



HEALTH AND SAFETY
AUTHORITY



Annual Report | 2007

'07

Working to create a
National Culture of
Excellence in Workplace
Safety, Health and
Welfare for Ireland

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Report by the Chairman and the Chief Executive

To the Minister for Labour Affairs

Mr Billy Kelleher TD

We are pleased to present the Annual Report for 2007 of the Health and Safety Authority of Ireland.

The Authority promotes and enforces safety, health and welfare at work. The breadth of the Authority's work encompasses all places and types of work in the state. Our objective is to create a culture of awareness, competence and motivation, in which everybody who works can work safely.

We undertook a demanding programme of legislative initiatives in parallel with a comprehensive national programme of information, promotion, prevention and enforcement during 2007.

Significant proposals for legislation were drafted in 2007, which, following on from the Safety, Health and Welfare at Work Act 2005 and the legislative programme for 2006, have substantially modernised and simplified safety and health legislation in Ireland. We drafted or gave technical advice and assistance to the Department of Enterprise, Trade and Employment on the following legislative proposals in 2007:

- Workplaces
- Work equipment
- Display screen equipment
- First-aid
- Noise
- Vibration
- Safety signs
- Work at height
- Personal protective equipment
- Electricity
- Manual handling
- Young persons
- Night work
- Pregnant workers
- Explosive atmospheres
- Classification, packaging and labelling
- Marketing and use of dangerous substances and preparations
- Carriage of dangerous goods by road
- REACH (chemical safety)
- Quarries

We brought out comprehensive guidance on the new legislation and participated in industry briefings on the new legislative requirements.

Rapid progress was made on the implementation of the new EU REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) Regulation through seminars, advisory inspections, a dedicated helpdesk and the drafting of legislative proposals dealing with the administrative and enforcement requirements.



The high-risk sectors of agriculture, construction and quarries were targeted for intervention and the Authority continued to work with the sectoral advisory committees and partnerships to improve safety performance in these areas. We ran focused inspection and promotional campaigns in the agriculture, construction, and mines and quarries sectors.

We took legal action to enforce compliance, where necessary. We pursued 31 prosecutions and those convicted were fined a total of €784,372.50.

Despite these significant interventions, work-related accidents in 2007 resulted in 67 deaths compared to 51 deaths in 2006. The increase was largely accounted for by 12 deaths in fishing and 18 deaths in construction.

As an Authority, we face significant challenges to improve workplace safety and health. The workplace is changing, as are people's expectations. We are a small organisation and we must continue to make efficient and focussed use of our resources to achieve the greatest possible improvements in workplace safety and health.

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Occupational health is becoming an increasingly significant issue for the Authority alongside its traditional activities in accident prevention. The message which we will promote is that safety, health and welfare in the workplace is the responsibility of everybody, and in particular of those who manage workplaces. We will inform all managers of their responsibilities and enforce the law in order to establish a national culture of excellence in workplace safety and health.

We wish to express our thanks to the Minister for Labour Affairs, Billy Kelleher TD, and his officials for their help and support during the year, particularly in their support in helping us to recruit additional staff to implement REACH; to our board members for their dedication and guidance; and to the diligent and professional staff of the Authority for their commitment to creating healthier and safer working environments throughout Ireland.

Jim Lyons
Chairman



Martin O'Halloran
Chief Executive



Executive Summary

New Regulations Implemented

A major programme of regulatory reform culminated in the introduction of the Safety, Health and Welfare at Work (General Application) Regulations 2007. These Regulations replace, simplify and update 25 existing sets of regulations and orders and apply to all places of work. Comprehensive guidance on these Regulations was published. The Authority provided the Department of Enterprise, Trade and Employment with a substantial amount of professional and technical advice to facilitate the making of these Regulations.

These Regulations replace, simplify and update 25 existing sets of regulations

13,631 Inspections

The Authority implemented a proactive inspection programme. A total of 13,631 inspections were carried out in 2007. In the course of these, inspectors advised employers of, and monitored compliance in relation to, key hazards in targeted sectors. They emphasised, in particular, risk assessments, preparing and implementing safety statements and the responsibilities of managers and directors.

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Inspectors found that 70% of employers had a safety statement in place. However, they found lower rates of implementation and lower rates in the construction and agriculture sectors. The majority of inspections resulted in verbal or written advice to employers and employees, however enforcement action in the form of prohibition notices, improvement notices and improvement directions was necessary in 12% of workplaces inspected.

Preparing for REACH

During 2007 the Authority prepared to implement and enforce REACH, the new EU-wide chemical safety Regulation entitled Registration, Evaluation, Authorisation and Restriction of Chemicals. We also actively participated in the EU negotiations on the legislative proposal for the Globally Harmonised System (GHS) for classifying and labelling substances and preparations. Both of these Regulations will fundamentally change the way in which industry registers, uses, classifies and labels chemicals.

Proposals for draft enforcement legislation were developed

The REACH and GHS implementation project team was expanded through new recruitment and the Authority conducted seminars and media campaigns to raise awareness and provide information to users of chemicals. Proposals for draft enforcement legislation were developed.



Information Provided to Workplaces

The Authority provided a comprehensive information service to workplaces. Our Workplace Contact Unit handled almost 40,000 calls during 2007. These included reports of serious incidents/deaths, requests for information and complaints. A REACH helpdesk is fully operational to support Irish industry in implementing REACH. It plays an important role in raising awareness and facilitating understanding of this new legislation amongst Irish industries.

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Occupational Health Addressed

The Authority made progress in the area of occupational health:

- We published a new Code of Practice on Bullying Prevention
- We determined our response to the Workplace Health and Wellbeing Strategy and identified key goals in which we will take the lead.
- We implemented significant initiatives in support of workplace mental health.
- We continued our focus on best practice manual handling as a key preventive approach in workplace health and safety. We put in place several initiatives in support of this approach.
- We commenced work with the National Disability Authority on the development of guidelines for the safe and healthy employment of people with a disability.
- We monitored compliance with Section 22 of the Safety, Health and Welfare at Work Act 2005 on the provision of health surveillance following risk assessment.

Communications Campaigns Held

Key communications campaigns in 2007 included the promotion of the new guidelines for directors on their responsibilities for workplace safety and health, the Agriculture Code of Practice and the REACH Regulation.

Working with the Advisory Committees

The Authority worked with the established sub-board structures to promote the safety, health and welfare message. These included the national structures of the Construction Advisory Committee, the Technical and Scientific Advisory Committee (which replaced the Dangerous Substances Advisory Committee in 2007) and the Farm Safety Partnership Advisory Committee.

The Authority worked with the established sub-board structures to promote the safety, health and welfare message



The Authority's four regional advisory committees continued to act as consultative and advisory fora for the Authority and assisted the Authority in promoting regional awareness of relevant initiatives and in delivering national initiatives at regional level.

Education Strategy

Good progress was made in the education area in 2007. The National Council for Curriculum and Assessment (NCCA) report Mapping Health and Safety in the Curriculum was published in September and laid the foundations for future curriculum initiatives at early-learning, primary and post-primary levels. A substantial pilot programme 'Choose Safety', which included a resource pack for teachers and students, was launched in September. Several other initiatives addressed awareness levels of young people.

The Authority continued to work alongside the Department of Education and Science and the State Claims Agency to develop a health and safety management system for schools.

Measuring Progress

The Authority measured its progress on meeting aims and objectives both quantitatively and qualitatively. An evaluation of our work at height campaign, a multi-year and resource-intensive programme of legislation, guidance, promotion and enforcement, showed significant reductions in deaths and injuries.

A peer review of our inspection activities was conducted by the EU Senior Labour Inspectors Committee (SLIC) comprising senior labour inspectors from other EU inspectorates.

The Authority measured its progress on meeting aims and objectives both quantitatively and qualitatively

Work-related Deaths and Injuries

Despite the Authority's high level of preventive activities to reduce work-related incidents in 2007, such incidents resulted in 67 recorded deaths during the year. This was an increase on the 2006 figure of 51 deaths but was lower than the 2005 figure of 74 fatalities. Most of the rise in fatalities occurred in the fishing and construction sectors. The number of farming fatalities was 11 in 2007 compared to 18 in both 2006 and 2005.



All reported deaths in 2007 were investigated and followed up as necessary. Where breaches of the legislation were observed, and evidence to support a prosecution was available, files were sent to the Director of Public Prosecutions/Chief Prosecution Solicitor.

A range of non-fatal accidents also occurred in Irish workplaces in 2007. Accidents resulting in more than three consecutive days' absence from work must be reported to the Authority. We received reports of over 7,800 such incidents in 2007.

Authority Resources

The Authority commissioned an independent report into its resources, which will inform its future resourcing strategy. This report found that the Authority had the lowest level of inspectors per head of working population in the EU and therefore was significantly constrained in fulfilling its remit in a number of key areas.

Staff Development, Decentralisation

Competent and motivated staff are central to the Authority's operation. Training and development activities were substantially expanded in 2007 to enhance the management and technical capabilities of our staff. We maintained a stable industrial relations climate through liaison with staff via an industrial relations council, extensive training of teams and individuals, a revitalised partnership process and continuing success in the Excellence Through People awards programme.

Work continued on our decentralisation plan: a new interim Kilkenny office was progressed and 27 staff took up positions in the existing interim office. Discussions continue with staff, the Department of Enterprise, Trade and Employment and the Department of Finance to progress implementation.

We maintained a stable industrial relations climate through liaison with staff via an industrial relations council, extensive training of teams and individuals

Board – Organisational Information

The Health and Safety Authority is the national statutory body with responsibility for enforcing occupational safety and health law, promoting and encouraging accident prevention, and providing information, advice and research to all companies, groups, organisations and individuals who come under the Authority's responsibility.

The Authority, a state-sponsored body under the Safety, Health and Welfare at Work Act 2005, reports to the Minister for Labour Affairs.

Board of the Authority

The Board comprises 12 members: a chairperson and 11 members appointed by the Minister for Labour Affairs. The Minister appoints members nominated by organisations representative of the social partners and other interests associated with occupational safety and health, including employees, employers and other bodies. The Board determines Authority policy.

The membership of the Board was as follows up to December 20th 2007:

Chairman

Jim Lyons, former Chief Executive, County Clare Vocational Education Committee

Employer Nominees

Tony Briscoe, Assistant Director, Social Policy (OHS), IBEC

Peter McCabe (Vice-Chairman), Director of Training, Education and Safety Services, Construction Industry Federation (CIF)

Yvonne O'Sullivan, Head of Organisational Capability and Small Pack, Diageo Ireland

Employee Nominees

Sylvester Cronin, Head of Safety, Health and Welfare at Work Unit, SIPTU

Louise O'Donnell, National Secretary, Civil Service Division, IMPACT

Fergus Whelan, Industrial Officer, Irish Congress of Trade Unions (ICTU)

Minister's Nominees

Anne-Marie Hayes

Pat Kearney

Martin Lynch

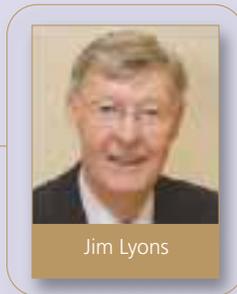
Christina McEleney

Rosie Sheerin

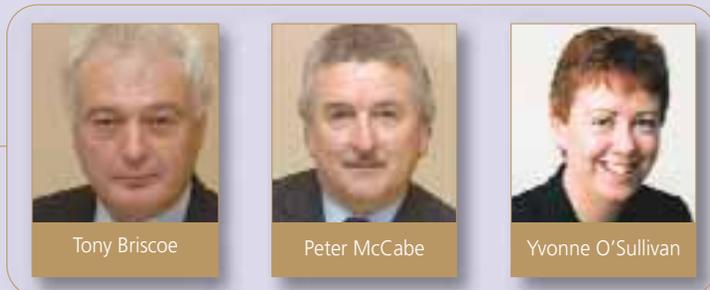
A new Board was appointed on December 20th 2008 on the expiration of the previous Board's term of office.



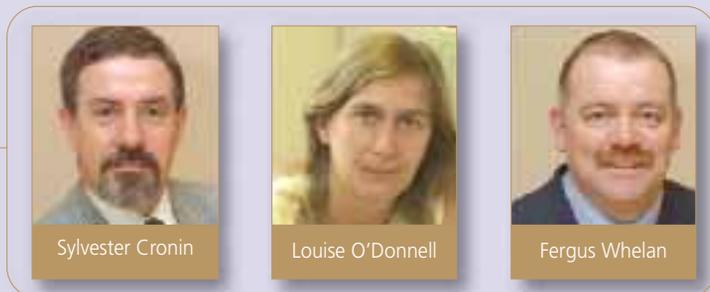
Chairman



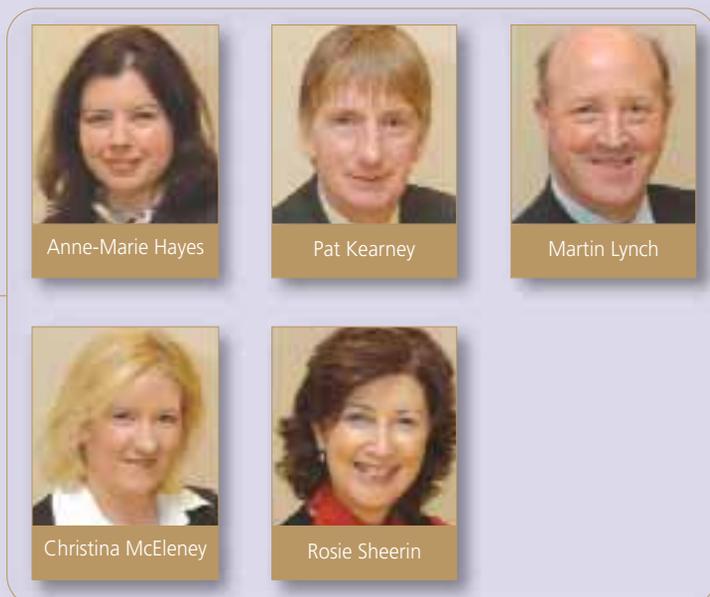
Employer Nominees



Employee Nominees



Minister Nominees





Management

The Chief Executive Officer (CEO) manages and controls the implementation of strategy in line with the Authority's statutory responsibilities and the policies set out by the Board.

The Authority currently has a sanctioned staffing level of 197, comprising inspectors, professional specialists, administrators and clerical support. 127 inspectors carry out a range of roles including promoting workplace safety and health, inspecting workplaces, developing legislative proposals at EU and national levels, publishing guidance, consulting with representative bodies, information and advisory activities, investigating complaints and accidents, and prosecuting offenders.

Management executives were as follows at 31 December 2007:

CEO
Martin O'Halloran

Assistant Chief Executive
Compliance & Advice

Michael Henry

Assistant Chief Executive
Corporate Services

Robert Roe

Assistant Chief Executive
Prevention Services

Mary Dorgan

Assistant Chief Executive
Chemical Policy & Services

Sharon McGuinness



A Culture of Workplace Safety for All

The Authority recognises that employers and their employees are responsible for reducing injuries and illnesses caused or made worse by work, and supports them through programmes that: promote a safe and healthy working environment, develop legislative proposals, provide information and advice, carry out inspections and investigations and, where necessary, take enforcement action to ensure compliance.

We make efficient use of our staff and develop their competence so that they can help our clients and customers to reduce risk and, where required, enforce the law.

We consult workers, employers and their representatives to ensure that our services meet their needs. We deliver services effectively and efficiently through continuing research, statistical analysis and the measurement and appraisal of our activities.

We have an open communications policy that maintains easy access to our organisation for all our partners and stakeholders, including workers, employers, representative bodies and the general public.

We monitor and review health and safety legislation and our guidelines and information to ensure that they are relevant, sensible and accessible. Our prevention, inspection, investigation and enforcement initiatives are designed to ensure that workers are provided with, and contribute to, a safe and healthy working environment.



Detailed Account of the Work of the Health and Safety Authority in 2007

This part of the report reviews the work of the Authority in 2007 under three headings:

1 Key Sectors	2 Key Hazards	3 Programmes Spanning all Sectors
<p>Key Sectors – this section provides an account of recorded compliance and Authority initiatives in each of the following sectors:</p> <ul style="list-style-type: none">• Agriculture and Forestry• Construction• Mines and Quarries• Health Services• Local Authorities• Manufacturing• Waste Recycling	<p>Key Hazards – this section provides an account of progress made by the Authority during the year in relation to specific hazards.</p> <ul style="list-style-type: none">• Major Accident Hazards• Hazardous Substances• Transport and Storage of Dangerous Goods• Manual Handling• Workplace Vehicle Safety• Slips, Trips and Falls• Noise <p>Compliance results are reported.</p>	<p>Programmes Spanning all Sectors – this section provides an account of enforcement activity, communications activity and several wide-ranging initiatives carried out in 2007 by the Authority which had an impact across sectors and hazards.</p> <ul style="list-style-type: none">• Workplace Safety and Health Management• Implementation of the Safety, Health and Welfare at Work Act 2005• Reactive Inspections• Prosecutions and Court Actions• Enforcement Systems• Workplace Contact Unit• Health Surveillance• Machinery CE Marking• Voluntary Protection Programme• Strategic Alliances• Education• Micro Business• Occupational Health• Communications• Legislation and Guidance• Internal Efficiencies



Key Sectors

The Authority prioritised a number of key issues for attention in 2007 based on those areas of work known to have a higher risk of injury or death. The areas involved were principally those which involve work at height, work in proximity to or with moving plant and machinery and work that requires a high level of manual labour. The level of risk involved in these activities requires active management to prevent injury, illness or death.

