

## General Duties

### Section 6: General duties of an occupier or employer

1. It shall be the duty of any person who undertakes the design, importation or manufacture of any article for use at work to carry out or arrange for the carrying out of any necessary research with a view to the discovery and, so far as is reasonably practicable, the elimination or minimisation of any risks to health or safety to which the design or article may give rise.
2. No occupier shall carry on any work or put into use any equipment, material, article or substance in a workplace unless a suitable and sufficient assessment of the risks likely to arise in the circumstances and of the steps to be taken to eliminate or minimise such risks to safety or health has been undertaken.
3. The assessment required by subsection (2) shall be reviewed where there has been a material change in the work or the circumstances under which the work is carried on.

### Section 7: General duties of an occupier to persons generally

4. It shall be the duty of every occupier to prepare and as often as may be appropriate, revise a statement of general

policy with respect to workplace safety, health and welfare, and the organisation and arrangements for the time being in force for carrying out the policy, and to bring the policy and any revision of it to the notice of all employees.

5. Where 10 or more persons are employed the statement of policy and the organisation and arrangements for the time being in force for carrying out the policy required by subsection (4) shall be in writing.

### Section 103: Safety Consultations

1. Every employer in a workplace shall
  - a. consult with his employees or their representatives for the purpose of developing measures to promote safety and health at such workplace; and
  - b. make arrangements for the participation of the employees
  - c. in the improvement and development of such measures.
2. Consultation for the purpose of subsection (1) shall be effected as follows
  - a. in workplaces where there are 25 or more persons employed through the meeting of a Health and Safety Committee consisting

of representatives appointed by the employer and representatives appointed by the employees; and

- b. in workplaces where there are less than 25 persons employed and it is not practical to have a Health and Safety Committee, through one or more safety delegates appointed by the employees.
3. The Health and Safety Committee referred to in subsection (2) shall meet no less than once a quarter and its records kept available for inspection.
4. Copies of all reports relating to the workplace safety and health conditions and the environment must be forwarded to at least one member of the Health and Safety Committee appointed by the employees.
5. Where there is a Health and Safety Committee
  - a. the Committee shall comprise an equal number of employers' and employees' representatives;
  - b. the employees' representatives shall be appointed through their trade union or recognized staff association, where the employees are represented by such trade union or staff associations;


- c. the employees' representatives shall be granted access to information relating to all workplace hazards and to all reports relating to the workplace environment;
- d. the employees' representatives may conduct tests and take samples of hazardous materials;
- e. the recommendations of the Health and Safety Committee shall, if practicable, be implemented;
- f. it shall be the duty of the Chief Labour Officer to resolve any issues relating to the practicability of any recommendations made pursuant to sub-paragraph (e) and any declaration by Chief Labour Officer in that regard shall be conclusive.

**Section 104: Right to refuse dangerous task**

Where, during the course of his employment, there is sufficient evidence to indicate that an employee's health and safety are in imminent danger that employee may refuse to carry out the tasks assigned to him pending consultation with his safety committee, trade union, staff association or the Chief Labour Officer.

Labour Department

**OCCUPATIONAL  
SAFETY AND HEALTH SECTION**



**Extracts from the  
Safety and Health at Work Act**

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