta and the Health Division. To date, one meeting has been held.
- OHSa was invited by the Ministry for Tourism to a Consultation Session entitled, "Green Paper on Safety of Tourism Accommodation Services". This was done in collaboration with the Malta-EU Steering and Action Committee. The aim of this Green Paper was to launch a public consultation on the safety of tourism accommodation services and to gather input from all relevant parties involved in the issue of tourism accommodation services with the aim of evaluating whether the issues outlined in it are sufficiently and effectively addressed.

F Freedom of information, corporate governance and corporate social responsibility

1 Freedom of information Act (Cap. 496)

In furtherance of the scope of the said act and thus to increase transparency and accountability, OHSa maintains the necessary structures such as the appointment of an FOI Officer and alternates. In terms of said Act, the general public shall be granted right of access to documents held by public authorities, (including all ministries and departments). The Act came into force in September 2012.

2 Corporate governance

Since it was established, the OHS Authority, while valuing its autonomy as a public sector organization, has taken on board and followed all policies and rules of good governance established by the Government.

In so far as employment issues are concerned, OHSa remains guided by those policies established by the Office of the Prime Minister and the People and Standards Division from time to time, including on matters concerning salaries (these are determined by OPM's Industrial Relations Unit with reference to equivalent public service salary scales) other conditions of employment and recruitment, finances, information systems and public procurement.

3 Corporate social responsibility

In line with the Government initiative on the development of a One Stop Shop service for citizens and clients of the Maltese Public Administration, while acting as a reference point for the Office of the Ombudsman, OHSa has renewed the nominations of its representatives in these areas.



G OHSA's financial situation

During the year ended 31 December 2016, OHSA registered a positive balance of €81,836. This came about mainly from the allocation of additional funds during Q4 amounting to €25,000. These additional funds were requested in order to improve the entity's cash position towards the end of the year and in anticipation of extraordinary expenditure mainly related to Malta's Presidency of the EU Council.

Savings of €78,042 were registered on personal emoluments and operational expenditure, while an increase of €46,336 was registered from own generated income. Savings on personal emoluments came about due to delayed recruitment in technical and support areas. Other significant savings of €26,598 were made on funds now to be expended during 2017 in relation to Malta's Presidency of the EU Council.

During 2016, the entity invested in new ICT equipment and a telephony system upgrade. Furthermore it acquired new furniture and fixtures and replaced an air conditioning compressor. These payments were capitalized and thus increased the value of the entity's fixed assets.

OHSA was expecting to register an overall shortfall of €123,451 in 2017. By carrying forward the surplus of the 2016, the projected deficit will be reduced to €41,615. The deficit caters for an increase of €134,069 in personal emoluments mostly due to the yearly increments payable to its employees in terms of its collective agreement and as a result of the anticipated recruitment of additional personnel (which has been postponed to the third quarter of 2017). OHSA is also anticipating an increase of €50,250 in its operational expenditure and a further €110,000 in extraordinary expenditure to account for the non-refundable expenses related to OHSA's organisation of events relating to Malta's Presidency of the EU Council during 2017.

However, the shortfall mentioned does not take into consideration any additional costs arising out of discussions to renew the current Collective Agreement which expired at the end of 2016. To offset this deficit, OHSA will be submitting a request for additional funds later on during the year.

Annex 1: Key activities carried out by the Authority

January 2016 - December 2016

	Gender disaggregated data			
	Total	Females	Males	Total 2015
Workplace visits	3387	n/a	n/a	2139
Total number of administrative fines issued	361	n/a	n/a	187
Monetary value of fines issued	€152,000	n/a	n/a	€128,005
Equipment certificates vetted *	5898	n/a	n/a	6038
Radioactive Material cleared for import	362	n/a	n/a	332
Staff development hours	266	63	203	550
Staff development by employee	18	4	14	31
Hours of awareness raising OHS courses	123	267	1755	195
Number of participants at OHS awareness raising courses	179	25	154	187
Number of awareness raising OHS courses organised	11	n/a	n/a	14

* Including 4229 lift certificates, 287 crane certificates, 494 forklift truck certificates, 108 boiler certificates, and 780 certificates for other equipment.