In 2007 the Authority continued its focus on ensuring improvements in the management of health and safety across all sectors but targeted additional resources in the high-risk sectors of agriculture, construction, and mines and quarries.

The trend in overall compliance rates observed during inspections in these sectors in 2005, 2006 and 2007 is presented below.

Overall full/broad compliance rates in high-risk sectors 2005–2007			
COMPLIANCE	2005	2006	2007
Agriculture and forestry	58%	53%	66%
Construction	55%	48%	52%
Mines and quarries	40%	44%	44%

Compliance rates are measured at the time of inspection and the compliance rate measured in a sector can vary with the types of activities and employers prioritised for inspection in any given year. Authority inspections are prioritised on high-risk activities, sectors and employers and the compliance rates measure the perceived compliance of those employers inspected rather than compliance for a sector as a whole.

In 2007 there was an enforcement rate of 12%; action taken was in the form of issued improvement or prohibition notices and improvement directions.



Agriculture and Forestry

The number of work-related deaths in the farming sector reduced to 11 in 2007, compared to 18 in both 2005 and 2006. This represents a substantial improvement in this hazardous sector but experience suggests that we must remain vigilant to help maintain this trend and reduce deaths and injuries still further.

Farms are unique workplaces as they combine both a home and work environment. Deaths to the elderly on farms now represent over 50% of all fatal farm accidents and the safety of the elderly and children received particular attention during the Authority's inspection and promotional events in 2007.

In 2007 we worked to raise awareness of farm safety issues and encouraged the establishment of appropriate training within the sector to help develop a sustainable health and safety culture in agriculture. We promoted the Agriculture Code of Practice and Teagasc provided training on the use of this Code. We also promoted safety performance in forestry work practices, particularly in relation to contractors.



We continued our initiatives to achieve improvements in the farming sector through the Farm Safety Partnership, advice and information campaigns, a farm safety campaign and our annual farm inspection campaign.

We carried out 1,313 farm inspections in 2007 and a further 52 forestry inspections. Farms, agricultural

suppliers and agricultural contractors were inspected to identify if a safety statement or Agriculture Code of Practice was in place. An intensive campaign involving over 400 farm inspections took place in May 2007 and was supported by extensive media coverage.



Other activities during 2007 were:

- A National Agriculture Safety Conference held in Abbeyleix in July. The conference was an outcome of the Farm Safety Partnership Advisory Committee. It was opened by the Minister for Labour Affairs, Billy Kelleher TD, and received sponsorship from FBD.
- Continuation of the joint initiative with Teagasc on farm safety improvement. The emphasis in 2007 was on the development of a specific training course built on the requirements of the Agriculture Code of Practice.
- Development of a farm-specific manual handling DVD.
- Finalisation and distribution of an equine safety DVD.
- Development, launch and distribution of the child safety book entitled Stay Safe on the Farm with Jessy.
- Development and distribution of a leaflet on 'Safety of the Elderly on Farms'.



- Safety stands at the National Ploughing Championships in Tullamore and at Bunniconnellan and Piltown Shows.
- Contribution to guidance in relation to on-farm construction activities.

Compliance Indicators

Comparisons of compliance rates from 2005 to 2007 indicate some improvement in this sector. It is hoped that compliance will continue to improve with the further take-up of the Agriculture Code of Practice. The Code, issued in 2006, removes the need for farms with three employees or less to have a separate safety statement.

Inspections recorded improvements in the areas of animal handling, child safety, electrical installation, machinery safety and slurry handling. These findings are reflected in the increase in the farms which are assessed as having broad to full compliance.

Compliance rates in agriculture and forestry enterprises inspected			
COMPLIANCE	2005	2006	2007
Full/broad compliance	58%	53%	66%
Some compliance	14%	33%	30%
Limited/no compliance	28%	14%	4%

Construction

Work-related deaths in the construction sector increased from 13 in 2006 to 18 in 2007.

The Authority's 2007 programme of inspections to improve health and safety standards on construction sites concentrated on the issues of site-specific health and safety plans, safety statements, the provision of welfare facilities and the notification and appointment of health and safety duty holders. We also examined measures in place for working at heights and managing plant and equipment, as well as scrutinising overall site traffic with regard to

workplace health and safety requirements.

We carried out 6,496 construction site inspections in 2007, including investigations into 633 accidents and 692 complaints. 13% of contractors inspected were issued with enforcement notices.

We conducted two intensive construction campaigns during the year. These focused on continuing to spread awareness of the Safety, Health and Welfare at Work (Construction) Regulations 2006 and the Safety, Health and Welfare at Work (Work at Height) Regulations 2006. Inspections continued to place strong emphasis on the safe use of equipment such as ladders, trestles and man cages.

The Safe System of Work Plan (SSWP) for the construction industry was further extended and continued to be promoted as part of the inspection campaigns.

We continued to co-operate with the social partners through our Construction Advisory Committee, the Construction Safety Partnership and other key representative groups.

Codes of Practice

The Construction Safety Code of Practice for contractors with three or less employees was finalised and submitted to the Minister for Labour Affairs for approval.

The Code of Practice for Scaffolding was developed and public consultation completed.

The Code of Practice for Underground Services was drafted.

The Authority worked with ESB Networks to draft a Code of Practice for Working Near Overhead Lines in construction.

Guidance Documents

The Guide for Clients involved in construction projects was published.



Information notes on work at heights, safe use of work platforms/trestles and using ladders safely were published.

The SSWP for road works was finalised as part of the ongoing co-operation with local authorities.



Construction Safety Partnership

The Construction Safety Partnership entered a new phase in its support for health and safety in construction in recognition of the many changes in the sector in the past five years. The emphasis in 2007 was on the development of key goals around these new challenges and the presentation of a draft plan for the Partnership. The Authority will continue to play a significant role in the work of this group.

Compliance Indicators

While the proportion of construction sites showing full or broad compliance increased in 2007, the percentages of construction contractors with some or limited compliance are still unacceptably high in such a high-risk sector.

Compliance rates in construction sites inspected			
COMPLIANCE	2005	2006	2007
Full/broad compliance	55%	48%	52%
Some compliance	17%	23%	29%
Limited/no compliance	28%	29%	19%

Mines and Quarries

There were two fatal accidents in the mining and quarrying sector in 2007, the same number as in 2006. One fatal accident was associated with mobile plant at a quarry stockpile. The second fatal accident occurred at an underground mine and involved a fall from a platform.

Two is an unacceptably high figure considering the relatively small numbers employed in the sector (approximately 10,000) but it represents an improvement over 2005 when six deaths occurred (five in quarries and one in mining). However, there were no fatal accidents in this sector in 1995 and 2004 and the Authority believes that this is achievable if industry leaders and managers effectively control a small number of key hazards.

We inspected 524 mining and quarrying operations in 2007. These inspections continued the focus on health and safety management, traffic management, fixed-plant safety, falls of ground, falls from height, maintenance work, explosives safety and security of fencing.



The 2007 annual quarry safety campaign was held in October and, as with previous campaigns, we found that many of the known causes of fatal accidents in this sector were not being proactively managed, particularly by smaller and medium-sized operators. The larger operators showed improved management of critical risk issues. However, some sites failed to maintain adequate standards, particularly in relation



to risks associated with fixed and mobile plant, falls from height and the safe use of explosives. Enforcement notices were issued in 11% of inspections in this sector.

We carried out 14 mine inspections during 2007, some dealing with serious-accident investigations. Issues needing attention included emergency procedures, health and safety management, mobile-plant safety, falls of ground, falls from height, and machinery and explosives safety.

The Galmoy Mine in Kilkenny hosted the annual Mines Rescue Competition, in which teams from across Ireland and the UK competed. Such competitions allow rescue teams to practise and compete in close to real-life emergency situations and are an essential means of perfecting emergency rescue response expertise.

We assisted the Department of Enterprise, Trade and Employment in finalising the draft quarries regulations.

Compliance Indicators

The 2007 compliance figures show that the level of full or broad compliance was unchanged.

Compliance rates in mines and quarries inspected			
COMPLIANCE	2005	2006	2007
Full/broad compliance	40%	44%	44%
Some compliance	32%	33%	49%
Limited/no compliance	28%	23%	7%

Health Services

In 2007 the Authority promoted the Occupational Safety, Health and Welfare Management System and the Audit Tool for the Health Sector which had been introduced in 2006, in partnership with the sector.

We carried out 257 inspections in the health sector, including 18 accident and 11 complaint investigations. Inspectors concentrated on health and safety management.

Compliance Indicators

Compliance rates for 2007 indicate a significant reduction in the rate of limited/no compliance to 3%.

Compliance rates in health services premises inspected			
COMPLIANCE	2005	2006	2007
Full/broad compliance	52%	44%	68%
Some compliance	36%	22%	29%
Limited/no compliance	12%	34%	3%

Local Authorities

The Authority conducted 253 inspections in the public administration sector in 2007, including 32 accident and 12 incident investigations.

Compliance Indicators

Compliance rates in 2007 showed a reduction in those assessed as having full/broad compliance compared to 2006 and an increase in those having some compliance.

Compliance rates in local authority workplaces inspected			
COMPLIANCE	2005	2006	2007
Full/broad compliance	53%	58%	43%
Some compliance	23%	28%	53%
Limited/no compliance	24%	14%	4%



Manufacturing

There were four fatal accidents in the manufacturing sector in 2007.

The Authority conducted 1,965 manufacturing inspections in 2007, of which 277 related to accidents and 71 were complaint investigations. The focus of the 2007 inspection programme was on controls in relation to falls from a height, forklift operation and use, and pedestrian safety. Where relevant, the level of compliance with the explosive atmospheres and chemical agent requirements was also assessed.

Compliance Indicators

Compliance rates in this sector in 2007 indicated a slight improvement in the rate of compliance.

Compliance rates in manufacturing workplaces inspected			
COMPLIANCE	2005	2006	2007
Full/broad compliance	46%	46%	47%
Some compliance	30%	30%	40%
Limited/no compliance	24%	24%	13%

Waste Recycling

The Authority carried out 186 targeted inspections on the waste recycling operations of both local authorities and private organisations in 2007. The inspections concentrated on safety and health management systems, the designation of traffic/pedestrian routes, the provision of information to workers (with a particular emphasis on non-Irish nationals) and the presence of safety statements and risk assessments.



Key Hazards

Major Accident Hazards

The Authority fulfils the EU national competent authority role in Ireland in respect of the control of major accident hazards.

In 2007 the Authority inspected all designated sites under the EU Control of Major Accident Hazards Involving Dangerous Substances Regulations 2006 (COMAH) by carrying out 110 inspections. These inspections focused in particular on the safety management systems concerning the key risk control systems of permits-to-work, and major hazard identification and risk assessment. Five safety reports submitted under the Regulations were signed off as complete during 2007 and three others have been assessed in detail, with further information being required before final sign-off can take place.

We advised planning authorities and An Bord Pleanála in 447 instances concerning land-use planning in areas surrounding major-accident-hazard establishments. We initiated a project to review our approach to land-use planning advice in the context of the latest European guidelines and the Buncefield investigation, for completion in mid-2008.

We were active in encouraging the local competent authorities to prepare and test outstanding external emergency plans required under the COMAH Regulations. Our inspectors monitored the testing of eight external emergency plans for upper-tier COMAH sites by local competent authorities. We attended meetings of the Committee of Competent Authorities for the implementation of the EU COMAH Directive.

We ensured that obligations under the Chemical Weapons Act were fulfilled by making a declaration to the UN body, the Organisation for the Prohibition of Chemical Weapons (OPCW), which was set up under the UN Convention on Chemical Weapons. We carried out 326 inspections of sites which store

dangerous substances but which are below the current application thresholds of the COMAH Regulations. We also made three inspections of offshore exploration/exploitation facilities for compliance with relevant applicable legislation.

Hazardous Substances

The Authority fulfils the EU role of national competent authority for the classification, packaging, labelling and notification of dangerous substances, export/import regulation, and marketing and use of dangerous substances and preparations.

We evaluated and processed 17 new substance notifications within the mandatory timeframe, in addition to 44 notification exemptions and extensions and four notification updates. We received no export notices under the regulation concerning import and export of dangerous chemicals.



We continued to support the EU development of chemical safety regulatory policies on nanotechnology. We established an ad-hoc working group on nanotechnology to develop a strategy on the safe use of nanoparticles in the workplace on the recommendation of the Technical Scientific Advisory Committee.

We represented the Irish interest in a significant number of EU meetings and working groups on the



development of chemical safety legislation. We consulted appropriate stakeholders concerning the development of the national position at these EU meetings.

We played a significant role in negotiating the Marketing and Use Directive, regarding restrictions on the marketing of mercury in certain measuring devices, and the Commission proposal for a decision to restrict the marketing and use of (2-methoxyethoxy)ethanol (DEGME), 2-(2-butoxyethoxy)ethanol (DEGBE), methylenediphenyl diisocyanate (MDI), cyclohexane and ammonium nitrate.

We also submitted position papers and provided input into negotiations at environmental working party meetings regarding the development of a new regulation on the export and import of dangerous chemicals.

The human health risk assessments of three priority substances were progressed and two of the reports received final agreement at EU level.

As part of the Authority's Education Strategy, we delivered presentations concerning chemical safety in the laboratory to science teachers during the Young Scientist competition and contributed to the preparation of a lesson plan entitled 'Labelling and Safe Use of Chemicals' for all secondary schools in Ireland for the third edition of Science and Technology in Action.

REACH and GHS

The implementation of the REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) and GHS (Globally Harmonised System for classifying and labelling substances and preparations) Regulations continued throughout 2007. Resources were used from across the Authority to ensure our

readiness to implement both of these Regulations. Our implementation plans are very much in line with those in many other Member States and are significantly more advanced when compared to some. The REACH Regulation entered into force on 1 June 2007.

The European Commission commenced a review of a number of the REACH annexes in 2007 in accordance with the requirements of the Regulation. We are representing the Irish Interest in the sub-group which has been established to follow this work. We consulted and represented Irish industry in relation to the review of Annex IV which is currently under way. We also continued our active contribution to the Commission's REACH Interim Strategy projects. These projects were tasked with developing technical guidance for industry and competent authorities to help them meet their obligations under REACH. We actively participated in ten implementation projects and have reviewed the progress and outcomes of the remaining five projects. Much of this guidance is now available on the website of the newly established European Chemicals Agency (ECHA): www.echa.eu. It is hoped that the outstanding guidance documents will be finalised and made available by summer 2008.



The ECHA, with responsibility for the central administration of REACH, was established on 1 June 2007. Since that date, we have worked with the Agency in assisting it to perform this role and in



supporting the establishment of the specific technical, scientific and enforcement committees. Four nominees from the Authority are participating as experts in the Member State, Risk Assessment and Socio-Economic Analysis Committees, as well as the Forum which deals with enforcement. Our nominees were ratified by the ECHA management board and the first committee to meet formally was the Forum in December 2007.

The Regulation set to introduce GHS in Europe was published on 27 June 2007. We played a significant role in the Council negotiations, participating in nine Council meetings, submitting detailed technical comments and liaising with the Department of Enterprise, Trade and Employment and other government departments as well as industry stakeholders. We participated in the UN meetings on GHS and in the development of guidance for the future GHS Regulation (RIP 3.6). We set up a website (www.ghs.ie) and helpdesk (ghs@hsa.ie). The Authority's Technical Scientific Advisory Committee established an ad-hoc working group to promote awareness of GHS amongst representative groups, and to consult with these groups on relevant issues in relation to the negotiations.

As part of our REACH implementation strategy, we delivered a significant awareness programme on REACH during 2007. Central to this were three separate media campaigns in national and local press and radio as well as two direct mail campaigns. We held six breakfast seminars for relevant industry and employee stakeholder groups, followed by a launch seminar in Dublin on 29 May to coincide with the introduction of the REACH Regulation on 1 June. Seven regional seminars were held in September and October to provide further details on REACH to Irish industry.

The Authority contributed to a range of other seminars organised by stakeholder groups such as the Irish Business and Employers Confederation (IBEC),

Institution of Occupational Safety and Health (IOSH), Pharmaceutical Ireland, ICT Ireland and Animal and Plant Health Association (APHA).

Our REACH helpdesk responded to 500 queries throughout the year, many of which came from Irish businesses importing and using chemicals that will be directly impacted by REACH. Most of the companies using the helpdesk and targeted in our awareness-raising efforts are small and medium-sized enterprises. Through our helpdesk function, we have also contributed to the completion of a series of Frequently Asked Questions on REACH, developed by the ECHA. Our REACHRight web page was regularly updated with the latest information throughout 2007.

We carried out approximately 400 REACH awareness inspections in 2007 in order to assess levels of awareness of the REACH and GHS Regulations across a range of manufacturing sectors, including the chemical manufacturing industry.

Awareness of REACH was found to be quite good (62%) and most of those visited considered themselves to be 'downstream users' (88%), with smaller percentages involved in manufacturing (12%) and importing chemicals (30%). The awareness of GHS was low (33%); however, this may be because our awareness-raising campaigns were focused primarily on REACH in 2007, as GHS is still being developed at EU level.

To continue our preparations for REACH implementation, we also recruited specialist staff throughout 2007 and provided relevant training to new and existing staff.

Occupational Hygiene

The Authority enforces legislation for chemical agents, asbestos and biological agents, and develops legislative proposals and associated guidance for



physical agents, including noise and vibration. Our inspection programme comprised proactive and reactive inspections and inspection campaigns focused on specific exposure routes or industry types. In 2007 we carried out 211 asbestos monitoring inspections.

230 chemical agents inspections were also completed in conjunction with a survey on industry awareness levels around the new REACH Regulation.

