

**L.N. 121 of 2003**

**OCCUPATIONAL HEALTH AND SAFETY  
AUTHORITY ACT  
(CAP. 424)**

**Minimum requirements for the use of personal protective  
equipment at work regulations, 2003**

IN EXERCISE of the powers conferred by article 12 of the Occupational Health and Safety Act, the Deputy Prime Minister and Minister for Social Policy, in consultation with the Occupational Health and Safety Authority, has made the following regulations:

**Part I – General Provisions**

Title.                   **1.** The title of these Regulations is the Minimum Requirements for the Use of Personal Protective Equipment at Work Regulations, 2003.

Interpretation.       **2.** In these Regulations, unless the context otherwise requires:

Cap. 424                               “Act” means the Occupational Health and Safety Act;

  “Authority” means the Occupational Health and Safety Authority established by virtue of article 8 of the Act;

  “Order” means the Personal Protective Equipment Order, 1998 (Order No. M34 of 1998) made by the Malta Standardisation Authority;

  “personal protective equipment” means, without prejudice to the provisions of the Order, all equipment designed to be worn or held by the worker to protect him against one or more hazards likely to endanger his health and safety at work, and any addition or accessory designed to meet this objective, excluding:

  – ordinary working clothes and uniforms not specifically designed to protect the health and safety of the worker;

  – equipment used by emergency and rescue services;

- personal protective equipment for means of road transport;
- sports equipment;
- self-defence or deterrent equipment; and
- portable devices for detecting and signalling risks and nuisances.

“Workers’ Health and Safety Representative” and “Representative” mean a Workers’ Health and Safety Representative appointed in terms of article 6 (4) of the Act.

**3.** These regulations shall be without prejudice to the provisions of the Order.

Without prejudice to Order No. M34, 1998

**4.** Personal protective equipment shall be used when the risks cannot be avoided or sufficiently limited by technical means of collective protection or by measures, methods or procedures of work organisation, or as otherwise required by article 6 (2) of the Act.

General Rule.

## **Part II – Employers’ Obligations**

**5.** It shall be the duty of the employer to ensure that, where applicable, all personal protective equipment shall comply with the provisions specified in Schedule 2 of the Order.

Compliance with the Order.

**6.** Where the presence of more than one risk makes it necessary for a worker to wear simultaneously more than one item of personal protective equipment, the employer shall ensure that such equipment is compatible and continues to be effective against the risk or risks in question.

Several items of personal protective equipment.

**7.** The employer shall determine the conditions of use of personal protective equipment, particularly the period for which it is worn, on the basis of the seriousness of the risk, the frequency of exposure to the risk, the characteristics of the workstation of each worker and the performance of the personal protective equipment.

Employer to determine condition of use.

**8.** If the circumstances require personal protective equipment to be worn by more than one person, the employer shall take all the appropriate measures to ensure that such use does not create any health or hygiene problem for the different users.

Equipment worn by one or more persons.

Provision of adequate information.

**9.** The employer shall provide at the workplace adequate information comprehensible to all workers regarding each item of personal protective equipment required under Regulations 6 and 7.

Equipment to be provided free of charge.

**10.** (1) Personal protective equipment shall be provided free of charge by the employer.

(2) An employer shall ensure that the equipment is in good working order and satisfactory hygienic condition by means of the necessary maintenance, repair and replacements.

Duty to inform worker of risks prevented.

**11.** Before any worker makes use of personal protective equipment, the employer shall inform him of the risks against which it protects him.

Training and demonstrations.

**12.** An employer shall arrange for training and shall, if necessary, organize demonstrations in the wearing and proper use of personal protective equipment.

Equipment to be used as specified, instructions.

**13.** (1) Saving exceptional circumstances, personal protective equipment shall only be used for the purposes specified in accordance with the instructions given to workers by an employer.

(2) Such instructions shall be understandable to the workers.

Duty of employer to assess equipment.