Annex 2:

List of OHS
legislation in
force

Occupational Health and Safety Authority Act		Cap. 424
Work Places (Extension of Definition) Order		S.L. 424.02
Dock Safety Regulations		S.L. 424.03
Building (Safety) Regulations		S.L. 424.06
Work Places (Health, Safety and Welfare) Regulations		S.L. 424.09
Protection of Young Persons at Work Places Regulations		S.L. 424.10
Protection of Maternity at Work Places Regulations		S.L. 424.11
Occupational Health and Safety Appeals Board (Procedural) Regulations		S.L. 424.12
Work Place (First Aid) Regulations		S.L. 424.13
Minimum Health and Safety Requirements for Work with Display Screen Equipment Regulations		S.L. 424.14
Work Place (Minimum Health and Safety Requirements) Regulations		S.L. 424.15
Work Place (Provision of Health and, or Safety Signs) Regulations		S.L. 424.16
Protection against Risks of Back Injury at Work Places Regulations		S.L. 424.17
General Provisions for Health and Safety at Work Places Regulations		S.L. 424.18
Control of Major Accident Hazard Regulations		S.L. 424.19
Minimum Requirements for the Use of Personal Protective Equipment at Work Regulations		S.L. 424.21
Protection of Workers from the Risks related to Exposure to Carcinogens or Mutagens at Work Regulations		S.L. 424.22
Protection of Workers from the Risks related to Exposure to Asbestos at Work Regulations		S.L. 424.23
Protection of the Health and Safety of Workers from the Risks related to Chemical Agents at Work Regulations		S.L. 424.24
Protection of Workers from Risks related to Exposure to Biological Agents at Work Regulations		S.L. 424.25

Protection of Workers in the Mineral Extracting Industries through Drilling and Workers in Surface and Underground Mineral Extracting Industries Regulations S.L. 424.26

Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations S.L. 424.27

Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Noise) Regulations S.L. 424.28

Work Place (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations S.L. 424.29

Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Vibration) Regulations S.L. 424.31

Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Artificial Optical Radiation) Regulations S.L. 424.32

Occupational Health and Safety (Payment of Penalties) Regulations S.L. 424.33

Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Electromagnetic Fields) Regulations S.L. 424.34

Work Equipment (Minimum Safety and Health Requirements) Regulations S.L. 424.35

National Interest (Enabling Powers) Act

Cap. 365

Nuclear Safety and Radiation Protection Regulations S.L. 365.15

Treaty on the Nonproliferation of Nuclear Weapons (EURATOM safeguards and Additional Protocol) Regulations S.L. 365.20

Control and Security of High-Activity Radioactive and Orphan Sources Regulations S.L. 365.21

Convention on Nuclear Safety Regulations S.L. 365.26

Management of Radioactive Waste Regulations S.L. 365.45

Public Health Act

Cap. 465

Medical Exposure (Ionising Radiation) Regulations S.L. 465.01

Prevention of Sharp Injuries in Hospitals and Health Care Establishments Order. S.L. 465.11



Annex 3: Budgeted Income and Expenditure Account

1st January 2017 – 31st December 2017

	€	€
Income		1,235,500
Government recurrent grant		1,125,000
Awareness raising campaigns		8,000
Competent person register		1,500
Administrative fines		100,000
Other income		1,000
Personal Emoluments		1,042,400
Staff Salaries	844,394	
Honoraria to OHSA members	36,336	
NI Contributions	68,547	
Overtime / Allowances / Statutory Bonuses	93,123	
Operational Expenses		315,386
Utilities	23,750	
Material & Supplies	9,800	
Repair & Upkeep	22,668	
Rent	28	
Subscriptions	100	
Office Services	11,900	
Transport	41,000	
Travel	31,500	

Information Services	3,368
Contractual Services	39,522
Professional Services	4,500
Social Partners Fund	15,000
Training and CPD	1,000
Hospitality	750
Incidental Expenses	500
Depreciation	18,381
Transfers from government capital grants	(18,381)
Other expenditure (MT Council Presidency, 2017)	110,000

Contributions and Initiatives	1,165
Appeals Board	1,165
Total Budget Cost	1,358,951

Budgeted deficit for 2017	(123,451)
Anticipated deficit after incorporation of 2016 surplus	(41,615)

The Audited Financial Statements of the Authority for the period ending 31st December 2016 are being included in Annex 4.