Mushroom Industry

A total of 103 inspections of facilities involved in the mushroom production industry took place during 2007. It was found that the majority of mushroom growers use only relatively low-hazard chemical disinfectants or fungicides, whose hazards are easily controlled. 10% of mushroom growers were identified as using particularly hazardous disinfectants for which strict safe-use procedures and controls were not adequately established and implemented. Use of these substances has been prohibited.

Health and safety management systems were poorly developed in this sector. Enforcement actions were taken in 5% of cases and written advice was issued in an additional 35% of cases as part of the mushroom production industry inspection programme for 2007.

Hand-arm Vibration Exposures

56 work activities were monitored for hand-arm vibration in the construction and furniture manufacture sectors. In many cases the vibration exposure action value of 2.5m/s^2 was exceeded. The exposure limit value of 5m/s^2 was exceeded in one case. These inspections highlighted that hand-arm vibration is a risk in the types of workplace monitored and that employers need to carry out risk assessments to ensure that it is adequately controlled.

Silica Monitoring Survey

During 2006 and 2007 we conducted air monitoring for respirable crystalline silica and respirable dust in 35 workplaces. This survey was conducted in quarries, stonemasons processing granite, and concrete batching and handling premises.

Initial examination of the results indicates that silica exposure is not a major occupational hygiene issue in Ireland as most indigenous stone is limestone (which is low in silica). The current practice for granite processing generally involves importation of the products in the form of pre-finished items and thus a minimal number of companies actually process the granite themselves; this situation reduces the number of workers exposed to silica.

Chemical Agents Code of Practice

The Code of Practice for the Chemical Agents Regulations, which outlines occupational exposure limit values (OELVs) for a number of chemicals, was updated and published.

Transport and Storage of Dangerous Goods

The Authority carried out 877 vehicle road checks in 2007, of which 686 involved the carriage of dangerous goods. The compliance rates for 2007 were similar to those recorded for 2006.

118 on-the-spot fines were recorded under the Carriage of Dangerous Goods by Road (ADR) Regulations 2006 and 2007 for breaches observed during these road checks.

In addition, 243 dangerous goods transport premises were inspected. We recorded an overall compliance rate of 54% as compared to a compliance rate of 58% for 2006.



We conducted 156 inspections of petrol stations in response to complaints received. Issues encountered included poor maintenance of petrol hoses and fittings, poor ground surfaces around pumps, poor welfare facilities and the absence of safety statements.



We contributed to the review of the Dangerous Substances Act 1972 and associated regulations. The Authority fulfilled its competent authority functions in respect of the ADR Framework Directive, ADR Checks, Safety Adviser and Transportable Pressure Equipment (TPED) Directives.

We developed a strategy for the implementation of TPED requirements and partnered with the Irish National Accreditation Board (INAB) to fulfil some competent authority functions. We managed the ADR Driver Examination Scheme. 49 examinations were held and 1,379 drivers were examined. The existing five approved training providers for the ADR driver training courses had their annual approvals reviewed and renewed. 144 candidates were examined under the Dangerous Goods Safety Adviser (DGSA) for Road Examination Scheme.

The Carriage of Dangerous Goods by Road Regulations 2007 were signed into effect in June

2007. We started a review of the Carriage of Dangerous Goods by Road Act.

We represented the Irish national interest at six international meetings of national, UNECE (United Nations Economic Commission for Europe), EU and international technical and expert working groups. We prepared briefs and supported relevant government departments in advancing EU working

group negotiations on the new Inland Transport of Dangerous Goods Directive.

Compliance rates in carriage of dangerous goods by road (ADR)

COMPLIANCE	2006	2007
Full/broad compliance	84%	89%
Some compliance	10%	4%
Limited/no compliance	6%	7%

Manual Handling

The Authority conducted 341 manual handling inspections in 2007, with a particular focus on the health and transport sectors as part of an EU-wide co-ordinated campaign.



Four manual handling training standards were developed and submitted to FETAC (Further Education Training and Awards Council) for approval. An evidence-based research report on manual/patient handling incidents in the health sector was published and disseminated in conjunction with Irish Public



Bodies Insurance. Three brochures with guidance on manual handling in the transport and health sectors were published on our website. An in-house inspector training programme and guidance for these sectors was delivered. Ten promotional campaigns to raise awareness, comprising animated manual handling case studies, were completed and placed on the website in August 2007. Eight seminars were delivered nationwide to over 250 participants on the subject of musculoskeletal disorders. A newspaper and radio media campaign was also completed.

Compliance rates in manual handling inspections

COMPLIANCE	2005	2006	2007
Full/broad compliance	50%	44%	56%
Some compliance	21%	28%	27%
Limited/no compliance	29%	28%	17%

Workplace Vehicle Safety

Workplace vehicle and plant movements have been identified as high-risk activities in all sectors. They are associated with a high level of fatal and serious injuries to workers. In 2007 the Authority focused on risks to pedestrians in the workplace and the appropriate maintenance of vehicle fleets.



We conducted 230 inspections across all industrial sectors. The programme of inspections placed particular emphasis on evidence of risk assessments for workplace vehicles, movements aimed at preventing accidents, ensuring appropriate vehicle maintenance regimes are in place to enable roadworthiness, safe access to and egress from heights, high loads and safe loading and unloading activities at loading bays, and materials handling.

We invited tenders for research to establish a baseline on cross-sectoral workplace, vehicle-related safety compliance (excluding construction, and mines and quarries) to inform our approach to improving overall safety performance.

We developed information on road and fleet safety, emphasising that workplace vehicle safety requirements should be effectively managed and included in safety statements and that appropriate risk assessments should be undertaken.

Compliance was assessed on the basis of appropriate controls, including fleet risk assessment, fleet maintenance, pedestrian segregation at the place of work, safe workplace layout and type of vehicle activity.

Compliance rates in workplace vehicle transport inspections

COMPLIANCE	2005	2006	2007
Full/broad compliance	60%	50%	45%
Some compliance	33%	33%	40%
Limited/no compliance	7%	17%	15%



Slips, Trips and Falls

Slips, trips and falls account for a considerable proportion of work-related accidents. A specific slips, trips and falls safety programme was piloted with a number of different companies in 2007. In addition, the Authority established an internal group with experience in surface assessment for slip resistance and resourced this group with the technical equipment to carry out such analysis.

The control of slips, trips and falls was assessed in more than 10,000 inspections. Of these, 44% of sites were found to be in full to broad compliance in that there was good housekeeping, floors and stairs were maintained and there were spill and water controls in place; 40% showed some compliance and 16% had limited or no compliance.

Guidance on prevention of slips, trips and falls was published on the website.

Noise

The Authority continued to promote awareness of the key provisions of the 2006 Noise at Work Regulations during its inspection programmes in 2007. There were 64 noise inspections carried out. Noisy areas were identified in 67% of cases, and appropriate personal protective equipment (PPE) was provided in 99% of cases. Programmes of noise control measures were being implemented in 63% of cases. healthy

Programmes Spanning All Sectors

Workplace Safety and Health Management

Safety and health management systems, carrying out risk assessments and preparing safety statements are core requirements of general management in workplaces throughout the state. This function involves, for the most part, the preparation and implementation of the safety statement.

Safety statements were sought in 92% of workplaces inspected by the Authority in 2007. They were available in 70% of these (69% in 2006). We monitored a sample of the key risks identified in these statements to check for the implementation of preventive measures in the workplaces visited.

The health sector and local authority sector each made commitments to implement safety and health management systems.

We continued our joint work with the Department of Education and Science and the State Claims Agency on the introduction of a health and safety management system for schools. Eight pilot sites at post-primary level commenced work on this project.

Compliance Indicators

The levels of compliance in 2005 and 2006 were similar, however there was a drop in compliance in 2007.

Compliance rates for preparation and implementation of the safety statement			
COMPLIANCE	2005	2006	2007
Full/broad compliance	55%	57%	48%
Some compliance	41%	40%	47%
Limited/no compliance	4%	3%	5%

Implementation of the Safety, Health and Welfare at Work Act 2005

The Authority continued a proactive inspection programme under the 2005 Act. This approach includes giving advice and information to employers and employees and taking enforcement actions where necessary.

Inspectors used their inspections to advise employers of, and monitor compliance with, the requirements. They stressed in particular the changes with regard to carrying out risk assessments, preparing and updating safety statements, and the liabilities of directors under Section 80 of the 2005 Act.

Enforcement actions were taken under the 2005 Act, where necessary, particularly during accident and serious-incident investigations.

Inspectors asked directors and/or senior managers in the premises inspected key questions on their awareness of their safety and health responsibilities under the 2005 Act, and their level of compliance with the Act. This survey is part of a programme to check and compare compliance levels over the period from 2006 to 2008. Levels of awareness recorded during 11,587 inspections across all sectors and company sizes in 2007 showed some improvements.

Compliance rates on level of awareness of responsibilities under the 2005 Act		
COMPLIANCE	2006	2007
Full/broad compliance	40%	41%
Some compliance	40%	43%
Limited/no compliance	20%	16%

Compliance rates on level of awareness of compliance with the 2005 Act		
COMPLIANCE	2006	2007
Full/broad compliance	44%	45%
Some compliance	38%	40%
Limited/no compliance	18%	15%



We published *Guidance for Directors and Senior Managers on their Responsibilities for Workplace Safety and Health* in 2007. This booklet covers the health and safety management responsibilities of these groups. In monitoring compliance, inspectors promoted the guidance in the booklet, which complements the guidance in the following Authority guidelines, which were updated and republished in 2007:

- *Guidelines on Risk Assessments and Safety Statements*
- *Guidelines on Safety Representatives and Safety Consultation*
- *Guidelines on Workplace Safety and Health Management*

Reactive Inspections

The Authority investigated all reported workplace deaths in 2007 and followed up as necessary. Where breaches of the legislation were observed, and evidence was available to support a prosecution, files were sent to the Director of Public Prosecutions/Chief Prosecution Solicitor.

In the course of 1,3631 visits (an increase on the 1,178 visits in 2006), we investigated more than 10% of notified, serious, non-fatal accidents. These visits included interviewing injured workers in hospitals and accident witnesses at their homes. During 2007 we received 3,729 complaints. These were investigated

by inspectors through 975 site visits, or followed up by phone or letter by Workplace Contact Unit staff.

We undertook reactive work within the terms of Section 12 of the Safety, Health and Welfare at Work Act 2005 in cases where work activities had a direct impact on the health and safety of the public.

Prosecutions and Court Actions

The Authority exercises a strong degree of governance to ensure that investigation and file preparation are performed to a high standard.

During 2007:

- We transmitted all investigation files sent to the Director of Public Prosecutions (DPP) in accordance with the agreed procedures and format of the DPP's Office.
- Our Special Investigation Unit focused its investigations on fatal accidents and serious incidents.
- We operated our revised prosecution procedures in the enforcement and investigation process in line with best practice.
- We continued to work with An Garda Síochána with a view to ensuring the optimum level of co-operation between both investigative agencies.

2007 prosecution performance indicators

Type of proceedings	Total heard	% of total cases heard summarily, indictment & appeal	Dismissals	Circuit Court appeal	District Court appeal	Suspended sentence	Probation Act	Fines €
Summary	14	45%	1	0	1	0	1	27,672.50
Indictment	17	55%	0	1	0	0	1	756,700
Total	31	100%	1	1	1	0	2	784,372.50

For a complete list of the outcomes of prosecutions in 2007, see Appendix A.



Enforcement Systems

We continued the development of our IT system for enforcement, known as the SAFE System (System for Accident and Field Enforcement). The new system will include the most up-to-date IT functionality and will enhance the work of inspectors in the field. A contract to develop the new IT system was awarded in November.

We updated further the inspectors' guidance on enforcement to comply with the development of new guidelines on operational topics such as occupational health and health and safety management. We carried out our compliance monitoring, accident and complaint investigations in line with these agreed procedures. We developed and implemented a programme for training 15 new inspectors. Experienced inspectors underwent a training programme on the 2007 General Application Regulations and on other key topics in the 2007 work programme such as safety and health management, occupational health, construction and agriculture enforcement.

Workplace Contact Unit

Throughout 2007 the Authority further developed its workplace contact function, with the key objective of providing information to the public in a professional, efficient and customer-friendly manner. We received almost 40,000 contacts in 2007. These included reports of serious incidents/deaths, requests for information and complaints. Our 'dropped-call' rate for 2007 was approximately 2.5%, which met our target of 5% or less.

An independent customer satisfaction study was initiated in August and clearly indicated that the satisfaction of customers who contact the Authority is very high. Key findings include:

- Almost 80% of customers are either completely or mostly satisfied with the service.

- 78% felt that the staff did everything they could to assist.
- Overall staff professionalism and helpfulness is rated as excellent.

At the end of 2007 the Authority was audited for accreditation by the Customer Contact Association (CCA) and the British Standards Institute (BSI) and was recommended for full accreditation.

Health Surveillance

A survey on health surveillance was carried out during the second half of 2007 to monitor compliance with Section 22 of the Safety, Health and Welfare at Work Act 2005. It monitored whether the risk assessment (required by Section 19 of the 2005 Act) considered health surveillance as a control option and the extent to which health surveillance was made available to workers as a result of risk assessment. Over 5,000 inspections were conducted.

Compliance rates in health surveillance

COMPLIANCE	Risk assessment carried out	Health surveillance made available
Full/broad compliance	24%	15%
Some compliance	38%	27%
Limited/no compliance	38%	58%

Machinery CE Marking

The Authority carried out 190 inspections in 2007, focused on CE marking, declarations of conformity, technical files and the provision of user information by the supplier.

Information alerts were issued in relation to pressure valves on water boilers and roll-over protection bars. The Authority represented Ireland at EU meetings on machinery and pressure equipment.



Proposals for regulations to implement revised Machinery Directive (2006/42/EC) were developed. Comprehensive provisions for the statutory examination of lifting equipment were incorporated into the 2007 General Application Regulations. Risk alerts were issued in respect of pressurised hot water systems, dumper roll-over bars and cement tankers.

We contributed to the development by the National Standards Authority of Ireland (NSAI) of new crane standards and a revised standard for liquefied petroleum gas (LPG) storage.

Compliance rates in machinery CE marking inspections			
COMPLIANCE	2005	2006	2007
Full/broad compliance	58%	53%	55%
Some compliance	19%	21%	27%
Limited/no compliance	23%	26%	18%

Voluntary Protection Programme

The Voluntary Protection Programme (VPP) pilot initiative, which was a joint venture with our colleagues in the Health and Safety Executive, Northern Ireland (HSE NI), was concluded in 2007. Four companies which attained 'Star' status from this programme were recognised as having achieved significant progress and a high standard in the management of health and safety. The Authority's approach to such initiatives has been determined for the future as one of recognition and support rather than as the national implementation body.

Strategic Alliances

The Authority maintained the strategic alliances established at national level in 2005 with the purpose of achieving tangible improvements in areas of potentially significant impact.

2007 was the third year of our strategic alliance with ESB Networks. The significant work outcome from this alliance is a Code of Practice on Overhead Lines which was in final draft and consultation at year end. Our alliance with Teagasc was a very positive experience and led to the design and establishment of a specific training programme to assist farmers to implement the Agriculture Code of Practice. Such training is critical to the success of the Code and the improvement of farm safety. Reciprocal recognition of medical examiners of divers was agreed between the Authority and the UK's Health and Safety Executive.

Education

The Authority's education programmes are designed to engage teachers and students alike in order to foster a 'safety-first mindset' amongst younger workers and those preparing to start their working lives.

The implementation phase has begun for the mainstreaming of health and safety at early-learning, primary and post-primary levels of education, following the publication of the *Mapping Health and Safety in the Curriculum* report of the National Council for Curriculum and Assessment (NCCA). We developed and piloted a teaching and learning resource for post-Junior Certificate students entitled 'Choose Safety', aimed at preparing young people for work experience and the world of work.

A training programme around health and safety in schools for primary and post-primary teachers was launched in 2007, through the national education centre network. It proved very popular with teachers and served to raise awareness across the sector.

We continued our involvement in the Junior Achievement Programme, which sees health and safety material taught in primary and post-primary schools in partnership with business volunteers. We developed further case studies for the Spirit of Enterprise and Science and Technology in Action



programmes, which are delivered in all post-primary schools nationwide.

We continued to support the Second Level Support Services (SLSS) and teachers' organisations to assist them in delivering curriculum-related health and safety material in schools.

Micro Business

Micro businesses, which employ fewer than ten people and which face particular difficulties in ensuring safety and health and thus in preventing accidents, continue to be an important focus for the Authority.

We published general 'Simple Safety' sheets and were pleased that these were recognised for their impact and awarded the 'Plain English Mark'. We also published a 'Simple Safety' office calendar. The Safety Toolkit and Short Guide to the General Application Regulations, which we drafted in consultation with key representatives of small businesses, were designed especially for the use of very small and micro enterprises.

We supported key stakeholders in the development and publication of Guidance for the Catering Sector.

Occupational Health

The Authority's Occupational Health Unit made a significant contribution to revised guidance across a range of occupational health areas in the Guidance to the General Application Regulations.

The Authority reviewed the Strategy on Workplace Health and Wellbeing and developed specific responses in which we will take the lead. We also identified other goals in which we will support other lead organisations from 2008 onwards.

We commenced work with the National Disability Authority (NDA) on the production of guidelines for

the safe employment of people with disabilities. To support our greater emphasis on the general area of occupational health, training and guidance for inspectors on a range of occupational health issues in different sectors commenced in 2007.

Considerable progress was made on preparing for the new system of occupational first-aid, which will be implemented in 2008.

Revised audiometry guidelines with new categories and classifications were published.

