Brief History of OHS in Malta
Historical context

Nineteenth century Malta witnessed rapid industrialisation; however, legislative measures by which to protect occupational health and safety were only introduced much later.
For hundreds of years, work in Malta was mostly:
> agricultural / pastoral,
> shipbuilding and craftsmanship,
> construction

During the 19th century, there was a transition that allowed greater mechanisation after the Crimean war and the expansion of the British Naval Dockyard.
L-AWTORITÀ GHAS-SAĦHA U SSIGURTÀ FUQ IL-POST TAX-XOGHOL
Occupational Health and Safety Authority
In 1888, Prof. Dr. Nicola Zammit (1815 – 1899), published his Pensieri di un retrogrado, a collection of essays dealing with a number of social, ethical and philosophical issues affecting contemporary Maltese society.
Dr. Zammit mentioned the risks to the health and safety of:
> those working at heights in construction,
> in underground tunnels,
> those exposed to direct and strong sunlight,
> those venturing out to sea in fragile and badly equipped boats,
> those who were made to work for more than 10 hours a day,
> and those who were inadequately trained for the work assigned to them
Prof. Zammit condemned the use of inadequate tools, of old equipment such as worn-out ropes for the suspension of scaffolds.

He also deplored the absence of supervisors to spot deficiencies and to ensure the use of necessary remedial measures.
Prof. Zammit opposed the employment and exploitation of minors, which impaired a child’s health, growth and physical development.

He criticised employers who estimated that a child’s wage would be less than the cost of buying a draught animal or a machine.
Child labour started to be addressed in 1922, when a bill was discussed by the Legislative Assembly, and established a minimum age for employment of 12 – this was published in 1926 (Act XXI 0f 1926) but was never brought into force by the Governor of the time.
The enacted Workmen’s Compensation Act of 1929, made provision for compensation to workers who sustained an injury while at work.
Factories Regulation Act, 1926 was repealed by the 1940 Factories Ordinance, which was very similar in scope, and based on the British Factories Act of 1937.
The 1940 Ordinance was an enabling Act, and gave a discretionary power to the Minister responsible for Labour to set up an ‘Advisory Board’ whose function was to make recommendations to the Minister for the purpose of making regulations.

The Board was to have representatives of the Government, the Chamber of Commerce and the Trade Unions.

An ad hoc Committee was set up to make recommendations to the Minister on the existing legislation – the first regulations based on this model were the Factories (Health, Safety and Welfare) Regulations of 1986.
The major defect of the Ordinance, was that a number of work places were excluded since they were not included within the strict interpretations given to the terms factory and place of work.
Another working committee was set up in 1988 by the then Minister of Social Policy. The tripartite committee presented a report which included proposals for new legislation, and the setting up of an independent Authority responsible for occupational health and safety.
Subsequently, Cabinet decided that, rather than set up an Authority, a tripartite Commission should be set up, and the responsibility for applying the newly drafted legislation should devolve solely upon the Director of Labour. Thus Act VII of 1994, entitled an Act for the Promotion of Occupational Health and Safety, came into being, and formally repealed the 1940 Factories Ordinance.
The greatest limitation of the Act was related to the fact that the responsibility for enforcing the legislation remained with a Government Department, and therefore the public service was in practice excluded from the applicability of ohs legislation.
In 1998, Malta reactivated its application to become a Member of the European Union. This necessitated the transposition of the whole European acquis into Maltese legislation. Concurrently, the Minister for Social Policy, with Cabinet’s concurrence, published a Bill establishing an Occupational Health and Safety Authority.
Current principal Act:


Act brought fully into force on 29th January 2002.

Act applicable to all sectors of activity and unequivocally – the public and private sector.
OHSA intended as a tripartite organisation where decisions are taken through social dialogue. In the history of OHSA, decisions were always taken by consensus, and never required a vote to be taken.

The Authority consists of nine members together with an “executive” currently consisting of 25 persons.

Act assigns around 15 executive functions to OHSA.