Annex 4:

Financial statements 1st January 2016 - 31st December 2016

Christopher Spiteri
B.A. (Hons) Accty, F.I.A., C.P.A.
Registered Auditor

The Chief Executive Officer
Occupational Health & Safety Authority
17,
Edgar Ferro Street,
Pieta' – PTA1533

31st January 2017

Re : Audited financial statements for
the year ended 31st December 2016

Dear Sir,

Following our audit for the year ended 31st December 2016, we have reviewed the audit file in order to find weaknesses which we could include in a management letter. Our scope of reference is the financial aspect of the Authority, any weaknesses as regards organization, administration and policy is beyond our scope of reference. Hence in our opinion no management letter is necessary for the year ended 31st December 2016 since we are happy as regards the financial aspect of the Authority. In particular the Authority ended the year with a surplus of Eur 81,836 and a net assets position of Eur 467,005.

Yours faithfully

Mr. Christopher Spiteri

'Crossbow House', 78, Cospicua Road, Paola, PLA 1902, Malta
Tel: (0356) 21488239, 21493759. Fax: (0356) 21499573
VAT Reg. No. MT20230618 • E-mail: chris_spiteri@melita.com

Occupational Health & Safety Authority

Financial Statements

Year ended 31st December 2016

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Page 1	Chief Executive Officer's Report
Page 2	Statement of Authority's Responsibilities
Page 3	Auditor's Report
Page 4	Income and expenditure account
Page 5	Balance sheet
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Page 7 to 10	Notes to the financial statements

Schedule :

Schedule (a)	Staff costs
Schedule (b)	Other operating expenses

**Occupational Health & Safety Authority****Chief Executive Officer's Report**

Year ended 31st December 2016

The chief executive officer presents herewith the annual report together with the audited financial statements for the year ended 31st December 2016

1 PRINCIPAL ACTIVITY

The Occupational Health and Safety Authority is responsible for ensuring that the physical, psychological and social well-being of all workers in all work places are promoted and safeguarded by whoever is obliged to do so. Its functions include:

- a) establishing strategies by which the general national policy relating to occupational health and safety may be implemented;
- b) advising the Minister and preparing regulations or codes of practice to promote, maintain and protect a high level of occupational health and safety;
- c) monitoring compliance with relevant occupational health and safety legislation, taking enforcement action and carrying out investigations where necessary;
- d) promoting the dissemination of information, education and training on occupational health and safety and first aid response at work places;
- e) collating, analysing data and statistics and maintaining registers on matters relating to occupational health and safety;
- f) promoting and carrying out scientific research aimed at better methods of preventing occupational ill health, injury or death.

2 RESULTS

The results for the year ended 31st December 2016 are shown in the income and expenditure account on page 4. The surplus for the financial year was Eur 81,836.

3 POST BALANCE SHEET EVENTS

There have been no events since the balance sheet date which materially effect the position of the authority.

4 CHIEF EXECUTIVE OFFICER

The chief executive officer who held office during the year was :
Dr. Mark Gauci

5 AUDITOR

Mr. Christopher Spiteri B.A. (Hons) Accty, F.I.A., C.P.A., has intimated his willingness to remain in office, and a resolution to reappoint him will be proposed at the Annual General Meeting.