A revised Code titled "Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work" was launched by Minister Killeen for the Authority in April 2007. The publication of this revised Code was following extensive consultation and has been viewed positively for its contribution to clarity in addressing this complex issue which continues to be a feature in our workplaces. The publication of the Code was followed up by a promotion campaign ranging from advertising through to specific conflict resolution seminars.

A cross-border stress prevention project was completed and six cases were published on our website.

We assisted in implementing 'Work Positive' in the customer service division of a large company. Forty presentations and visits on psychosocial issues were carried out.

Three seminars on the prevention and control of workplace conflict were held with over 120 attendees.

Communications

The primary objective of the communications programme is to raise awareness and understanding of health and safety matters.

In 2007 we received hundreds of enquiries from journalists and other media representatives on a



range of topics. We are proactive in our dealings with the media and issue press releases and other media alerts as appropriate. 26 press releases were issued to the media in 2007 and there was strong media coverage of these and other Authority initiatives.

Key communications campaigns during 2007 included:

- The promotion of the new REACH Regulation, including a major direct mail campaign, national seminars and widespread advertising.
- Further awareness-raising measures for the Agriculture Code of Practice across a range of media, including press, radio and television.
- A major press and radio campaign in relation to directors' responsibilities.
- Awareness-raising initiatives for the new Bullying Code of Practice.

We also introduced innovative new communications channels, such as the use of mobile phone texts, to facilitate communication with customers in formats suitable to their needs.

We developed a new corporate website with added functions such as content in multiple languages, an easier to use navigation process and the use of interactive digital media. Almost 200,000 copies of Authority publications were downloaded from the website in 2007.

Focal Point of European Agency for Safety and Health at Work (Bilbao)

In 2007 the Authority co-ordinated the EU agency Focal Point, which acts as the point of contact and liaison in Ireland for the European Agency for Safety and Health at Work based in Bilbao, Spain. The National Network of the Irish Focal Point held three meetings during the year. In association with the Communications Unit, Focal Point also co-ordinated information and promotion matters for European Safety Week, the theme of which was musculo-skeletal disorders. As part of European Safety Week, a range of activities was undertaken, including

regional seminars, a national radio advertising campaign and the running of the annual Good Practice Awards.

Legislation and Guidance

Significant progress was made in 2007 under the guidance and direction of the Legislation and Guidance Sub-Committee of the Board.

The Authority assisted the Department of Enterprise, Trade and Employment during the year in the development of the draft General Scheme of the Chemicals Regulation and Enforcement Bill, which was approved by the Government in December 2007. The draft Bill is designed to provide the administrative and enforcement framework for the implementation of:

- (i) Regulation of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency and amending Directive 1999/45/EC and transposing Directive 121/2006/EC.
- (ii) The proposed Regulation of the European Parliament and of the Council on Classification and Labelling of Substances and Mixtures based on the Globally Harmonised System (GHS).
- (iii) The Rotterdam Convention Regulation of the European Parliament and of the Council concerning the export and import of dangerous chemicals.

Major Legislative Developments

Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007) as amended by the Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2007 (S.I. No. 732 of 2007) and the Safety, Health and Welfare at Work Act 2005 (Repeals) (Commencement) Order 2007 (S.I. No. 300 of 2007):

This suite of Regulations, in modernising and



codifying important secondary legislation under the ambit of the Safety, Health and Welfare at Work Act 2005, revoked and replaced (a) those provisions of the Safety, Health and Welfare at Work (General Application) Regulations 1993 (S.I. No. 44 of 2003) (other than Part X and the Twelfth Schedule relating to the notification of accidents and dangerous occurrences, which remain in place) that were not already revoked under the Safety, Health and Welfare at Work (General Application) (Amendment) (Revocation) Regulations 2005 (S.I. No. 392 of 2005) following their incorporation in the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005); and (b) the Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2001 (S.I. No. 188 of 2001).

The Regulations also revoked and replaced an additional 20 full sets and four part provisions of occupational safety and health regulations and orders and retransposed 14 EU directives relating to occupational safety, health and welfare.

In replacing the earlier statutory provisions, the General Application Regulations 2007 are presented in a more self-contained, easily accessible and user-friendly format, for example the layout has been restructured and the overall number of schedules has been reduced by incorporating provisions formerly set out in schedules into the main text. However, the overall thrust and the vast majority of the substantive requirements and prohibitions of the regulations being replaced are maintained in the new Regulations.

The Authority also published both a short guide and a series of detailed guidelines to the various parts of the Regulations covering:

- Workplaces
- Use of work equipment
- Personal protective equipment
- Manual handling of loads

- Display screen equipment
- Electricity
- Work at height
- Control of noise at work
- Control of vibration at work
- Protection of children and young persons
- Protection of pregnant, post-natal and breastfeeding employees
- Night work and shift work
- Safety signs at places of work
- First-aid
- Explosive atmospheres at places of work

Internal Efficiencies

The Authority put a number of initiatives in place during 2007 to improve effectiveness and performance and to maximise the use of resources.

Information and Communications Technology

We made a number of improvements to our information and communications technology (ICT) systems, including:

- Remote access system rolled out to 60 staff.
- Enhanced resilience of our central servers to maximise system availability.
- Completed procurement process to develop our new enforcement system.
- Upgraded disaster-recovery and business-continuity systems.
- Upgraded phone systems nationwide providing greater reliability.



- Installed and tested REACH support tools.
- Developed and improved an online reporting system for accident and construction site reporting.
- Web-enabled consultation system for legislation.
- Negotiated more cost-effective and scalable licensing arrangements for our Oracle databases.

Human Resources

The Authority's human resources (HR) procedures continued to help achieve corporate objectives in line with best practice. These activities during 2007 included:

- Communication and consultation with staff through our industrial relations council and our partnership forum.
- A substantial amount of team and individual training and specific technical training for inspectors.
- Introducing a new staff occupational health service, including a comprehensive health-screening programme.
- Developing a robust induction and technical training programme for all newly recruited inspectors.
- A management development and coaching programme for all senior managers.
- Delivering a significant recruitment programme.
- A comprehensive review of staffing requirements in the Authority.

The new integrated PMDS (performance management and development system) went live in 2007 with the system now linking into a range of other HR processes. We continued with our recruitment programme for phase 2 of the additional REACH staffing. We implemented further improvements to the computerised HR self-service

system throughout the organisation.

Work continued on the development of our decentralisation plans with ongoing discussions taking place with our staff, the Department of Enterprise, Trade and Employment and the Department of Finance. We also commenced discussions with our staff on the development of a new HR Strategy.

Finance and Facilities Management

The Authority's accounting systems are continually reviewed to ensure adherence with best practice. During 2007 an electronic procurement system was fully implemented.

Our internal auditors completed five internal audit reports, with satisfactory outcomes. Seven further reports are planned for 2008.

Our expenditure for 2007 was within budget and we also adhered to the requirements governing procurement and prompt payment of accounts.

Information and Research

The Authority produced a range of statistical and research outputs in 2007, which addressed the key sectors and topics in the programme of work for the year.

Statistical information was used to support a wide range of activities, including the work of the regional and advisory committees, the production of codes of practice and other guidance, press releases and queries from the public.

A major project involved updating the incident recording system to comply with a European-level revision of economic activity classifications – the updated system was successfully implemented on 1 January 2008.

Responsibilities at European level were fulfilled, including the annual provision of reported incident data to Eurostat and the servicing of Eurostat Working Group and Technical Groups for the harmonisation of injury and illness data. The



Authority was also represented on the European Scoreboard Working Group, a group assigned responsibility for developing a questionnaire to assess Member States' progress in implementing the European Occupational Safety and Health Strategy 2007–2012.

The following research projects were commissioned and completed in 2007:

- Impact assessment of the Authority's work at height campaign in the construction sector.
- Review of the occupational diseases reporting system in the Republic of Ireland.
- THOR (The Health and Occupation Reporting network) Ireland 2007.

- Analysis of causes and costs of manual handling incidents in the healthcare sector.

The following projects were initiated in 2007 and will be completed in 2008:

- Analysis of differences in hazard understanding, risk perception and other variables between Irish national and non-Irish national workers in the construction sector.
- Survey of chemical usage in Irish workplaces.
- Evaluation of the 'Choose Safety' secondary education module.



Financial Reports

'07

Statement of Internal Financial Control for Year Ended 31 December 2007

By Chairman Jim Lyons

On behalf of the members of the Board of the Health and Safety Authority, I acknowledge our responsibility for ensuring that an effective system of internal financial control is maintained and operated. The system can only provide reasonable and not absolute assurance that assets are safeguarded, transactions are authorised and properly recorded, and that material errors or irregularities either are prevented or would be detected in a timely period.

Key Control Procedures

The Authority has taken steps to ensure an appropriate control environment by:

- Clearly defining management responsibilities and powers.
- Establishing formal procedures for reporting significant control failures and ensuring appropriate corrective action.
- Establishing a process to safeguard the assets of the Authority.
- Developing a culture of accountability across all levels of the organisation.

The Authority has established processes to identify and evaluate business risks by:

- Identifying the nature, extent and financial implication of risks facing the Authority including the extent and categories which it regards as acceptable.
- Assessing the likelihood of identified risks occurring.
- Assessing the Authority's ability to manage and mitigate the risks that do occur.
- Assessing the costs of operating particular controls relative to the benefit obtained.
- Working closely with Government and various Agencies to ensure that there is a clear understanding of the Authority's goals and support for the strategies to achieve those goals.

The system of internal financial control is based on a framework of regular management information, administrative procedures including segregation of duties, and a system of delegation and accountability. In particular it includes:

- A comprehensive budgeting system with an annual budget which is reviewed and agreed by the Board of the Authority.
- Regular reviews by the Authority of periodic and annual financial reports which indicate financial performance against forecasts.
- Setting targets to measure financial and other performance.
- Clearly defined purchasing and approval guidelines.
- Formal project management disciplines.

The Authority has put in place an internal audit function, which operates in accordance with the Framework Code of Best Practice, set out in the Code of Practice on the Governance of State Bodies. The work of internal audit is informed by analysis of the risk to which the body is exposed, and annual internal audit plans are based on this analysis. The analysis of risk and the internal audit plans are endorsed by the Internal Audit Committee and approved by the Authority. At least annually, the Internal Auditor will provide the Authority with a report of internal audit activity. The report includes the Internal Auditor's opinion on the adequacy and effectiveness of the system of internal financial control.



The Authority's monitoring and review of the effectiveness of the system of internal financial control is informed by the work of the internal auditor, the Internal Audit Committee which oversees the work of the internal auditor, the Executive within the Authority who have responsibility for the development and maintenance of the financial control framework, and comments made by the Comptroller and Auditor General in his management letter or other reports.

Annual Review of Controls

The Authority's Internal Audit Committee reviews the effectiveness of the internal financial control systems with a formal report then going to the Board. The Board has carried out a formal review of its internal financial controls during 2007.

On behalf of the Board.

Jim Lyons

Chairman

February 2008

Summary Financial Statement

Income and Expenditure Account for Year Ended 31 December 2007		
INCOME	2007 €	2006 €
Oireachtas Grants	22,962,167	20,998,000
Net deferred funding for pensions	3,924,000	3,906,000
Employee deductions refundable to DETE	(602,150)	(508,675)
Other Income	699,010	677,660
Sub total	26,983,027	25,072,985
Transfer from / (to) Capital Account	101,464	171,167
	27,084,491	25,244,152
EXPENDITURE		
Salaries Costs	10,628,324	9,896,712
Pension Costs	4,297,850	3,791,325
Other Administration Costs	12,249,726	12,526,511
	27,175,900	26,214,548
(Deficit)/Surplus for the Year	(91,409)	(970,396)
Accumulated Surplus/(Deficit) at 1 January	(290,166)	680,230
Accumulated (Deficit)/Surplus at 31 December	(381,575)	(290,166)

Jim Lyons, Chairman

Seán Corrigan, Board Member



Balance Sheet as at 31 December 2007				
	2007 €	2007 €	2006 €	2006 €
FIXED ASSETS		1,144,816		1,246,280
FIXED ASSETS		1,144,816		1,246,280
CURRENT ASSETS				
Debtors and Prepayments	616,010		723,117	
Bank and cash Balances	60,613		152,901	
	676,623		876,018	
CREDITORS (due in less than one year)				
Creditors	1,061,956		1,169,941	
	1,061,956		1,169,941	
Net Current (Liabilities)/Assets		(385,333)		(293,923)
NET ASSETS BEFORE PENSIONS		759,483		952,357
Deferred pension funding		44,700,000		40,000,000
Pension Liabilities		(44,700,000)		(40,000,000)
NET ASSETS		759,483		952,357
REPRESENTED BY:				
Capital Account		1,141,058		1,242,522
Accumulated Surplus/(Deficit) on Income and Expenditure Account		(381,575)		(290,165)
		759,483		952,357

Jim Lyons, Chairman

Seán Corrigan, Board Member



Appendices

Appendix A:
Inspection & Enforcement

Appendix B:
New Regulations Made In 2007

Appendix C:
Board Sub-Committees

Appendix D:
Advisory Committees And Working Groups

'07

Appendix A: Inspection and Enforcement

Table A1.1: Number of inspections 2002–2007

Year	2002	2003	2004	2005	2006	2007
Number of inspections	12,896	10,704	11,382	13,552	15,365	13,631

A breakdown of inspections in 2007 by economic sector is presented in Table A1.2. Most inspections were conducted in construction (6,481 visits), manufacturing (1,872 visits), agriculture (1,381 visits), wholesale and retail trade (1,048 visits) and transportation and storage (1,018 visits).

Table A1.2 also presents a breakdown by type of inspection: 83% are general inspections for compliance, 7% are inspections subsequent to complaints and 10% are following up on accident reports.

Note: In 2007 the NACE code reference system was changed at European level, these changes have been implemented in the following reporting tables.

Table A1.2: Number of inspections by economic sector and inspection type

Economic Sector	Inspection Type		
	Inspect for compliance	Investigate complaint	Investigate accident
A - Agriculture, hunting and forestry	1,317	12	36
B - Fishing	3	2	7
C - Mining and quarrying	468	15	41
D - Manufacturing	1,617	71	277
E - Electricity, Gas and Water Supply	56	3	11
F - Construction	5,171	692	633
G - Wholesale and Retail Trade; Repair Of Motor Vehicles, Motorcycles and Personal and Household Goods	908	54	94
H - Hotels and restaurants	55	11	12
I - Transport, storage and communications	938	33	71
J - Financial intermediation	10	8	0
K - Real estate, renting, business activities	182	24	55
L - Public Administration and Defence; Compulsory Social Security	209	12	32
M - Education	14	8	3
N - Health and social work	228	11	18
O - Other Community, Social and Personal Service Activities	153	19	33
P - Private Households With Employed Persons	0	0	0
Q - Extra-Territorial Organisations and Bodies	3	0	1
Total	11,332	975	1,324



Table A1.3 presents details of the enforcement actions taken as a result of inspections in 2007. Most prohibition and improvement notices were issued in the construction sector (606 out of 785 and 256 out of 906 respectively). The manufacturing, wholesale/retail trade and agriculture were the other sectors where high numbers of notices were issued. There was an overall rate of enforcement of 44% including notices and written advice. The final column of Table A1.3 shows the enforcement rate per inspection.

Table A1.3: Number of inspections by economic sector and enforcement action						
Economic Sector	Number of Notices					
	Number inspections	Prohibition notices	Improvement notices	Improvement directions	Written* advice	% visits Action taken
A - Agriculture, hunting and forestry	1,365	55	114	0	256	31
B - Fishing	12	0	3	0	2	42
C - Mining and quarrying	524	15	43	0	179	45
D - Manufacturing	1,965	50	199	1	672	47
E - Electricity/gas/water	70	2	3	0	29	49
F - Construction	6,496	606	256	0	2,101	46
G - Wholesale/retail trade; repair of motor vehicles, personal and household goods	1,056	29	139	0	345	49
H - Hotels/restaurants	78	3	5	0	24	41
I - Transport, storage, communications	1,042	8	48	0	278	32
J - Financial intermediation	18	1	1	0	8	56
K - Real estate, renting, business	261	7	24	1	58	34
L - Public administration/defence	253	2	10	0	98	43
M - Education	25	0	1	0	9	40
N - Health/social work	257	1	34	0	143	69
O - Other community, social and personal services	205	6	26	0	70	50
P - Private Households With Employed Persons	0	0	0	0	0	0
Q - Extra-Territorial Organisations and Bodies	4	0	0	0	1	25
Total	13,631	785	906	2	4,273	44

* It is an offence to fail to comply with a request, instruction or direction of an inspector.



Safety and Health Management

Our inspectors prioritise health and safety management during their inspections. Inspectors normally ask to see safety statements and conduct a quick assessment of the extent to which the statement, in their opinion, is based on a written risk assessment, identifies hazards, and specifies measures, responsible persons, resources and the co-operation required.

Table A1.4: Percentage compliance with safety statement, consultation and representative requirements

Economic Sector	% Employers with safety statement prepared	% Employers with safety consultation in place	% Employers with safety representative appointed*
A - Agriculture, hunting and forestry	31	30	4
B - Fishing	31	30	4
C - Mining and quarrying	86	75	30
D - Manufacturing	82	74	38
E - Electricity/gas/water	72	59	43
F - Construction	77	59	20
G - Wholesale/retail trade; repair of motor vehicles, personal and household goods	64	51	15
H - Hotels/restaurants	59	63	11
I - Transport, storage, communications	54	35	15
J - Financial intermediation	72	69	28
K - Real estate, renting, business	70	40	10
L - Public administration/defence	55	78	65
M - Education	84	88	48
N - Health/social work	91	78	62
O - Other community, social and personal services	75	75	33
Total	70	58	23

Note: Many of the Authority's inspections are targeted at specific sectors and organisations, often on the basis of poor health and safety performance or the receipt of complaints. The tables may not be representative of other organisations.