**14.** (1) Before choosing personal protective equipment, the employer shall assess whether the personal protective equipment he intends to use satisfies the requirements of Regulations 6 and 7.  
(2) Such assessments shall include:

(a) an analysis and assessment of risks which cannot be avoided by other means;

(b) the definition of the characteristics which personal protective equipment must have in order to be effective against the risks referred to in paragraph (a), taking into account any risks which this equipment itself may create;

(c) comparison of the characteristics of the personal protective equipment available with the characteristic referred to in paragraph (b).

(3) Any assessment shall be reviewed if any changes are made to any of its elements.

**15.** (1) In determining the situations and circumstances when personal protective equipment is to be provided to workers, as well as the nature and type of personal protective equipment to be provided, an employer shall be guided by the results of the risk assessments carried out by virtue of regulation 14, as well as by the Annexes attached to these regulations, which shall constitute rules for the use of personal protective equipment, and rules covering cases and situations where the employer shall provide personal protective equipment.

Rules for use.

(2) These rules shall be without prejudice to the priority to be given to collective means of protection and where the use of personal protective equipment is necessary.

(3) An employer shall also refer to any significant changes to the risk, to the collective means of protection and to personal protective equipment brought about by technological developments.

**16.** Without prejudice to article 6 (3) of the Act, an employer shall inform workers and, or their representatives of all measures to be taken with regards to the health and safety of workers when personal protective equipment is used by workers at work.

Information for workers.

**17.** (1) A Workers' Health and Safety Representative shall be consulted in the manner specified in Article 6 (4) of the Act, and in the General Provisions for Health and Safety at Work Places Regulations, 2002.

Cap. 424

L.N. 36 of 2003

(2) A Workers' Health and Safety Representative shall have the right to ask the employer to take appropriate measures and to submit proposals to him to that end to mitigate hazards for workers and, or remove sources of danger.

(3) A Workers' Health and Safety Representative shall not be placed at a disadvantage owing to his activities.

**18.** In any proceedings for an offence under these regulations consisting of a failure to comply with a duty or requirement to do something so far as is practicable or so far as is reasonably practicable, or to use the best practicable means to do something, it shall be for the accused to prove, as the case may be, that it was not practicable or not reasonably practicable to do more than was in fact done to satisfy the duty or requirement, or that there was no better practicable means than was in fact used to satisfy the duty or requirement.

Onus of proof.

**19.** Any person who knowingly or recklessly interferes with the process of providing a safe and healthy place of work, shall be guilty of an offence.

Offences.

**20.** Regulation 36 of the Factories (Health, Safety and Welfare) Regulations, 1986 is hereby repealed.

Repeal, L.N. 52 of 1986

**Annex I**

**Risk survey list for the use of personal protective equipment**

**RISKS**

**PHYSICAL**

**MECHANICAL**

Falls from a height

Blows, cuts, impact, crushing

Stabs, cuts, grazes

Vibration

Slipping, falling over

**THERMAL**

Heat, fire

Cold

**ELECTRICAL**

**RADIATION**

Non-ionizing

Ionizing

**NOISE**

**CHEMICAL**

**AEROSOLS**

Dust, fibres

Fumes

Vapours

**LIQUIDS**

Immersion

Splashes, spurts

**GASES, VAPOURS**

**BIOLOGICAL**

Harmful bacteria

Harmful viruses

Mycotic fungi

Non-microbe biological antigens

**PARTS OF THE BODY REQUIRING PROTECTION**

Cranium

Ears

Eyes

Respiratory tract

Face

Whole head

Hands

Arms (parts)

Foot

Legs (parts)

Skin

Trunk/abdomen

Parenteral passages

Whole body

## Annex II

### Non-exhaustive guide list of items of personal protective equipment

#### HEAD PROTECTION

- Protective helmets for use in industry (mines, building sites, other industrial uses)
- Scalp protection (caps, bonnets, hairnets - with or without eye shade)
- Protective headgear (bonnets, caps, sou'westers, etc in fabric, fabric with proofing, etc)

#### HEARING PROTECTION

- Earplugs and similar devices
- Full acoustic helmets
- Earmuffs which can be fitted to industrial helmets
- Ear defenders with receiver for LF induction loop
- Ear protection with intercom equipment