Signed on behalf of the members on 31-Jan-17
by :

Dr. Mark Gauci
Chief Executive Officer

Dr. Deo Debattista
Chairperson

17, Edgar Ferro Street,
Pieta' - PTA 1533

Occupational Health & Safety Authority**Statement of Authority's Responsibilities**

Year ended 31st December 2016

The Occupational Health and Safety Authority Act, 2000 requires the Authority to prepare accounts for each financial year, which accounts are to be certified by a Certified Public Accountant (Registered Auditor). In line with International Financial Reporting Standards the accounts must give a true and fair view of the state of affairs of the Authority at the end of the financial year and of the surplus or deficit and cash flows of the Authority for that year. The preparation of the annual accounts is the responsibility of the Authority, which is required to :

- a) select suitable accounting policies and then apply them consistently.
- b) make judgements and estimates that are reasonable and prudent.
- c) state whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.
- d) prepare the financial statements on a going concern basis unless it is inappropriate to presume that the Authority will continue to operate.

The Authority is responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the Authority and to enable it to ensure that the financial statements comply with the provisions of the Occupational Health and Safety Authority Act, 2000. The Authority is also responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Signed on behalf of the members on 31-Jan-17 by:

Dr. Mark Gauci
Chief Executive Officer

Dr. Deo Debattista
Chairperson



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Auditor's Report

To the members of **Occupational Health & Safety Authority**
Year ended 31st December 2016

I have audited the financial statements as set out on pages 4 to 10.

Respective responsibilities of the authority and the auditor

As described on page 2 the Authority is responsible for the preparation of the financial statements. It is my responsibility to form an independent opinion based on my audit on these statements and to report my opinion to you. I am also required to report

- whether I have obtained all the information and explanations which to the best of my knowledge and belief, were necessary for the purpose of my audit.
- whether, in my opinion, proper books of account have been kept.
- whether the financial statements are in agreement with the books of account.

Basis of opinion

I conducted my audit in accordance with generally accepted auditing standards. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the Authority in the preparation of the financial statements and of whether the accounting policies are appropriate to the Authority's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements are free from material mis-statement, whether caused by fraud or other irregularity or error. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements. I believe that my audit provides a reasonable basis for my opinion.

Opinion

In my opinion, the financial statements give a true and fair view of the state of the Authority's affairs as at 31st December 2016 and of the results of its operations and its cash flows for the year then ended and have been properly prepared in accordance with International Financial Reporting Standards as adopted by the EU and comply with the Occupational Health and Safety Act, 2000.

CHRISTOPHER SPITERI B.A. (Hons) Accty, F.I.A., C.P.A.
Registered Auditor

Date: 31-Jan-17

'Crossbow House', 78,
Cospicua Road,
Paola - PLA 1902
Tel : 21488239 / 21493759
Fax : 21498573
E-mail: chris_spiteri@mlta.com

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Occupational Health & Safety Authority

Income and expenditure account
Year ended 31st December 2016

	Note	2016 Eur	2015 Eur
Income	3	1,168,930	938,474
Expenditure			
Staff costs	Schedule a	(913,165)	(786,791)
Other operating expenses	Schedule b	(173,936)	(160,920)
		<u>(1,087,101)</u>	<u>(947,711)</u>
Operating surplus/(deficit) for the year	4	81,829	(9,237)
Bank interest receivable		7	19
Surplus/(Deficit) for the year		81,836	(9,218)
Accumulated fund brought forward		385,169	394,387
Accumulated fund carried forward		467,005	385,169



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Occupational Health & Safety Authority

Balance sheet

31st December 2016

	Notes	2016 Eur	2015 Eur
Fixed Assets			
Tangible assets	5	911,141	906,448
		<u>911,141</u>	<u>906,448</u>
Current assets			
Debtors	6	56,182	15,355
Cash in hand and at bank	7	253,161	241,288
		<u>309,343</u>	<u>256,643</u>
Creditors : amounts falling due within one year	8	(26,685)	(30,894)
Net Current Assets		<u>282,658</u>	<u>225,749</u>
Total assets less current liabilities		<u>1,193,799</u>	<u>1,132,197</u>
Deferred income - Government capital grants	9	(726,794)	(747,028)
Net Assets		<u>467,005</u>	<u>385,169</u>
Financed by:			
Accumulated fund		467,005	385,169
		<u>467,005</u>	<u>385,169</u>