*Organisations or places of work with more than 20 employees are required under the Construction Regulations to appoint a safety representative.



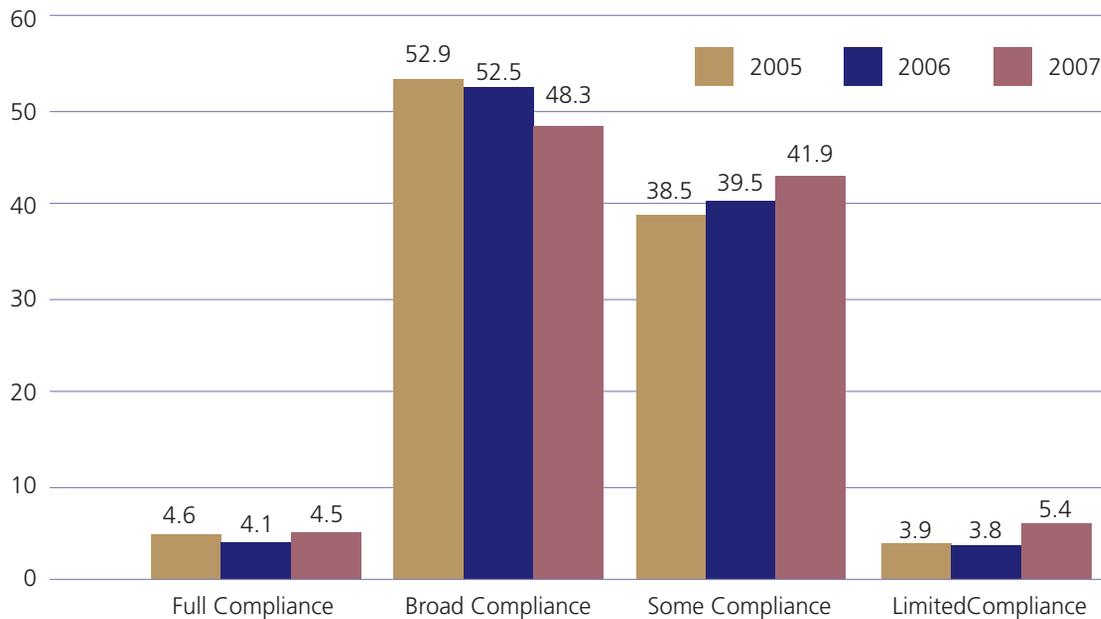
Of employers inspected, 70% had prepared a safety statement (compared to 66% in 2006). Rates of safety statement preparation were high across many sectors. Only in the agriculture, forestry, fishing and real estate sectors were the rates of preparation less than 50%.

While rates of safety statement preparation are generally high, it is important to consider the quality of the document. Figures A1.5 and A1.6 compare the quality of safety statements in the three-year period from 2005 to 2007.

Figure A1.5 indicates that in the three-year period from 2005 to 2007 the quality of safety statements dis-improved, with more safety statements categorised in the some and limited compliance areas. This may be due to the increased emphasis placed by inspectors on safety and health management brought about by the Safety, Health and Welfare at Work Act 2005, i.e. under Section 19 on risk assessments and Section 20 on safety statements.

Figure A1.6 shows that the level of compliance with safety statement implementation (i.e. safety and health management systems being in place) also reduced over the three-year study period.

Figure A1.5: Quality of safety statement: present and based on comprehensive risk assessment

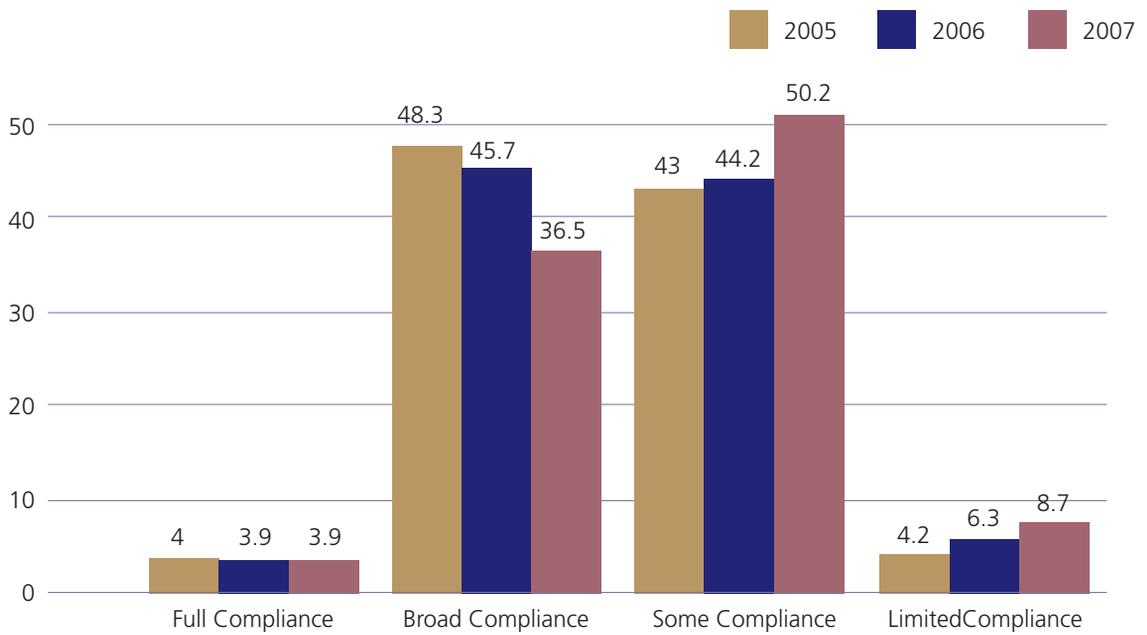


Note 1: Many of the Authority's inspections are targeted at specific sectors and organisations, often on the basis of poor health and safety performance or the receipt of complaints. The tables may not be representative of other organisations.

* Organisations or places of work with >20 employees are required under the Construction Regulations to appoint a safety representative.



Figure A1.6: Quality of safety statement: necessary measures in place to implement safety statement



Note 1: Many of the Authority's inspections are targeted at specific sectors and organisations, often on the basis of poor health and safety performance or the receipt of complaints. The tables may not be representative of other organisations.

* Organisations or places of work with more than 20 employees are required under the Construction Regulations to appoint a safety representative.



Outcomes of Prosecutions in 2007

Prosecution summaries: January to December 2007

Albert Nolan

Summary

Mr Albert Nolan, following an appeal of sentence, was fined €500 at Dublin Circuit Criminal Court 26 on 11 October 2007 having pleaded guilty to the following charge:

Section 8(2) of the Safety, Health and Welfare at Work Act 1989.

The case arose as a result of head injuries sustained in the process of demolishing the rear wall of a property. During the course of the demolition process, a portion of the rubble wall collapsed.

See also Tony Brannigan.

Boliden Tara Mines Ltd

On Indictment

Boliden Tara Mines Ltd was fined €350,000 at Trim Circuit Criminal Court on 19 April 2007 having pleaded guilty to the following charge:

Section 6(2)(f) of the Safety, Health and Welfare at Work Act 1989.

The case arose out of a fatal accident to an employee of Boliden Tara Mines Ltd on 21 June 2005 at Knockumber, Navan, Co. Meath. The employee was a production driller underground and was drilling a raise when the adjacent ground in which he was working on gave way and the employee fell into an open stope or chamber underneath suffering fatal injuries.

Coffey Construction Ltd

On Indictment

Coffey Construction Ltd was fined €100,000 on the first charge and the other three counts were taken into consideration at Limerick Circuit Court on 8 June 2007 having pleaded guilty to the following charges:

Regulation 21(1)(a) of the Safety, Health and Welfare at Work (Construction) Regulations 2001; Regulation 9(1)(a) of the Safety, Health and Welfare at Work (Construction) Regulations 2001; Section 6(2)(d) of the Safety, Health and Welfare at Work Act 1989 contrary to Section 48(17); Section 6(2)(a) of the Safety, Health and Welfare at Work Act 1989 contrary to Section 48(17).

The case arose out of a fatal accident to an employee of Coffey Construction Ltd on 5 August 2005 at a construction site on the Dock Road, Limerick. The deceased, a general operative, was working in an excavation, approximately five metres deep, when an unsupported face collapsed and engulfed him. He died of his injuries two days later.



Colm Colohan

On Indictment

Mr Colm Colohan was fined €21,600 at Galway Circuit Court on 15 May 2007 having pleaded guilty to the following charge:

Regulation 3(1) of the Safety, Health and Welfare at Work (Construction) Regulations 2001.

The case arose following an accident where the deceased was apparently electrocuted on a construction site at Townparks, Ballinasloe, Co. Galway. The deceased, along with two others, was installing aluminium gutters on a newly constructed two-storey development. A 17.9 metre section of gutter was being manoeuvred into position from the second lift of the scaffolding when one end of the gutter made contact with the 10,000V 3 phase overhead line resulting in the death of the deceased.

See also Ollie Colohan.

Commercial Body and Engineering Services Ltd

On Indictment

Commercial Body and Engineering Services Ltd was fined €20,000 at Dublin Circuit Court on 3 October 2007 having pleaded guilty to the following charge:

Section 7(1) of the Safety, Health and Welfare at Work Act 1989.

The case arose as a result of a fatality to an employee of a print company who was using a van for the printing process which had been fitted with a petrol generator and exhaust pipework by Commercial Body and Engineering Services Ltd. Due to movement and vibration of the generator and the van itself, the pipework had cracked, thereby allowing carbon monoxide to leak into the van. While printing a jersey in the back of the van in Dundalk, he died from carbon monoxide poisoning.

Crumb Rubber Ireland Ltd

Summary

Crumb Rubber Ireland Ltd was fined €1,500 on 26 February 2007 at Dundalk District Court having been found guilty of the following charges:

Regulation 9(1)(a) of the Safety, Health and Welfare at Work (General Application) Regulations 1993; Regulation 9(1)(b) of the Safety, Health and Welfare at Work (General Application) Regulations 1993; and Regulation 9(1)(e) of the Safety, Health and Welfare at Work (General Application) Regulations 1993.

The case arose as a result of the outbreak of a fire at the premises of Crumb Rubber Ireland Ltd on 28 May 2005. The building was full of smoke and Crumb Rubber Ireland Ltd employees in the building were exposed to the smoke. The company failed in this emergency situation to evacuate its employees. Four firemen and three employees were burned in a subsequent explosion caused by the fire.



Dean Waste Company Ltd

Summary

Dean Waste Company Ltd was fined €7,500 having pleaded guilty at Naas District Court on 1 November 2007 to the following charges:

Section 8(2)(c)(iii) as it refers to Section 77(9) of the Safety, Health and Welfare at Work Act 2005; Section 8(2)(e) of the Safety, Health and Welfare at Work Act 2005; Section 19(1) of the Safety, Health and Welfare at Work Act 2005; Section 20(1) of the Safety, Health and Welfare at Work Act 2005; Regulation 20(1) of the Safety, Health and Welfare at Work (General Application) Regulations 1993.

The case arose as a result of serious injury to an employee of Dean Waste Co. Ltd who was working as an operative at a picking line in Kerdiffstown Road, Kerdiffstown, Naas, Co. Kildare on 25 March 2006. He went to clean the drum at the end of the conveyor belt with a shovel when the shovel got caught behind the drum, his sleeve got caught in the shovel, and his arm and hand got pulled in behind the drum.

Derek Daly

Appeal of Conviction and Sentence

An appeal of the conviction and sentence was brought by Mr Derek Daly at Dublin Court of Criminal Appeal on 10 May 2007.

Mr Derek Daly was fined €10,000 in Dublin Circuit Criminal Court on 20 November 2006 having been found guilty of a charge under:

Section 9(1)(a) of the Safety, Health and Welfare at Work Act 1989.

The trial arose as a result of the collapse of a scaffold while it was being dismantled on Grafton Street, Dublin on 27 March 2003, resulting in injuries to a member of the public.

The appeal was dismissed and the conviction and sentence as originally imposed was upheld.

Dominic Quigley

On Indictment

Mr Dominic Quigley was given the Probation Act at Tralee Circuit Criminal Court on 13 March 2007 having pleaded guilty to the following charge:

Section 9(1) contrary to Section 48(1)(a) and Section 49(2) of the Safety, Health and Welfare at Work Act 1989.

The case arose as a result of an explosion at roadworks at Ballycarthy, Tralee, Co. Kerry. Explosives which were left over after the clearing of an access route as part of a road project were disposed of by Mr Edward Hogan and Mr Dominic Quigley, employees of Eddie Hogan (Drilling) Ltd by placing them in empty cardboard boxes and then setting them on fire. This was not the recognised method for safe disposal of excess explosives. The fire resulted in an explosion which knocked people in the vicinity to the ground and caused structural damage to nearby housing.

See also Eddie Hogan (Drilling) Ltd (1) and also Edward Hogan.



Dornan Engineering Ltd

On Indictment

Dornan Engineering Ltd was fined €3,000 at Cork Circuit Criminal Court on 17 May 2007 having pleaded guilty to the following charge:

Section 7(1) of the Safety, Health and Welfare at Work Act 1989.

The case arose as a result of a boiler explosion which occurred at University College Cork Nursing Complex on 12 April 2005. Dornan Engineering Ltd was the mechanical contractor for the project. The boiler was newly installed but was not in operation as it was shutdown for repairs. A subcontractor arrived on site and proceeded to start the boiler to carry out checks on the temperature settings. The boiler exploded soon afterwards. Three workers were injured as a result of the explosion.

Eamonn Hayden

On Indictment

Mr Eamonn Hayden was fined €12,000 at Carlow Circuit Court on 4 July 2007 having pleaded guilty to the following charges:

Section 6(2)(d) of the Safety, Health and Welfare at Work Act 1989; Section 6(2)(e) of the Safety, Health and Welfare at Work Act 1989; and Section 12(1) of the Safety, Health and Welfare at Work Act 1989.

The case arose out of a fatal accident to an employee of Mr Eamonn Hayden at a construction site operated by Kilbelin Construction Ltd at Tullow Road, Carlow. On 19 February 2004 the deceased and a co-worker were removing shutters from concrete columns on a boundary wall. The deceased was fatally injured when he was struck on the head by the bucket of the excavator (used to lift off the shutters) being operated by his co-worker.

See also James Edwards and also Kilbelin Construction Ltd.

Eddie Hogan (Drilling) Ltd (1)

On Indictment

Mr Eddie Hogan was fined €10,000 at Tralee Circuit Criminal Court on 13 March 2007 having pleaded guilty to the following charges:

Section 6(2)(d) of the Safety, Health and Welfare at Work Act 1989; and Section 7(1) of the Safety, Health and Welfare at Work Act 1989.

The case arose as a result of an explosion at roadworks at Ballycarthy, Tralee, Co. Kerry. Explosives which were left over after the clearing of an access route as part of a road project were disposed of by employees of Eddie Hogan (Drilling) Ltd by placing them in empty cardboard boxes and then setting them on fire. This was not the recognised method for safe disposal of excess explosives. The fire resulted in an explosion which knocked people in the vicinity to the ground and caused structural damage to nearby housing.

See also Edward Hogan and also Dominic Quigley.



Eddie Hogan (Drilling) Ltd (2)

Summary

Eddie Hogan (Drilling) Ltd was fined €500 at Birr District Court on 13 April 2007 having pleaded guilty to the following charges:

Section 48(2) of the Safety, Health and Welfare at Work Act 1989; and Regulation 10(a) of the Safety, Health and Welfare at Work (General Application) Regulations 1993.

The case arose out of a flyrock incident that occurred at Loughnane Concrete (Birr) Ltd quarry on 22 June 2005. An independent shotfirer was requested by Eddie Hogan (Drilling) Ltd to load and fire the blast. The shotfirer took the blast and flyrock resulted. The flyrock extended outside the quarry boundary.

See also Thomas Byrne.

Edward Hogan

On Indictment

Mr Edward Hogan was fined €2,000 at Tralee Circuit Criminal Court on 13 March 2007 having pleaded guilty to the following charge:

Section 9(1)(a) of the Safety, Health and Welfare at Work Act 1989.

The case arose as a result of an explosion at roadworks at Ballycarthy, Tralee, Co. Kerry. Explosives which were left over after the clearing of an access route as part of a road project were disposed of by Mr Edward Hogan and Mr Dominic Quigley, employees of Eddie Hogan (Drilling) Ltd, by placing them in empty cardboard boxes and then setting them on fire. This was not the recognised method for safe disposal of excess explosives. The fire resulted in an explosion which knocked people in the vicinity to the ground and caused structural damage to nearby housing.

See also Eddie Hogan (Drilling) Ltd (1) and also Dominic Quigley.

Emmet Delaney

Summary

Mr Emmet Delaney was fined €2,000 at New Ross District Court on 26 June 2007 having pleaded guilty to the following charge:

Section 13(1)(a) of the Safety, Health and Welfare at Work Act 2005.

A charge of reckless endangerment was brought by the Director of Public Prosecutions (An Garda Síochána) against Mr Emmet Delaney, which he also pleaded guilty to and was fined €1,000.

The case resulted from an investigation into a fatal accident involving an employee of Harte Designs Ltd, who was crushed between the mast of a forklift truck (FLT) and shelving in a storage area at Harte Designs Ltd, Butlersland Industrial Estate, New Ross, Co. Wexford on 22 April 2006. The deceased was being carried on the forks of a forklift truck driven by Mr Emmet Delaney, a work colleague, when the accident occurred. Mr Delaney was not a trained FLT driver and was not authorised by his employer to drive the FLT.



