



S.I. 2022 No. 58

**SAFETY AND HEALTH AT WORK (PERSONAL PROTECTIVE
EQUIPMENT) REGULATIONS, 2022**

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SCHEDULE

Safety and Health at Work Act

CAP. 356

SAFETY AND HEALTH AT WORK (PERSONAL PROTECTIVE EQUIPMENT) REGULATIONS, 2022

The Minister, in exercise of the powers conferred on him by section 107(d) (vii) of the *Safety and Health at Work Act* makes the following Regulations:

Citation

1. These Regulations may be cited as the *Safety and Health at Work (Personal Protective Equipment) Regulations, 2022*.

Definitions

2. In these Regulations,

“hazard” includes any thing that has the potential to cause physical or mental harm but is not limited to the hazards set out in the *Schedule*;

“personal protective equipment” means any device or appliance designed to be worn or held by an employee for protection against one or more health and safety hazards that may exist in the workplace.

Provision of personal protective equipment

3.(1) Where an employer is unable to control the risks to the health and safety of an employee by

- (a) eliminating the risk;
- (b) substituting the risk with another that is less hazardous;
- (c) implementing engineering controls; or
- (d) implementing a safe system of work,

the employer shall provide personal protective equipment that meets international standards to protect the employee from the risks to which the employee is exposed in the workplace.

(2) There shall be no cost to an employee for the provision of personal protective equipment referred to in paragraph (1).

Risk assessment of hazards

4.(1) In order for an employer to determine the type of personal protective equipment that an employee requires, the employer shall conduct an assessment of the hazards that exist in the workplace.

(2) The assessment referred to in paragraph (1) shall consist of the following:

- (a) an analysis of the risks that are present which cannot be avoided by other means;
- (b) an analysis of the characteristics which personal protective equipment must have in order to be effective against the risks referred to in subparagraph (a), taking into account any risks which the equipment itself may create; and
- (c) a comparison of the characteristics of the personal protective equipment available with the characteristics referred to in subparagraph (b).

Types of personal protective equipment

5. Subject to regulation 3, an employer shall provide the personal protective equipment set out in the second column of the *Schedule* to an employee to protect him from the hazards set out in the first column of the *Schedule*.

Personal use

6.(1) Where personal protective equipment has been provided to an employee under regulation 3, that personal protective equipment shall be confined to the personal use of that employee.

(2) Notwithstanding paragraph (1), where it is necessary for an item of personal protective equipment to be worn by more than one employee, the employer shall ensure that such use does not create health or hygiene problems for any employee who uses that equipment.

Employees to be trained

7.(1) No employee who has been provided with personal protective equipment in accordance with regulation 3 shall use that equipment until the employer has provided information, instruction and training in the proper wearing and use of the equipment which shall include the following:

- (a) the risks against which the equipment seeks to eliminate or reduce;
- (b) the manner in which the equipment is to be used and its limitations;
- (c) the manner in which the equipment is to be worn; and
- (d) the manner in which the equipment is to be maintained and stored.

(2) The information, instruction and training referred to in paragraph (1) shall correspond to the level of risk to which the employee is exposed and the complexity and performance of the personal protective equipment to be utilised.

Duty of employees

8.(1) An employee who has been provided with personal protective equipment in accordance with regulation 3 shall

- (a) visually examine the equipment before each use;
- (b) use the equipment provided whenever it is required to be used or worn and in the manner in which it is to be used or worn;
- (c) where applicable, store the equipment after use in an area designated by the employer, unless the employee takes the equipment home; and
- (d) take reasonable care of the equipment that is provided to him and shall not carry out any maintenance unless trained and authorized by the employer.

- (2) Where an employee
- (a) discovers a defect in the personal protective equipment; or
 - (b) damages the personal protective equipment

which has been provided, the employee shall immediately report the defect or damage to the employer.

Maintenance and replacement

9.(1) An employer who provides personal protective equipment in accordance with regulation 3 shall maintain that equipment at all times in good working order and in a satisfactory hygienic condition by means of any necessary storage, repair or replacement.

(2) In determining the necessary storage, repair or replacement required to keep any equipment in good working order, an employer shall follow the instructions issued by the supplier and manufacturer of that personal protective equipment.

Exemption

10.(1) The Chief Labour Officer may, by certificate in writing, exempt a workplace or category of workplace from any provision of these Regulations where by reason of the nature of the work undertaken at the workplace, plant or equipment, the provision cannot be implemented or is not necessary for the protection of the employees who work there.

(2) The Chief Labour Officer shall establish and maintain a register of exemptions and shall enter into the register such particulars relating to a workplace or category of workplace where a certificate of exemption has been

- (a) granted; or
- (b) revoked.

SCHEDULE

(Regulation 5)

Hazard	Types of Personal Protective Equipment
1. Where there is a risk of head injury from: <i>(a)</i> impact; <i>(b)</i> falling or flying objects; or <i>(c)</i> electrical contact.	Helmet.
2. Where any plant or equipment presents a reasonably foreseeable risk of injury to the eyes or face from physical, chemical or non-ionising radiation agents.	Eye protection or face shield.
3. Where any plant or equipment presents a reasonably foreseeable risk of injury to the eyes or face from physical, chemical or non-ionising radiation agents and the employee requires the use of corrective lens in spectacles.	(1) Spectacles with protective lenses which provide optical correction; or (2) Eye protection or face shield that can be worn over corrective spectacles without disturbing the adjustment of spectacles.
4. Where there is exposure to or likely to be such exposure to gas, dust, fumes, organic matter, biological agents or other impurities and is likely to be injurious or offensive.	Respiratory protective equipment.
5. Where there is a risk of injury to fingers, hands, toes and feet or other parts of the body (due to hazards).	Appropriate personal protective equipment.
6. Where there is a risk of noise, ultrasound, heat, cold, pressure, ionising radiation, laser, microwave or other physical hazards.	Appropriate personal protective equipment.
7. Where there is exposure to rain.	Appropriate rain gear.

Made by the Minister this 5th day of July, 2022.

C. JORDAN

Minister responsible for Labour