#### EYE AND FACE PROTECTION

- Spectacles
- Goggles
- X-ray goggles, laser-beam goggles, ultra-violet, infra-red, visible radiation goggles
- Face shields
- Arc-welding masks and helmets (hand masks, headband masks or masks which can be fitted to protective helmets)

#### RESPIRATORY PROTECTION

- Dust filters, gas filters and radioactive dust filters
- Insulating appliances with an air supply
- Respiratory devices including a removable welding mask
- Diving equipment
- Diving suits

#### HAND AND ARM PROTECTION

- Gloves to provide protection:
  - from machinery (piercing, cuts, vibrations, etc),
  - from chemicals,
  - for electricians and from heat
- Mittens
- Finger stalls
- Oversleeves
- Wrist protection for heavy work
- Fingerless gloves
- Protective gloves

#### FOOT AND LEG PROTECTION

- Low shoes, ankle boots, calf-length boots, safety boots
- Shoes which can be unlaced or unhooked rapidly
- Shoes with additional protective toe-cap
- Shoes and overshoes with heat-resistant soles
- Heat-resistant shoes, boots and overboots
- Thermal shoes, boots and overboots

B 1388

- Vibration-resistant shoes, boots and overboots
- Anti-static shoes, boots and overboots
- Insulating shoes, boots and overboots
- Protective boots for chain saw operators
- Clogs
- Kneepads
- Removable instep protectors
- Gaiters
- Removable soles (heat-proof, pierce-proof or sweat-proof)
- Removable spikes for ice, snow or slippery flooring

**SKIN PROTECTION**

- Barrier creams or ointments

**TRUNK AND ABDOMEN PROTECTION**

- Protective waistcoats, jackets and aprons to provide protection from machinery (piercing, cutting, molten metal splashes, etc)
- Protective waistcoats, jackets and aprons to provide protection from chemicals
- Heated waistcoats
- Life jackets
- Protective X-ray aprons
- Body belts

**WHOLE BODY PROTECTION**

**Equipment designed to prevent falls**

- Fall-prevention equipment (full equipment with all necessary accessories)
- Braking equipment to absorb kinetic energy (full equipment with all necessary accessories)
- Body-holding devices (safety harness)

**Protective clothing**

- ‘Safety’ working clothing (two-piece and overalls)
- Clothing to provide protection from machinery (piercing, cutting, etc)
- Clothing to provide protection from chemicals
- Clothing to provide protection from molten metal splashes and infra-red radiation
- Heat-resistant clothing
- Thermal clothing
- Clothing to provide protection from radioactive contamination
- Dust-proof clothing
- Gas-proof clothing
- Fluorescent signalling, retro-reflecting clothing and accessories (armbands, gloves, etc)Protective coverings

### Annex III

## Non-exhaustive guide list of activities and sectors of activity which may require the provision of protective personal equipment

### 1. HEAD PROTECTION (SKULL PROTECTION)

#### Protective helmets

- Building work, particularly work on, underneath or in the vicinity of scaffolding and elevated workplaces, erection and stripping of formwork, assembly and installation work, work on scaffolding and demolition work
- Work on steel bridges, steel building construction, masts, towers, steel hydraulic structures, blast furnaces, steel works and rolling mills, large containers, large pipelines, boiler plants and power stations
- Work in pits, trenches, shafts and tunnels
- Earth and rock works
- Work in underground workings, quarries, open diggings, coal stock removal
- Work with bolt-driving tools
- Blasting work
- Work in the vicinity of lifts, lifting gear, cranes and conveyors
- Work with blast furnaces, direct reduction plants, steelworks, rolling mills, metalworks, forging, drop forging and casting
- Work with industrial furnaces, containers, machinery, silos, bunkers and pipelines
- Shipbuilding
- Railway shunting work
- Slaughterhouses

### 2. FOOT PROTECTION

#### Safety shoes with puncture-proof soles

- Carcase work, foundation work and roadworks
- Scaffolding work
- The demolition of carcase work
- Work with concrete and prefabricated parts involving formwork erection and stripping
- Work in contractors' yards and warehouses
- Roof work