Finnerty's Plant Hire Ltd

On Indictment

Finnerty's Plant Hire Ltd was fined €50,000 at Mullingar Circuit Criminal Court on 23 February 2007 having pleaded guilty to the following charge:

Section 6(2)(d) of the Safety, Health and Welfare at Work Act 1989.

The case arose following an incident on 28 October 2004 when Finnerty's Plant Hire Ltd was in the process of completing the construction of manholes for foul and surface water drainage. During the week previous to the incident, Finnerty's Plant Hire operatives exposed and shattered an ESB ducting, exposing a live 10,000V underground cable. Whilst in the process of attempting to repair the ducting, operatives of Finnerty's Plant Hire Ltd damaged the underground cable causing an electrical explosion in the trench. The operatives reported the incident to site management who now understood the cable in the trench to be dead and instructed the operatives to continue working in the trench. Approximately half an hour after the first incident, a second explosion occurred in the trench. It appeared that the foreman did not report the first incident to the ESB emergency call centre, therefore the ESB, as per their procedure, turned the power back on to the cable resulting in the second explosion in the trench.

Glennon Brothers Cork Ltd

On Indictment

Glennon Brothers Cork Ltd was fined €7,500 at Cork Circuit Criminal Court on 19 November 2007 having pleaded guilty to the first and third charges with the second charge taken into account:

Section 8(2)(g) of the Safety, Health and Welfare at Work Act 2005; Regulation 10(1) of the Safety, Health and Welfare at Work (General Application) Regulations 1993; and Regulation 7(1) of the Factories (Woodworking Machinery) Regulations 1972.

The case arose as a result of serious injury to a trainee operative's hand when he put his hand into a planing machine to remove a piece of timber while the dangerous parts of the machine were still in motion. He lost all fingers and thumb as well as part of his right hand.

Independent Fence Manufacturing Ltd

On Indictment

Independent Fence Manufacturing Ltd was fined €26,000 at Dublin Circuit Court on 16 July 2007 having pleaded guilty to the following charges:

Section 6(2)(e) of the Safety, Health and Welfare at Work Act 1989; and Section 48(17) of the Safety, Health and Welfare at Work Act 1989, with respect to the breach of Section 6(2)(e).

This case arose as a result of a fatality to an employee of Independent Fence Manufacturing Ltd. The deceased was operating a concrete post manufacturing machine when two gang moulds fell on him. The safety pin had not been inserted. It was the deceased's first week at work with the company.



Irish Sugar plc

On Indictment

Irish Sugar plc was fined €100,000 at Carlow Circuit Court on 9 October 2007 having pleaded guilty to the following charges:

Section 6(2)(c) of the Safety, Health and Welfare at Work Act 1989; and Section 12(3) of the Safety, Health and Welfare at Work Act 1989.

The case arose as a result of a fatality to an employee of Irish Sugar plc. The deceased was checking the capacity and flow of anti-scaling pumps at the base of evaporator 2C when the top circumferential weld of the tank fractured. Hot juice, concentrate and steam were emitted from the vessel at an initial temperature of 120°C. The deceased received burns to the legs, arms and shoulder areas and died from his injuries 14 days later. A second employee was employed as a general operative by Irish sugar plc and was walking towards the evaporator vessel when the explosion occurred. He also received burns to the legs, arms and back and is recovering from his injuries.

James Edwards

On Indictment

Mr James Edwards had the Probation Act imposed on him at Carlow Circuit Court on 4 July 2007 having pleaded guilty to the following charge:

Section 9(1)(a) of the Safety, Health and Welfare at Work Act 1989.

The case arose out of a fatal accident to an employee of Mr Eamonn Hayden at a construction site operated by Kilbelin Construction Ltd. The deceased and his co-worker Mr James Edwards were removing shutters from concrete columns on a boundary wall. The deceased was fatally injured when he was struck on the head by the bucket of the excavator (used to lift off the shutters) being operated by Mr Edwards.

See also Eamonn Hayden and also Kilbelin Construction Ltd.

Kilbelin Construction Ltd

On Indictment

Kilbelin Construction Ltd was fined €18,000 at Carlow Circuit Court on 4 July 2007 having pleaded guilty to the following charge:

Regulation 6(2)(e)(i) of the Safety, Health and Welfare at Work (Construction) Regulations 2001.

The case arose out of a fatal accident to an employee of Mr Eamonn Hayden at a construction site operated by Kilbelin Construction Ltd. The deceased and his co-worker Mr James Edwards were removing shutters from concrete columns on a boundary wall. The deceased was fatally injured when he was struck on the head by the bucket of the excavator (used to lift off the shutters) being operated by Mr Edwards.

See also Eamonn Hayden and also James Edwards.



Martin Byrne

On Indictment

Mr Martin Byrne was fined €5,000 at Dublin Circuit Court on 8 June 2007 having pleaded guilty to the following two charges:

Section 12(1) and Section 48(1)(b) of the Safety, Health and Welfare at Work Act 1989; and Section 6(2)(a) and Section 48(1)(a) of the Safety, Health and Welfare at Work Act 1989.

The following two charges were taken into consideration:

Section 48(2) of the Safety, Health and Welfare at Work Act 1989; and Section 6(1) by reference to Section 6(2)(a) and Section 48(1)(a) of the Safety, Health and Welfare at Work Act 1989.

The judge took into account the defendant's ability to pay the fine as he was a sole trader and was now operating as a part-time farmer.

The case arose as a result of a fall from a height by one of Mr Byrne's employees. The employee fell through an opening in an asbestos cement roof where there was no edge protection and the hole was not clearly demarcated. The injured party was 'employed' only on the day and was assessed as an employee following the criteria outlined in the inspector's enforcement manual. He received severe injuries to his ankles and has had multiple operations since the date of the accident.

Michael Walsh

Summary

Mr Michael Walsh was fined €1,000 at Waterford District Court on 21 September 2007 having pleaded guilty to the following charges:

Section 12 of the Safety, Health and Welfare at Work Act 2005; and Section 8(2)(a) of the Safety, Health and Welfare at Work Act 2005.

The case arose as a result of a fatal accident to an 11-year-old neighbour of the defendant in Co. Kilkenny on 8 August 2006. Whilst engaged in potato harvesting operations, a son of the defendant and the deceased decided to have a race to the top of the drill. The defendant's son successfully jumped off the harvesting platform and commenced running. The deceased jumped off the back of the reversing harvester, lost his footing and fell on the ground. As he lay on the ground, the reversing tractor being operated by Mr Michael Walsh impacted with him.

North Tipperary County Council

Summary

North Tipperary County Council was fined €2,538 at Templemore District Court on 12 February 2007 having pleaded guilty to the following charges:

Regulation 3(1) of the Safety, Health and Welfare at Work (Construction) Regulations 2001; and Regulation 10(a) of the Safety, Health and Welfare at Work (General Application) Regulations 1993.

The case arose as a result of a fatality to an employee of North Tipperary County Council during the road strengthening and resurfacing works on the Roscrea to Templemore road. A lorry being driven by a subcontractor to North Tipperary County Council reversed unaided and crushed the deceased.

See also Shane Kenneally.



Ollie Colohan

On Indictment

Mr Ollie Colohan was fined €21,600 at Galway Circuit Court on 15 May 2007 having pleaded guilty to the following charge:

Regulation 3(1) of the Safety, Health and Welfare at Work (Construction) Regulations 2001.

The case arose following an accident where the deceased was apparently electrocuted on a construction site at Townparks, Ballinasloe, Co. Galway. The deceased, along with two others, was installing aluminium gutters on a newly constructed two-storey development. A 17.9 metre section of gutter was being manoeuvred into position from the second lift of the scaffolding when one end of the gutter made contact with the 10,000V 3 phase overhead line resulting in the death of the deceased.

See also Colm Colohan.

Owenass Residential Developments Ltd

Summary

Owenass Residential Developments Ltd was fined €3,000 at Portlaoise District Court on 14 June 2007 having pleaded guilty to the following charges:

Section 12 of the Safety, Health and Welfare at Work Act 2005; Section 15(3) of the Safety, Health and Welfare at Work Act 2005; and Regulation 9(1)(a) of the Safety, Health and Welfare at Work (Construction) Regulations 2001.

This case arose as a result of an accident involving a member of the public on 24/25 November 2005 on a construction site at Fairgreen Phase II, Mountmellick Road, Portlaoise, Co. Laois. The deceased was found in an excavation (that had water in it) at the start of the work shift on the morning of 25 November 2005.

Shane Kenneally

Summary

Mr Shane Kenneally was fined €634.50 at Templemore District Court on 12 February 2007 having pleaded guilty to the following charge:

Section 7(2) of the Safety, Health and Welfare at Work Act 1989.

The case arose as a result of a fatality to an employee of North Tipperary County Council during the road strengthening and resurfacing works on the Roscrea to Templemore road. The accused, a self-employed lorry driver, was reversing his lorry unaided and made contact with the deceased, who died as a result of crushing. See also North Tipperary County Council.



Shortts Ltd

Summary

Shortts Ltd was fined €4,000 at Castleblayney District Court on 18 June 2007 having pleaded guilty to the following charges:

Section 8(2)(c)(iii) of the Safety, Health and Welfare at Work Act 2005; and

Section 19(1) of the Safety, Health and Welfare at Work Act 2005.

The case arose when an employee of Shortts Ltd caught his hand in a mincing machine whilst preparing minced meat at the rear of a retail butcher's shop. Serious injury resulted in a below-the-elbow amputation of the right arm.

SR Technics Ireland Ltd

Summary

SR Technics Ireland Ltd was fined €4,000 at Dublin District Court on 20 November 2007 having pleaded guilty to the following charges:

Section 8(2)(b) of the Safety, Health and Welfare at Work Act 2005; Section 8(2)(c)(ii) of the Safety, Health and Welfare at Work Act 2005; Section 8(2)(g) of the Safety, Health and Welfare at Work Act 2005; Section 8(2)(c)(ii) of the Safety, Health and Welfare at Work Act 2005; and Section 8(2)(c)(ii) of the Safety, Health and Welfare at Work Act 2005.

The case arose as a result of an investigation of a fatality that occurred at SR Technics Ireland Ltd, Dublin Airport.

Thomas Byrne

Summary

Mr Thomas Byrne was fined €500 at Birr District Court on 13 April 2007 having pleaded guilty to the following charge:

Section 7(2) of the Safety, Health and Welfare at Work Act 1989.

The case arose out of a flyrock incident that occurred at Loughnane Concrete (Birr) Ltd quarry on 22 June 2005. Mr Thomas Byrne, an independent shotfirer, was requested by Eddie Hogan (Drilling) Ltd to load and fire the blast. Mr Byrne took the blast and flyrock resulted. The flyrock extended outside the quarry boundary.

See also Eddie Hogan (Drilling) Ltd (2).



Tony Brannigan

Summary

Mr Tony Brannigan, following an appeal of sentence, was given the Probation Act and instructed to donate the sum of €5,000 to the Children's Hospital, Crumlin and to pay all costs within three weeks at the Dublin Circuit Criminal Court on 5 July 2007 having pleaded guilty to the following charge:

Regulation 3(1) of the Safety, Health and Welfare at Work (Construction) Regulations 2001.

On 25 January 2005, Mr Albert Nolan and two employees were in the process of demolishing the rear wall of the property at 69 Oxmantown Road, Dublin 1. During the demolition process, a portion of the rubble wall collapsed. Mr Nolan received head injuries and was taken to the Mater Hospital where he was attended to before being released later that evening.

See also Albert Nolan.

Appendix B: New Regulations Made In 2007

1. European Communities (Classification, Packaging and Labelling of Dangerous Preparations) (Amendment) Regulations 2007 (S.I. No. 76 of 2007)

These Regulations were signed by Minister for Enterprise, Trade and Employment, Micheál Martin TD, on 26 February 2007 and came into operation from 1 March 2007.

The Regulations amend Schedules 3, 4 and 7 to the European Communities (Classification, Packaging and Labelling of Dangerous Preparations) Regulations 2004 (S.I. No. 62 of 2004).

The Regulations transpose Commission Directive 2006/8/EC of 23 January 2006 which amends Annexes II, III and V to Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations. Directive 1999/45/EC is transposed into Irish law by the 2004 Regulations (S.I. No 62 of 2004) (the 'Principal Regulations').

The aim of these Regulations is to protect human health and the environment from the harmful effects of dangerous preparations. They require each manufacturer, importer or distributor of a dangerous preparation to classify and label it according to its inherent hazards and to provide safety data sheets.

The Regulations introduce a number of amendments to the Principal Regulations as follows:

- (i) The classification of preparations containing carcinogens, mutagens and reprotoxins (CMRs) is amended so that a preparation will be classified and labelled with the highest relevant category.
- (ii) The classification of preparations containing substances classified as very toxic to the aquatic environment is amended, to resolve differences in the way that substances with specific concentration limits in Annex I to Directive 67/548/EEC are classified compared to self-classified substances.
- (iii) Changes are introduced to classifications for preparations containing substances dangerous to the ozone layer in that the symbol 'N' is now required.
- (iv) The terminology in Schedule 7 to the Principal Regulations regarding 'Special Provisions Concerning the Labelling of Certain Preparations' is replaced to make it more consistent.

Schedules A and B amend Schedule 3 to the European Communities (Classification, Packaging and Labelling of Dangerous Preparations) Regulations 2004 (S.I. No. 62 of 2004); Schedules C, D and E amend Schedule 4 to the 2004 Regulations and Schedule F sets out a replacement Schedule 7 to the 2004 Regulations.

2. Carriage of Dangerous Goods by Road Regulations 2007 (S.I. No. 288 of 2007)

These Regulations were signed by Minister for Enterprise, Trade and Employment, Micheál Martin TD, on 13 June 2007 and came into operation from that date. The Regulations are supplemented by the European Communities (Carriage of Dangerous Goods by Road) (ADR Miscellaneous Provisions) Regulations 2007 (S.I. No. 289 of 2007), which also came into operation on 13 June 2007.



The Regulations apply to the carriage, in tanks, in bulk and in packages, of dangerous goods by road, including the packing, loading, filling and unloading of the dangerous goods in relation to their carriage. They apply the provisions of Annexes A and B to the 'European Agreement Concerning the International Carriage of Dangerous Goods by Road' (ADR) 2007.

The Regulations place duties on the various participants associated with the carriage of dangerous goods. They contain requirements for the vehicles, tanks, tank containers, receptacles and packages containing the dangerous goods during their carriage. They require that drivers, and others involved in the carriage of dangerous goods by road, be adequately trained and, in the case of drivers, hold certificates of such training. They also contain provisions on an EC harmonised approach to the road checks aspect of their enforcement.

Part 7 places duties on the competent authority in respect of carrying out spot checks on vehicles and premises as provided for in Chapter 1.8.1 of the ADR.

The Regulations transpose or retranspose:

- Council Directive 94/55/EC of 21 November 1994 on the transport of dangerous goods by road.
- Directive 2000/61/EC of the European Parliament and of the Council of 10 October 2000 amending Directive 94/55/EC.
- Commission Directive 2006/89/EC of 3 November 2006 adapting for the sixth time to technical progress Council Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road (O.J. No. L 305, 4 November 2006, p. 4) (which amends Annexes A and B to Directive 94/55/EC to incorporate Annexes A and B of the 2007 edition of the ADR).

Directive 94/55/EC, as amended and adapted to technical progress, requires national legislation to be in line with the annexes to ADR, which are updated and replaced every two years, but with certain derogations for national transport.

The Regulations revoked and replaced the Carriage of Dangerous Goods by Road Regulations 2006 (S.I. No. 405 of 2006).

Compared to the 2006 Regulations, the main changes introduced in these Regulations include:

- (i) The prescribed forms for vehicle inspection are now set out in the European Communities (Carriage of Dangerous Goods by Road) (ADR Miscellaneous Provisions) Regulations 2007.
- (ii) The number of offences in Schedules 3 and 4 is reduced and certain offences have been consolidated.
- (iii) Certain new offences are provided for in Schedules 3 and 4 relating to safety advisers and security provisions.



3. European Communities (Carriage of Dangerous Goods by Road) (ADR Miscellaneous Provisions) Regulations 2007 (S.I. No. 289 of 2007)

These Regulations were signed by Minister for Enterprise, Trade and Employment, Micheál Martin TD, on 13 June 2007 and came into operation from that date. They supplement the Carriage of Dangerous Goods by Road Regulations 2007 (S.I. No. 288 of 2007).

The Regulations apply to the carriage, in tanks, in bulk and in packages, of dangerous goods by road. They complement the provisions of the 'associated Regulations', namely, the Carriage of Dangerous Goods by Road Regulations 2007 (S.I. No. 288 of 2007) made under the Carriage of Dangerous Goods by Road Act 1998.

The Regulations contain provisions on an EC harmonised approach to the road checks aspect of their enforcement. They also implement certain exemptions which are in addition to those contained in Annexes A and B to the 'European Agreement Concerning the International Carriage of Dangerous Goods by Road' (ADR) 2007.

The Regulations transpose or retranspose relevant elements of:

- Council Directive 94/55/EC of 21 November 1994 on the transport of dangerous goods by road (as amended by Commission Decision 2002/886/EC of 7 November 2002 regarding time-limits in relation to pressure drums, cylinder racks and tanks and Commission Decision 2005/263/EC of 4 March 2005 regarding certain derogations in relation to national transport), and
- Council Directive 95/50/EC of 6 October 1995, on uniform procedures for checks on the transport of dangerous goods by road (as amended by Directive 2001/26/EC of the European Parliament and of the Council of 7 May 2001, amending Directive 95/50/EC and Commission Directive 2004/112/EC of 31 December 2004 which replaces the Annexes to Directive 95/50/EC); which were not otherwise transposed through the Carriage of Dangerous Goods by Road Regulations 2007.

