



Occupational Health & Safety Authority

Media Release

More than Lm 10,000 in Fines for Breach of Occupational Health and Safety Legislation

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A contractor was found guilty and fined **Lm 5,000** for causing the death of a worker on a construction site due to carelessness, lack of thought and ability in his work. The victim was working in a construction site next to the one the said contractor was responsible for when a crane toppled over and crushed him to death. The contractor was indeed also found guilty that as the person responsible for assembling the crane, he made use of such without having the crane examined and certified by a competent person. He also failed to safeguard the health and safety of all those that could be affected by the work being carried out. Moreover, the contractor neither provided adequate information, knowledge, training and supervision nor made sure that a risk assessment was carried out regarding the hazards and risks involved in all the aspects of his work activity at the construction site.

The director of a local company was fined **Lm 2,500** for also failing to safeguard the health and safety of all those that could be affected by the work being carried out for him, a shortcoming that led to a worker sustaining a serious and permanent injury involving the amputation of three fingers. The director was also found guilty of not carrying out adequate maintenance on all machinery, tools and equipment used at the workplace. He moreover failed to carry out or commission a risk assessment as required by law. The workplace also lacked adequate ventilation, welfare facilities, changing rooms for the employees as well as sanitary equipment. There was also lack of appropriate health and safety signs displayed. The said director was also found guilty of failing to provide a first aid box and easy access to first aid for the workers, as well as failing to provide the necessary consultation and information to the workers and / or their representatives.

Similar shortcomings regarding risk assessment, adequate sanitary equipment, health and safety signs, access to first aid and lack of consultation and information to the workers and / or their representatives at a construction site led to the responsible person being fined **Lm 200** in a different case.

The director of another company was given a **probation order** not to commit within a period of six months after he was also found guilty of similar offences. Moreover, he also failed to ensure that every hoist and forklift truck under his control was examined by a competent person and for disobeying an order in writing issued to him by an Officer from the Occupational Health and Safety Authority (OHSA).

For failing to safeguard the health and safety of workers and third parties and to make adequate arrangements for effective planning, organisation, control, monitoring and revision of the preventive and protective measures, directors of a company were found guilty of breaching the law and fined a total of **Lm 800**. For similar shortcomings, representatives of three companies were handed a total fine of **Lm 600**.

A crane driver was fined **Lm 200** since in his capacity of a worker, he did not safeguard his health and safety and that of others while operating the said crane. He was also found guilty of misuse of machinery, equipment, tools, dangerous substances and transport equipment and other means of production.

In separate cases, three persons were fined **Lm 200** each by the Criminal Court of Malta for apart from general health and safety shortcomings, they also failed to ensure that every lift or hoist installed at their respective workplaces and under their control were examined and certified by a competent person once every six months. They also failed to send a copy of the certificate to the OHSA every six months as required by law.

Another man was fined **Lm 250** when he was found guilty not only of the above-mentioned shortcomings but also of the fact that the lift or hoist lacked adequate protective guards (such as gates) to prevent users from possible falls.

On the same accusations and for failing to carry out the necessary alterations, renewal and maintenance as required, two directors of a company were given a **probation order** not to carry out another crime within a period of three months.

The Court was presided over by Magistrate Dr A.J. Vella and the prosecution was led by David Saliba on behalf of the OHSA.