Signed on behalf of the members on 31-Jan-17

Dr. Mark Gauci
Chief Executive Officer

by :

Dr. Deo Debattista
Chairperson

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Occupational Health & Safety Authority

Cash flow statement

Year ended 31st December 2016

	Note	2016 Eur	2015 Eur
Cash flows from operating activities			
Operating surplus/(deficit) for the year		81,829	(9,237)
Adjustments for:			
Depreciation		20,234	16,318
Operating surplus before working capital movements		102,063	7,081
Movement in debtors		(40,827)	223,515
Movement in creditors		(4,209)	(7,393)
Cash generated from operations		57,027	223,203
Interest received		7	19
Net cash generated from operating activities		<u>57,034</u>	<u>223,222</u>
Cash flows from investing activities			
Payment to acquire tangible assets		(24,927)	(75,010)
Net cash used in investing activities		<u>(24,927)</u>	<u>(75,010)</u>
Cash flows from financing activities			
Government capital grants		(20,234)	(16,318)
Government capital grants received		0	34,067
Net cash flows from financing activities		<u>(20,234)</u>	<u>17,749</u>
Movement in cash and cash equivalents		11,873	165,961
Cash and cash equivalents at the beginning of the year		241,288	75,327
Cash and cash equivalents at the end of the year	10	<u>253,161</u>	<u>241,288</u>

Occupational Health & Safety Authority

Notes to the financial statements

31st December 2016

Note

1 Legal Status

The Occupational Health and Safety Authority was established by Act No. XXVII of 2000 together with an Occupational Health and Safety Appeals Board. The provisions of the Act came into force on 3rd May 2001 by virtue of Legal Notice 121 of 2001 and 29th January 2002 by virtue of Legal Notice 9 of 2002. It is the duty of the Authority to see that the levels of occupational health and safety protection established by the Act and by regulations made under the Act are maintained.

2 Principal accounting policies

These financial statements have been prepared in accordance with the requirements of the International Financial Reporting Standards issued by the International Accounting Standards Board. A summary of the more important accounting policies which have been applied consistently, is set out below:

Accounting convention

These financial statements have been prepared under the historical cost convention.

Tangible assets

Tangible assets are stated at cost or revalued amounts less accumulated depreciation. The depreciation on the tangible assets is charged on the straight line method at the following rates:

Computer equipment	25%	Furniture & fixtures	10%
Office equipment	25%	Soft furnishings	10%
PABX system	16.67%	Motor vehicles	20%
Lift	10%	PV panels/EES system	16.67%
AC compressor	16.67%		

It is the Authority's policy not to charge depreciation on property and property improvements.

Debtors

Debtors are stated at their net realisable values after writing off any known bad debts and providing for any debts considered doubtful.

Government grants

The Authority is funded by Central Government Grants, which are voted separately for recurrent and capital expenditure. The recurrent grants are recognised in the income statement on a systematic basis over the periods necessary to match them with related costs which they are intended to compensate. The capital grants are treated as deferred income in the year in which they are voted in the National Estimates.

Occupational Health & Safety Authority

Notes to the financial statements

31st December 2016

Note

3 Income

Income receivable is represented by:

	2016 Eur	2015 Eur
Government recurrent grants	1,004,867	787,500
Recharges and miscellaneous income	143,829	134,656
Government capital grants (note 9)	20,234	16,318
	<u>1,168,930</u>	<u>938,474</u>

4 Operating surplus/(deficit) for the year

	2016 Eur	2015 Eur
The surplus/(deficit) on operations is stated after charging:		
Members' remuneration	35,999	35,804
Auditor's remuneration	1,098	1,098
Depreciation	<u>20,234</u>	<u>16,318</u>