These Regulations revoked and replaced the European Communities (Carriage of Dangerous Goods by Road) (ADR Miscellaneous Provisions) Regulations 2006 (S.I. No. 406 of 2006).

Compared to the 2006 Regulations, the main changes introduced in these Regulations include the insertion of prescribed forms for vehicle inspection in Schedule 3, which have been transferred from the Carriage of Dangerous Goods by Road Regulations (where they were previously specified), and the restructuring of the provisions of Regulations 13, 14 and 15 for ease of reference and use.

4. Carriage of Dangerous Goods by Road Act 1998 (Appointment of Competent Authorities) Order 2007 (S.I. No. 290 of 2007)

This Order was signed by Minister for Enterprise, Trade and Employment, Micheál Martin TD, on 13 June 2007 and came into operation from that date.

Section 4 of the Carriage of Dangerous Goods by Road Act 1998 gives the Minister for Enterprise, Trade and Employment power to appoint competent authorities to perform functions conferred by the Act and by regulations made under the Act.



Together with the Act, the Carriage of Dangerous Goods by Road Regulations 2007 (S.I. No. 288 of 2007) transposes the requirements of the EU Directives on the carriage of dangerous goods by road and the requirements of the associated 2007 ADR (European Agreement concerning the international carriage of dangerous goods by road). The 1998 Act and the Regulations referred to set out functions to be performed by various competent authorities.

The Order appoints the following competent authorities for the purposes of the 1998 Act and the Regulations referred to above to perform the functions assigned to them:

- Road Safety Authority
- National Standards Authority of Ireland
- Irish National Accreditation Board
- Minister for Justice, Equality and Law Reform
- Radiological Protection Institute of Ireland
- National Roads Authority
- Health and Safety Authority.

The Order revokes and replaces the Carriage of Dangerous Goods by Road Act 1998 (Appointment of Competent Authorities) Order 2006 (S.I. No. 407 of 2006).

The main changes introduced in this Order are:

- (i) The appointment of the Road Safety Authority as the competent authority in respect of the technical examination of vehicles and the issue of certificates of approval for such vehicles.
- (ii) The appointment of the National Roads Authority as the competent authority in respect of matters relating to the carriage by road of dangerous goods of the ADR through listed tunnels.

5. Carriage of Dangerous Goods by Road (Fees) Regulations 2007 (S.I. No. 291 of 2007)

These Regulations were signed by Minister for Enterprise, Trade and Employment, Micheál Martin TD, on 13 June 2007 and came into operation from that date.

The Regulations are complementary to the:

- (i) Carriage of Dangerous Goods by Road Regulations 2007 (the 'Principal Regulations'), which apply to the carriage, in tanks, in bulk and in packages, of dangerous goods by road; in implementing the provisions of the technical annexes to the 'European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) 2007'.
- (ii) European Communities (Carriage of Dangerous Goods by Road) (ADR Miscellaneous Provisions) Regulations 2007.



(iii) Carriage of Dangerous Goods by Road Act 1998 (Appointment of Competent Authorities) Order 2007, which specifies the competent authorities for the purposes of the Principal Regulations.

The Regulations revoke and replace the Carriage of Dangerous Goods by Road (Fees) Regulations 2006 (S.I. No. 408 of 2006).

The Regulations provide for the payment of fees that may be charged by a competent authority, authorised examiner or accreditation body under the Carriage of Dangerous Goods by Road Regulations 2007.

6. Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)

These Regulations were signed by Minister of State at the Department of Enterprise, Trade and Employment, Tony Killeen TD, on 14 June 2007 and came into operation on 1 November 2007. From 12 November 2007, the Regulations were amended by the Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2007 (S.I. No. 732 of 2007).

6.1. The Regulations, *inter alia*, revoked and replaced:

- Those provisions of the Safety, Health and Welfare at Work (General Application) Regulations 1993 (S.I. No. 44 of 2003) (other than Part X and the Twelfth Schedule relating to the notification of accidents and dangerous occurrences, which remain in place) that were not already revoked under the Safety, Health and Welfare at Work (General Application) (Amendment) (Revocation) Regulations 2005 (S.I. No. 392 of 2005) following their incorporation in the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005).
- Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2001 (S.I. No. 188 of 2001).

6.2 The Regulations also revoked and replaced an additional 20 full sets and four part provisions of the following regulations and orders:

- (i) Factories (Report of Examination of Hoists and Lifts) Regulations 1956 (S.I. No. 182 of 1956).
- (ii) Factories Act 1955 (Hoists and Lifts) (Exemption) Order 1957 (S.I. No. 80 of 1957).
- (iii) Factories Act 1955 (Lifts) (Exemption) Order 1960 (S.I. No. 129 of 1960).
- (iv) Regulations 22 to 35 and 37 and 38 and the Schedule to the Docks (Safety, Health and Welfare) Regulations 1960 (S.I. No. 279 of 1960).
- (v) Factories Act 1955 (Hoistways) (Exemption) Order 1962 (S.I. No. 211 of 1962).
- (vi) Quarries (Electricity) Regulations 1972 (S.I. No. 50 of 1972).
- (vii) Mines (Electricity) Regulations 1972 (S.I. No. 51 of 1972).



- (viii) Quarries (General) Regulations 1974 (S.I. No. 146 of 1974) to the extent of in Regulation 3 the definitions of 'lifting appliance' and 'safe working load', Regulations 40 and 41, in the First Schedule 'FORM No. 3' and 'FORM No. 5' and the Second Schedule.
- (ix) Shipbuilding and Ship-Repairing (Safety, Health and Welfare) Regulations 1975 (S.I. No. 322 of 1975) to the extent of, in Regulation 3(1), the definitions of 'lifting equipment' and 'lifting gear' and Regulations 32 to 48.
- (x) Factories Act 1955 (Hoistways) (Exemption) Order 1976 (S.I. No. 236 of 1976).
- (xi) Factories Act 1955 (Hoists) (Exemption) Order 1977 (S.I. No. 13 of 1977).
- (xii) Mines (Electricity) (Amendment) Regulations 1979 (S.I. No. 125 of 1979).
- (xiii) Quarries (Electricity) (Amendment) Regulations 1979 (S.I. No. 126 of 1979).
- (xiv) Safety in Industry Acts 1955 and 1980 (Hoists and Hoistways) (Exemption) Order 1985 (S.I. No. 100 of 1985).
- (xv) Safety, Health and Welfare at Work (Signs) Regulations 1995 (S.I. No. 132 of 1995).
- (xvi) Safety, Health and Welfare at Work (Miscellaneous Welfare Provisions) Regulations 1995 (S.I. No. 358 of 1995).
- (xvii) Safety, Health and Welfare at Work (Children and Young Persons) Regulations 1998 (S.I. No. 504 of 1998).
- (xviii) Safety, Health and Welfare at Work (Night Work and Shift Work) Regulations 2000 (S.I. No. 11 of 2000).
- (xix) Safety, Health and Welfare at Work (Pregnant Employees etc.) Regulations 2000 (S.I. No. 218 of 2000).
- (xx) Regulations 80 to 123 of the Safety, Health and Welfare at Work (Construction) Regulations 2001 (S.I. No. 481 of 2001), the other provisions of those Regulations having been revoked by the Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006).
- (xxi) Safety, Health and Welfare at Work (Explosive Atmospheres) Regulations 2003 (S.I. No. 258 of 2003).
- (xxii) Safety, Health and Welfare at Work (Work at Height) Regulations 2006 (S.I. No. 318 of 2006).
- (xxiii) Safety, Health and Welfare at Work (Control of Vibration at Work) Regulations 2006 (S.I. No. 370 of 2006).



- (xxiv) Safety, Health and Welfare at Work (Control of Noise at Work) Regulations 2006 (S.I. No. 371 of 2006), save that paragraph (3) of Regulation 11, relating to the entertainment sector, remains in effect until 14 February 2008.

The above revocations are supplemented by the Safety, Health and Welfare at Work Act 2005 (Repeals) (Commencement) Order 2007, which, in accordance with Sections 1(2) and 4(2) of the Safety, Health and Welfare at Work Act 2005 (S.I. No. 10 of 2005) activates the repeal of Sections 33 to 35 and 115 and 116 of the Factories Act 1955 (S.I. No. 10 of 1955) and Sections 28 and 29 of the Safety in Industry Act 1980 (S.I. No. 9 of 1980).

In replacing the above statutory provisions, these Regulations are presented in a more self-contained, easily accessible and user-friendly format, for example through restructuring the layout of the Regulations and reducing the overall number of schedules by incorporating provisions formerly set out in schedules into the main text. However, the overall thrust and the vast majority of the substantive requirements and prohibitions of the Regulations being replaced are maintained in these Regulations.

6.3 The Regulations retransposed the following 14 EU Directives relating to occupational safety, health and welfare:

- Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (Chapter 1 of Part 2 refers).
- Council Directive 89/655/EEC of 30 November 1989 concerning the minimum safety and health requirements for the use of work equipment by workers at work, as amended by Council Directive 95/63/EC of 5 December 1995, amending Directive 89/655/EEC (Chapter 2 of Part 2 and Schedule 1 refer).
- Council Directive 89/656/EEC of 30 November 1989 on the minimum health and safety requirements for use by workers of personal protective equipment (Chapter 3 of Part 2 and Schedule 2 refer).
- Council Directive 90/269/EEC of 29 May 1990 on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (Chapter 4 of Part 2 and Schedule 3 refer).
- Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment (Chapter 5 of Part 2 and Schedule 4 refer).
- Directive 2001/45/EC of the European Parliament and of the Council of 27 June 2001 amending Council Directive 89/655/EEC relating to the use of work equipment when carrying out work at a height (Part 4 and Schedule 5 refer).
- Directive 2003/10/EC of the European Parliament and of the Council of 6 February 2003 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (noise) (Chapter 1 of Part 5 refers).
- Directive 2002/44/EC of the European Parliament and of the Council of 25 June 2002 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (Chapter 2 of Part 5 and Schedule 6 refer).



- The health and safety aspects of Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work (Chapter 1 of Part 6 and Schedule 7 refer).
 - The occupational safety and health provisions of Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (Chapter 2 of Part 6 and Schedule 8 refer).
 - In respect of night workers and shift workers, the safety and health protection provisions of Article 9 of Council Directive 93/104/EC of 23 November 1993 concerning certain aspects of the organisation of working time (Chapter 3 of Part 6 refers).
 - Council Directive 92/58/EEC of 24 June 1992 on the minimum requirements for the provision of safety and/or health signs at work (Chapter 1 of Part 7 and Schedule 9 refer).
 - Directive 1999/92/EC of the European Parliament and of the Council of 16 December 1999 on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres (Part 8 and Schedule 10 refer).
- 6.4 These Regulations also modernise legal requirements concerning the safe use of electricity in the workplace (Part 3 refers) and the provision of first-aid facilities at work (Chapter 2 of Part 7 refers).
- 6.5 Part 1 covers standard interpretations and general provisions comprising citation and commencement, interpretation and revocations and savings.
- 6.6 Part 2 relates to the workplace and the use of work equipment at work.
Chapter 1 of Part 2 sets out requirements relating to places of work.
Chapter 2 of Part 2 and Schedule 1 set out requirements relating to the use of work equipment at work.
Chapter 3 of Part 2 and Schedule 2 set out requirements relating to the provision and use of personal protective equipment (PPE).
Chapter 4 of Part 2 and Schedule 3 set out requirements relating to the manual handling of loads.
Chapter 5 of Part 2 and Schedule 4 set out requirements relating to the provision and use of display screen equipment (DSE).
- 6.7 Part 3 relates to electricity.
- 6.8 Part 4 and Schedule 5 relate to work at height.
- 6.9 Part 5 relates to exposure to physical agents at work.
Chapter 1 of Part 5 sets out requirements relating to the control of noise at work, including exposure limit values and exposure action values.
Chapter 2 of Part 5 and Schedule 6 set out requirements relating to the control of vibration at work.



6.10 Part 6 relates to sensitive risk groups.

Chapter 1 of Part 6 and Schedule 7 set out requirements relating to the protection of children and young persons, including risk assessment, circumstances prohibiting employment of a child or young person and health surveillance. The purpose of these provisions is to retranspose the health and safety aspects of Council Directive 94/33/EC on the protection of young people at work. The other requirements of this Directive have been implemented by the Protection of Young Persons (Employment) Act 1996.

Chapter 2 of Part 6 and Schedule 8 set out requirements relating to the Protection of pregnant, post-natal and breastfeeding employees, including risk assessment, protective or preventive measures, night work and information. The purpose of these provisions is to transpose the occupational safety and health provisions of Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding.

Chapter 3 of Part 6 sets out requirements relating to night work and shift work, including general duties of employers with respect to night workers and shift workers, night work risk assessment and transfer to day work. The purpose of these provisions is to give effect, in respect of night workers and shift workers, to the safety and health protection provisions of Article 9 of Directive 93/104/EC of 23 November 1993 concerning certain aspects of the organisation of working time. Inter alia, these provisions require employers, who employ night workers, to carry out, for the purposes of the maximum hours of night working permitted under Sections 16(2)(a) and 16(2)(b) of the Organisation of Working Time Act 1997 (No. 20 of 1997) (i.e. the Act by which the main provisions of the Directive have been implemented in Ireland), an assessment of the safety and health risks attaching to the work of night workers whom they employ.

6.11 Part 7 relates to supplementary protection measures and accident response.

Chapter 1 of Part 7 and Schedule 9 set out requirements relating to the provision of safety signs at places of work.

Chapter 2 of Part 7 sets out requirements relating to first-aid at places of work.

6.12 Part 8 and Schedule 10 relate to explosive atmospheres at places of work. The Regulations transpose Directive 1999/92/EC of the European Parliament and of the Council of 16 December 1999 on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres. Directive 1999/92/EC defines an 'explosive atmosphere' as 'a mixture with air, under atmospheric conditions, of flammable substances in the form of gases, vapours, mists or dusts in which, after ignition has occurred, combustion spreads to the entire unburned mixture'.

6.13 Subject to the particular periods referred to in Regulations 9(2), 122, 134 and 160(2), the Regulations came into operation on 1 November 2007.



7. Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2007 (S.I. No. 732 of 2007)

These Regulations were signed by Minister of State at the Department of Enterprise, Trade and Employment, Billy Kelleher TD, on 5 November 2007 and came into operation on 12 November 2007.

They amended S.I. No. 299 of 2007 by:

- (i) Amending the definition of 'hoist or lift' in Regulation 27 to exclude 'platform lifts for use by persons with impaired mobility', 'lifting equipment intended for lifting performers during artistic performances' and 'lifting equipment fitted in means of transport' as regards the application of the requirements of Regulation 46 on hoists and lifts.
- (ii) Deleting paragraph (b) of Regulation 80 in relation to protection against electric shock in fault conditions.
- (iii) Replacing paragraph (4)(c) of Regulation 81 with a new paragraph (4)(c) for the purpose of technical clarity in relation to portable equipment.
- (iv) Substituting a replacement paragraph 89(b) in respect of testing existing electrical installations.
- (v) Inserting the phrase 'so far as is reasonably practicable' in Regulation 90.
- (vi) Correcting the paragraph numbering in Regulation 102.
- (vii) Substituting a replacement paragraph (1) in Regulation 131 in relation to health surveillance associated with the control of noise at work.
- (viii) Deleting paragraph (8) in Regulation 141 in relation to health records associated with the control of vibration at work.
- (ix) Correcting a paragraph reference in Regulation 144(d).
- (x) Deleting a superfluous definition of 'supplementary signboard' in Regulation 158.
- (xi) Substituting a new Part C to Schedule 1 to S.I. No. 299 of 2007 relating to the circumstances requiring testing of lifting equipment as part of a thorough examination.

8. Carriage of Dangerous Goods by Road Regulations, 2006 (S.I. No. 405 of 2006)

This Order was signed by Minister of State at the Department of Enterprise, Trade and Employment, Tony Killeen TD, on 14 June 2007 and came into operation on 1 November 2007.

The Order (as provided for in Sections 1(2) and 4(2) of the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005)), from 1 November 2007, activates the repeal of Sections 33 to 35 and 115 and 116 of the



Factories Act 1955 (No. 10 of 1955) and Sections 28 and 29 of the Safety in Industry Act 1980 (No. 9 of 1980), which are replaced by certain provisions of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007).

9. European Communities (Dangerous Substances and Preparations) (Marketing and Use) (Amendment) Regulations 2007 (S.I. No. 746 of 2007)

These Regulations were signed by Minister for Enterprise, Trade and Employment, Micheál Martin TD, on 8 November 2007. Regulation 3(1)(a) and Schedule A to the Regulations came into operation from 8 November 2007 and Regulation 3(1)(b) and Schedule B to the Regulations will come into operation from 27 June 2008.

The Regulations amended Schedule 1 to the European Communities (Dangerous Substances and Preparations) (Marketing and Use) Regulations 2003 (S.I. No. 220 of 2003), as last previously amended by the European Communities (Dangerous Substances and Preparations) (Marketing and Use) (Amendment) Regulations 2006 (S.I. No. 364 of 2006).

The Regulations transpose:

- Commission Directive 2006/139/EC of 20 December 2006 amending Council Directive 76/769/EEC as regards restrictions on the marketing and use of arsenic compounds for the purpose of adapting its Annex I to technical progress.
- Directive 2006/122/EC of the European Parliament and of the Council of 12 December 2006 amending for the thirtieth time Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (perfluorooctane sulfonates).

As far as Commission Directive 2006/139/EC is concerned, in accordance with Regulation 3(1)(a) and Schedule A, the Regulations clarify the rules concerning wood treated with arsenic compounds.

