



Occupational Health & Safety Authority

## Media Release

### Lm 900 in fines for contravention of OHS legislation

29.11.04

In separate cases, 7 persons were fined a total of Lm 900 amongst them by the Criminal Court of Malta for various contraventions of rules and regulations regarding occupational health and safety (OHS).

In the first case, an owner of a garage dealing in works related to the construction industry was accused of putting his own OHS and that of others at risk at his workplace. He also failed to carry out or commission a risk assessment of his workplace as well as failing to commission a mechanical engineer to inspect and instruct on the proper use of a forklifter. The accused was found guilty and fined Lm 200.

The second case involved breaches of OHS legislation by a building contractor and a supervisor while carrying out works at the OHSA's own new premises. The contractor was found guilty of putting his own OHS and that of others at risk, of not providing adequate personal and other protective equipment to the workers and of inadequate supervision to ensure that those provided were being utilised. He was also found guilty of putting the OHS of third persons at risk and fined Lm 200. The supervisor on site was found guilty of not ensuring that employees were making use of adequate personal and other protective equipment provided by the employer and that he did not safeguard his own OHS and that of others. He was also fined Lm 200.

In the third case, two directors of companies were fined Lm 100 for lack of action on an engineer's report and recommendations regarding the safety and certification of a lift. The accused contravened OHS legislation pertaining to the examination of lifts and hoists by a competent person once in every period of six months. The accused were fined below the minimum stipulated in the law due to particular and extraordinary circumstances.

The last case was filed by two individuals against 2 OHS officers who were charged of insulting and using contemptuous language with the said individuals. This happened during a follow-up inspection on a building site where a stop-order had been issued and the works were still being carried out. The persons who filed the case did not appear in court. The court found the OHS officers not guilty as charged and fined the 2 individuals Lm 100 each for failing to appear in court. The OHSA has now filed a case against the said individuals on various issues and an arrest warrant has been issued against them to ensure that they appear in court for the next sitting. The case continues.