#### Safety shoes without pierce-proof soles

- Work on steel bridges, steel building construction, masts, towers, lifts, steel hydraulic structures, blast furnaces, steelworks and rolling mills, large containers, large pipelines, cranes, boiler plants and power stations
- Furnace construction, heating and ventilation installation and metal assembly work
- Conversion and maintenance work
- Work with blast furnaces, direct reduction plants, steelworks, rolling mills, metalworks, forging, drop forging, hot pressing and drawing plants
- Work in quarries and open diggings, coal stock removal
- Working and processing of rock

## B 1390

- Flat glass products and container glassware manufacture, working and processing

- Work with moulds in the ceramics industry
- Lining of kilns in the ceramics industry
- Moulding work in the ceramic ware and building materials industry
- Transport and storage
- Work with frozen meat blocks and preserved foods packaging
- Shipbuilding
- Railway shunting work

### **Safety shoes with heels or wedges and pierce-proof soles**

- Roof work

### **Protective shoes with insulated soles**

- Work with and on very hot or very cold materials

### **Safety shoes which can easily be removed**

- Where there is a risk of penetration by molten substances

## 3. EYE OR FACE PROTECTION

### **Protective goggles, face shields or screens**

- Welding, grinding and separating work
- Caulking and chiselling
- Rock working and processing
- Work with bolt-driving tools
- Work on stock removing machines for small chippings
- Drop forging
- The removal and breaking up of fragments
- Spraying of abrasive substances
- Work with acids and caustic solutions, disinfectants and corrosive cleaning products
- Work with liquid sprays
- Work with and in the vicinity of molten substances
- Work with radiant heat
- Work with lasers

## 4. RESPIRATORY PROTECTION

### **Respirators/breathing apparatus**

- Work in containers, restricted areas and gas-fired industrial furnaces where there may be gas or insufficient oxygen - Work in the vicinity of the blast furnace charge

- Work in the vicinity of gas converters and blast furnace gas pipes
- Work in the vicinity of blast furnace taps where there may be heavy metal fumes
- Work on the lining of furnaces and ladles where there may be dust
- Spray painting where dedusting is inadequate
- Work in shafts, sewers and other underground areas connected with sewage
- Work in refrigeration plants where there is a danger that the refrigerant may escape

## 5. HEARING PROTECTION

### **Ear protectors**

- Work with metal presses
- Work with pneumatic drills
- The work of ground staff at airports
- Pile-driving work
- Wood and textile working

## 6. BODY, ARM AND HAND PROTECTION

### **Protective clothing**

- Work with acids and caustic solutions, disinfectants and corrosive cleaning substances
- Work with or in the vicinity of hot materials and where the effects of heat are felt
- Work on flat glass products
- Shot blasting
- Work in deep-freeze rooms

### **Fire-resistant protective clothing**

- Welding in restricted areas

### **Pierce-proof aprons**

- Boning and cutting work
- Work with hand knives involving drawing the knife towards the body

### **Leather aprons**

- Welding
- Forging
- Casting

### **Forearm protection**

- Boning and cutting

### **Gloves**

- Welding
- Handling of sharp-edged objects, other than machines where there is a danger of the glove's being caught
- Unprotected work with acids and caustic solutions

### **Metal mesh gloves**

- Boning and cutting
- Regular cutting using a hand knife for production and slaughtering
- Changing the knives of cutting machines

## 7. WEATHERPROOF CLOTHING

- Work in the open air in rain and cold weather

## 8. REFLECTIVE CLOTHING

- Work where the workers must be clearly visible

## 9. SAFETY HARNESSSES

- Work on scaffolding
- Assembly of prefabricated parts
- Work on masts

B 1392

10. SAFETY ROPES

- Work in high crane cabs
- Work in high cabs of warehouse stacking and retrieval equipment
- Work in high sections of drilling towers
- Work in shafts and sewers

11. SKIN PROTECTION

- Processing of coating materials
- Tanning