As far as Directive 2006/122/EC is concerned, in accordance with Regulation 3(1)(b) and Schedule B, under the Regulations, from 27 June 2008, perfluorooctane sulfonates (PFOS) may not be placed on the market or used as a substance or constituent of preparations in a concentration equal to or higher than 0.005% by mass, but fire-fighting foams that have been placed on the market before 27 December 2006 can be used until 27 June 2011.

The above restrictions shall not apply to the following items, nor to the substances and preparations needed to produce them:

- Photoresists or anti-reflective coatings for photolithography processes.
- Photographic coatings applied to films, papers or printing plates.
- Mist suppressants for non-decorative hard chromium (VI) plating and wetting agents for use in controlled electroplating systems where the amount of PFOS released into the environment is minimised by fully applying relevant best available techniques developed within the framework of Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control.
- Hydraulic fluids for aviation.



Appendix C: Board Sub-Committees

The Board of the Authority has established sub-committees of the Board, which comprise Board members only and which assist in carrying out the work of the Board.

Legislation and Guidance Sub-Committee of the Board (L&GSC)

Members in 2007:

- Peter McCabe (Chair)
- Tony Briscoe
- Sylvester Cronin
- Rosie Sheerin

The L&GSC held eleven meetings during 2007. It reviewed various aspects of the relevant statutory provisions and developed proposals for draft regulations, codes of practice and guidelines for consideration by the Board.

Draft legislation:

- Draft Safety, Health and Welfare at Work (General Application) Regulations 2007.
- Draft Safety, Health and Welfare at Work (Quarries) Regulations.
- Draft Carriage of Dangerous Goods by Road Suite of Regulations and Order 2007 (4 sets).
- Draft European Communities (Dangerous Substances and Preparations) (Marketing and Use) (Amendment) Regulations 2007.
- Draft Chemicals Regulation and Enforcement (REACH) Bill.

Codes of practice and guidelines:

- Draft Guides to the Safety, Health and Welfare at Work (General Application) Regulations 2007.
- Draft Guidance for Directors and Senior Managers on their responsibilities for workplace safety and health.
- Draft Guide to the European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2006 (S.I. No. 74 of 2006).
- Draft Code of Practice for Avoiding Danger from Overhead Electricity Lines (at public consultation).
- Draft Code of Practice for Contractors in the Construction Sector with three or less employees (post-public consultation).
- Draft Code of Practice for Access and Working Scaffolds (pre-public consultation).



Internal Audit and Finance Sub-Committee of the Board

Members in 2007:

- Tony Briscoe (Chair)
- Anne Marie Hayes
- Pat Kearney
- Louise O'Donnell

The Internal Audit Sub-committee held ten meetings during 2007. It directed the internal audit function of the Authority and ensured that the Authority maintained the highest standards of financial probity. It reviewed the finance items for consideration by the Board at its meetings. Such items include monthly financial reports, annual financial statements, expenditure proposals that require formal Board approval and any new/revised policy related to the financial affairs of the Authority. It also recommended to the Board the taking of new office accommodation in Athlone, Cahir (for storage purposes), Dublin, Kilkenny and Sligo.

The Finance Sub-committee held 3 meetings during 2007. These meetings were also attended by the Authority's internal auditors.

The Authority's internal auditors were re-appointed following a competitive tendering process held in early 2006.

The Internal Audit Sub-committee considered the Statement of Internal Control prepared by the internal auditors. The internal auditors have also undertaken special projects and reported their findings to the sub-committee.

Strategic Review and Implementation Sub-Committee of the Board

Members in 2007:

- Jim Lyons (Chair)
- Tony Briscoe
- Martin Lynch
- Christina McEleney
- Fergus Whelan

This sub-committee held three meetings in 2007. It dealt with issues concerning the overall strategy and governance of the Authority, including:

- Statement of Strategy of the Authority
- Programmes of Work of the Authority
- Occupational Health Strategy
- Recruitment and selection of CEO and ACE
- Remuneration of CEO



Appendix D: Advisory Committees and Working Groups

The Authority has a number of statutory advisory committees. These are:

- Construction Advisory Committee
- Technical Scientific Advisory Committee
- Farm Safety Partnership Advisory Committee
- Southern Regional Advisory Committee
- Western Regional Advisory Committee
- South-East Regional Advisory Committee
- North-West Regional Advisory Committee.

Construction Advisory Committee (CAC)

The CAC met four times during 2007 and continued its partnership approach in progressing safety issues of concern to the construction industry. The main items it dealt with in 2007 were:

- Construction Skills Certification and the recognition of equivalent qualifications from other EU Member States.
- Construction Safety Code of Practice for contractors with three or less employees.
- Scaffolding Code of Practice.

In addition, a sub-committee of the CAC was set up, the Third Level Initiative Work Group, which met twice during 2007 to scope a framework syllabus for third level education.

Members in 2007:

Sylvester Cronin (Chair)	Board member, Health and Safety Authority
Dermot Carey	Construction Industry Federation
Denis Farrell	Building and Allied Trades' Union
John Graby	Royal Institute of the Architects of Ireland
John Ryan	Construction Industry Federation
Kevin Enright	Irish Business and Employers Confederation
Kevin Geraghty	Irish Concrete Federation
Frank Gallagher	Department of the Environment, Heritage and Local Government
Michael Moriarty	Association of Consulting Engineers of Ireland
Nevin Mulrooney	Society of Chartered Surveyors
Nicholas O'Loughlin	Department of Finance
Paddy Coughlan	SIPTU
Phil Murray	Dublin Institute of Technology
Robert Byrne	FÁS
Jim Jenkinson	FÁS
Tom Gorman	Institution of Engineers of Ireland
Paula Gough	Health and Safety Authority
Martin O'Dea	Health and Safety Authority
Paraig Earley	Health and Safety Authority
Elaine Walsh (Secretary)	Health and Safety Authority



Technical Scientific Advisory Committee (TSAC)

Secretarial and technical support was provided to the TSAC, which replaced the Dangerous Substances Advisory Committee in 2007.

The TSAC met four times in 2007. It examined and assisted in the development of proposals for regulations on the marketing, use and export/import of dangerous chemicals, and a Chemical Agents Code of Practice. It also considered a range of topics/information notes on the progress of the REACH and GHS implementation plan. The TSAC agreed to establish three ad-hoc working groups: ADR/TEPD/GHS Transport, Nanotechnology and GHS.

Members in 2007:

Fergus Whelan (Chair)	Board member, Health and Safety Authority
Anne-Marie Finlay	Department of Enterprise, Trade and Employment
Marian Byron	Irish Business and Employers Confederation
Michael Gillen	Irish Business and Employers Confederation
Frank Barry	Irish Congress of Trade Unions
Eddie Mullins	Irish Congress of Trade Unions
Darren Byrne	Department of the Environment, Heritage and Local Government
Keith Armstrong	Pesticide Control Service
Conor Clenaghan	Environmental Protection Agency
Majella Cosgrave	Health and Safety Authority
Sharon McGuinness	Health and Safety Authority
Roseleen Murphy (Secretary)	Health and Safety Authority



Farm Safety Partnership Advisory Committee (FSPAC)

The FSPAC met on five occasions in 2007 to promote and implement its work, particularly in relation to the Farm Safety Action Plan 2003–2007.

Training on the use of the Agriculture Code of Practice (distributed to all farmers in December 2006) was given priority and was widely publicised with links established with two training providers: Teagasc and IFA Skillnet.

In response to the fact that over 50% of farm deaths in the last few years were of persons aged over 65 years, the Partnership supported and contributed to the development of a leaflet on 'Safety of the Elderly on Farms'. In an attempt to reach and influence the elderly on farms, it also assisted in planning and managing safety stands at two regional agricultural shows (Bunniconnellan in Co. Mayo and Piltown in Co. Kilkenny). These safety leaflets were also distributed at the ploughing championships.

The Partnership again assisted in the planning and management of a major safety stand at the National Ploughing Championships, held in Tullamore, Co. Offaly in 2007. At the event, Minister Billy Kelleher launched a new safety book for children, entitled Stay Safe on the Farm with Jessy, and 5,000 copies were distributed.

A National Agriculture Safety Conference, supported by the FSPAC and opened by Minister Kelleher, was held in Abbeyleix, Co. Laois. It focused on the major occupational risks in farming and promoted the wider use of the Agriculture Code of Practice. Over 240 delegates attended, many of whom received FETAC farm safety awards on the day.

The FSPAC undertook a major review of its Farm Safety Action Plan, the results of which will be submitted to the Board of the Authority in early 2008. Other notable achievements in 2007 were the development and use of a farm-specific manual handling DVD, assistance in the development of extensive guidance for construction activities on farms, and the completion and dissemination of findings of research into the production of hydrogen sulfide (H₂S) gas from spent mushroom compost.

Members in 2007:

Frank Laffey (Chair)	Teagasc
Pat Kearney	Board member, Health and Safety Authority
John O'Donnell	Irish Creamery Milk Suppliers Association
Jim Dockery	Farm Relief Network
Mary Sherry	Irish Farmers Association
John McNamara	Teagasc
Oliver McEvoy	Department of Agriculture, Fisheries and Food
Michael Moroney	Farm Tractor Machinery Trade Association
Tom Murphy	Professional Agricultural Contractors Association (PAC Ireland)
Ciarán Roche	FBD Insurance
Karl Skehan	Macra na Feirme
Pat Griffin	Health and Safety Authority
Anthony Morahan	Health and Safety Authority
Maura Kavanagh (Secretary)	Health and Safety Authority



Southern Regional Advisory Committee

The Southern Regional Advisory Committee held four meetings during 2007. Safety statement/manual handling workshops were held in Cork and Kerry, with the usual high demand for places and a strong input from committee members. Among the topics highlighted by the committee in 2007 were construction work on farms as a result of the introduction of the Nitrates Directive, and accident statistics for the region, particularly fatalities, with awareness-raising activities on both where appropriate.

Other important topics included the use of personal flotation devices. The committee was represented at seminars held in the region by Bord Iascaigh Mhara in conjunction with the Authority.

Presentations were made to the committee on the Working at Height Regulations and on accident statistics affecting the region.

Members in 2007:

Sylvester Cronin (Chair)	Board member, Health and Safety Authority
Enda McWeeney	FÁS
Anne Keohane	Irish Farmers Association
David Neal	IFO
Mary Keane	National Irish Safety Organisation
Eddie Ronayne	Cork County Council
Kate Dervan	Institution of Occupational Safety and Health
Dan McSweeney	Irish Business and Employers Confederation
Maurice O'Riordan	Irish Creamery Milk Suppliers Association
Donal Tobin	SIPTU
Charlie Hipwell	Irish Business and Employers Confederation
Conor O'Connell	Construction Industry Federation
John Dromey	Cork City Council
Robert Stuart	Kerry County Council
Ger Buckley	ESB
Pat O'Flynn	SIPTU
Maria O'Brien	Health Service Executive
Sean Hyde	Health and Safety Authority
Patricia Truscott (Secretary)	Health and Safety Authority



Western Regional Advisory Committee

The Western Regional Advisory Committee met three times during 2007. In association with Galway-Mayo Institute of Technology, a seminar on the Construction Regulations took place in March. A seminar hosted by Bord Iascaigh Mhara, the Health and Safety Authority and the Western Regional Fisheries Board on the use of personal flotation devices was held in Clifden, Co. Galway with very strong attendance from the key stakeholders.

Following a pilot phase in 2006, a workplace health support service for small and medium-sized enterprises was implemented through the County Enterprise Boards in Galway and Mayo. The Agriculture Code of Practice was further promoted through the activities of committee members. The development of a new publication on health and safety in recycling centres was also progressed.

Members in 2007:

Pat Kearney (Chair)	Board member, Health and Safety Authority
Frank Laffey	Teagasc
Michael Flynn	Irish Farmers Association
Justin Molloy	Construction Industry Federation
Dermot Carey	Construction Industry Federation
Julianne Gavin	Galway County Council
Michael Dolly	Galway County Council
Gerry Finnerty	Gort Livestock Mart
Louise Ward	Roscommon County Enterprise Board
Tommy Kelly	FBD Insurance
John Joe Holleran	Kilbride Sand and Gravel
John Joe Conwell	Portumna Community School
Gareth Davies	Health Service Executive
Siobhan Hourigan	Health Promotion Department
Seamus O'Grady	National University of Ireland Galway
Dick McKeever	Department of Marine and Natural Resources
Doreen Geoghegan	Galway-Mayo Institute of Technology
Tish Gibbons	Irish Congress of Trade Unions
Caitriona Gannon	Irish Business and Employers Confederation
Tom O'Connor	National Irish Safety Organisation
Alice Daly	National University of Ireland Galway
Don Tallon	National University of Ireland Galway
Joe Kelly	Mayo County Council
Hilary Byrne	Health and Safety Authority
PJ Murphy	Health and Safety Authority
Orla Cahalan (Secretary)	Health and Safety Authority



South-East Regional Advisory Committee

The South-East Regional Advisory Committee (SERAC) met four times in 2007. The Occupational Health sub-committee continued its work on a guidance document on occupational health which will be further developed in 2008. The Fisheries and Waterways sub-committee is working in association with the Royal National Lifeboat Institution (RNLI) in the development of a man overboard device.

A highlight of the year was the personal flotation devices (PFDs) seminars hosted by Bord Iascaigh Mhara, the Health and Safety Authority and the Southern Regional Fisheries Board. The seminars were very well attended by key stakeholders and received strong local press coverage. These are now being rolled out nationwide with the assistance of the other regional advisory committees with seminars already held in Cormane and Dingle in Co. Kerry and in Blacksod in Co. Mayo.

In conjunction with European Safety Week, SERAC held a very successful seminar under the theme of 'Lighten the Load' in Waterford, attended by over 50 delegates. The SME sub-committee will be working with the other sub-committees on seminars and workshops on risk assessments/safety statements to be rolled out in 2008. The Mines and Quarries sub-committee has been planning seminars and other awareness-raising initiatives on the new Quarry Regulations to roll out once they have been enacted.

Members in 2007:

Rosie Sheerin (Chair)	Board member, Health and Safety Authority
Ray Murray	Bord Iascaigh Mhara
John Hickey	Bord Iascaigh Mhara
James Currana	Construction Industry Federation (CIF)
John Cassidy	FÁS
Kieran Leahy	Garda Representative Association
Rosaleen O'Keeffe	Irish Business and Employers Confederation
Peter Creedon	Irish Primary Principals Network
Patrick Cummins ^b	Irish Water Safety Association (IWSA)
Lisa Russell	Kilkenny County Council
John Cooney	Kilkenny County Council
Steve McComb	Mines and Quarries
Brendan Contic	Safety Representative
Darryl McCabe	Safety Consultant, Construction
Aileen Scott	Health Service Executive (HSE) South
Brian Sheerin	South Eastern Regional Fisheries Board
John Hogan	Teagasc
Bill Rafter	Waterford City Enterprise Board
JJ Killian	Irish Small and Medium Enterprises Association
Tony Power	National Irish Safety Organisation
Ruairi Connor	Institution of Occupational Safety and Health
Sinead Corcoran ^d	Small Firms Association (SFA)
Michael Keating	Roadstone Provinces
Emer Lovett	Wexford Chamber of Commerce
Mary O'Doherty	Waterford Institute of Technology
Mark Cullene	Health and Safety Authority
Maura Kavanagh (Secretary)	Health and Safety Authority

^a James Curran replaced Jim Whitmore, CIF

^b Patrick Cummins replaced Frank Nolan, IWSA

^c Brendan Conti replaced Kevin Power, Safety Representative

^d Sinead Corcoran replaced Mark Corcoran, SFA

^e Mark Cullen replaced Kieran Sludds, HSA



North-West Regional Advisory Committee

The North-West Regional Advisory Committee (NWRAC) met four times during 2007. As a result of its activities, press releases relevant to the region were published in local newspapers. Regular articles on safety topics were published in the Killybegs Fishermen's Organisation newsletter. Farm safety days for transition-year students continue as an ongoing exercise aimed at sustaining a high level of awareness of key safety issues. This initiative involves transition-year agricultural science students in groups of three going out to farms and producing a safety statement. The Agriculture Code of Practice continues to be promoted through the activities of committee members.

An alliance of the NWRAC, ESB and Health and Safety Authority is developing a pilot safety seminar aimed at primary schools in the region. It is planned to develop this initiative further in 2008. Members of the Farming and Fishing sub-committees have joined forces to provide information on agriculture and forestry to farmers. Finally, the NWRAC, in conjunction with the Chemical Policy Services division of the Authority, assisted with the successful running of a REACH seminar in Sligo.

Members in 2007:

Christina McEleney (Chair)	Board member, Health and Safety Authority
Martin Shields	National Irish Safety Organisation
Anthony McCormack	SIPTU
Art McGrath	Teagasc
Lynn McLaughlin	Irish Business and Employers Confederation
Tony Kelly	IMPACT
David Mullarkey	Institute of Technology Sligo
Gerard Mawn	Coillte Teo
Louis Cabena	FÁS
Mary McGreal	Irish Farmers Association
Sonya Maguire	Local Authority Safety Advisors Group
Ted Breslin	Killybegs Fishermen's Organisation
Tom Currid	Construction Industry Federation
Vincent Turley	Monaghan Chamber of Commerce
Anne Marie Luby	Donegal Vocational Education Committee
James McHugh	ESB
Bernadette McLoughlin	Irish Countrywomen's Association
PJ Murphy	Health and Safety Authority
Hilary Byrne	Health and Safety Authority
Brenda Guihen (Secretary)	Health and Safety Authority
Orla Cahalan (Secretary)	Health and Safety Authority

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