Occupational Health & Safety Authority

Notes to the financial statements
31st December 2016

Note

5	Tangible assets	Property Eur	Property Improvements Eur	Computer equipment Eur	Office equipment Eur	PABX system Eur	Furniture & fixtures Eur	Motor vehicles Eur	Soft furnishings Eur	Lift Eur	panels/ EES system Eur	AC compressor Eur	Total Eur
	Cost - beginning of year	373,760	463,853	205,509	4,895	15,667	25,891	36,369	5,558	46,268	68,791	0	1,246,361
	Additions new this year	0	0	8,908	0	3,411	7,887	0	0	0	0	4,721	24,927
	Additions second hand this year	0	0	0	0	0	0	0	0	0	0	0	0
	Revaluations	0	0	0	0	0	0	0	0	0	0	0	0
	Disposals this year	0	0	0	0	0	0	0	0	0	0	0	0
	Cost - at end of year	373,760	463,853	214,417	4,895	19,078	33,778	36,369	5,558	46,268	68,791	4,721	1,271,288
	Acc.depreciation - start of year	0	0	199,992	4,895	15,667	21,747	36,369	5,558	44,418	11,467	0	339,913
	Charge for the year	0	0	4,209	0	569	1,352	0	0	1,850	11,467	787	20,234
	Disposals	0	0	0	0	0	0	0	0	0	0	0	0
	Acc.depreciation - end of year	0	0	204,201	4,895	16,236	23,099	36,369	5,558	46,268	22,934	787	360,147
	Net book value end 2015	373,760	463,853	5,517	0	0	4,144	0	0	1,850	57,324	0	906,448
	Net book value end 2016	373,760	463,853	10,216	0	2,842	10,679	0	0	0	45,857	3,934	911,141

Occupational Health & Safety Authority

Notes to the financial statements

31st December 2016

Note

6	Debtors	2016 Eur	2015 Eur
	Debtors	3,445	5,886
	Prepayments	2,586	1,649
	Accrued income	27,261	7,820
	Payments in advance	22,890	0
		56,182	15,355
7	Cash in hand and at bank	2016 Eur	2015 Eur
	Bank	253,108	241,122
	Petty cash	53	166
		253,161	241,288
8	Creditors : amounts falling due within one year	2016 Eur	2015 Eur
	Suppliers	3,075	10,179
	Accruals	17,649	14,669
	Advance deposits	5,202	5,202
	VAT payable	759	844
		26,685	30,894
9	Deferred income - Government capital grants	2016 Eur	2015 Eur
	Government capital grants represent funds available to the Authority for the purchase of tangible fixed assets as follows:		
	Received from Central Government - beginning of year	1,095,164	1,061,097
	Received from Central Government this year	0	34,067
	Government capital grants available to date	1,095,164	1,095,164
	Transfer to income - beginning of year	(348,136)	(331,818)
	Transferred to income this year	(20,234)	(16,318)
		726,794	747,028
	Government capital grants have been utilised as follows:	2016 Eur	2015 Eur
	Capital expenditure - beginning of year	1,095,164	1,061,097
	Capital expenditure during the year	0	34,067
	Unutilised funds	0	0
		1,095,164	1,095,164
10	Cash & cash equivalents as at the end of the year	2016 Eur	2015 Eur
	Cash in hand	53	166
	Net bank balance	253,108	241,122
		253,161	241,288

**Occupational Health & Safety Authority**

Schedule a ; b

Schedule

Year ended 31st December 2016

	2016	2015
	Eur	Eur
Schedule (a) - Staff costs		
Members' remuneration & allowances	35,999	35,804
Staff salaries	872,332	747,387
Staff uniforms	2,105	1,367
Staff training	1,000	1,000
Staff welfare	1,729	1,233
	<u>913,165</u>	<u>786,791</u>

Schedule (b) - Other operating expenses

Advertising	2,825	1,503
Car hire	17,182	19,789
Travelling expenses	18,006	15,678
Rent	28	28
Legal & professional fees	23,718	28,026
Stationery, printing and postage	14,560	9,865
Telecommunications	10,136	9,378
Water & electricity	11,605	13,799
Repairs & maintenance	32,089	28,771
Motor vehicles running expenses	16,736	15,267
Transport expenses	1,556	28
Audit fee	1,098	1,098
General expenses	3,402	722
Depreciation	20,234	16,318
Bank charges	728	618
Subscriptions	33	32
	<u>173,936</u>	<u>160,920</u>



