

# Occupational Health and Safety Authority

## Structure, Functions and Responsibilities

The Occupational Health and Safety Authority Board shall consist of nine members, as follows:

- A Chairperson, appointed by the Minister.
- The Director of Industrial and Employment Relations, *ex officio*, as Deputy Chairperson.
- A person, appointed by the Minister, with competence in occupational health and, or safety.
- A person appointed by the Minister responsible for Health.
- A person appointed by the Minister responsible for Economic Affairs.
- Two members appointed by the Minister to represent the interests of workers.
- Two members appointed by the Minister to represent the interests of employers.
- The Minister shall also appoint a person to act as the Secretary of the Board.

Functions of the Authority: “It shall be the duty of the Authority to see that the levels of occupational health and safety protection established by this Act and by regulations made under this Act are maintained” (Act XXVII of 2000, general duties, article 5).

Under Act XXVII of 2000, the Authority has various functions, including:

- Apply the provisions of this Act and of any regulations or orders made thereunder.
- Establish strategies in consultation with the Chief Executive Officer, by which the general national policy relating to occupational health and safety, indicated to it by the Minister, may be implemented.
- Advise the Minister regarding the making of regulations to promote, maintain and protect a high level of occupational health and safety.
- Monitor compliance with relevant occupational health and safety legislation and to take enforcement action.
- Prepare regulations or Codes of Practice required to promote, maintain and protect a high level of occupational health and safety.
- Promote the dissemination of information regarding occupational health and safety, and the methods required to prevent occupational injury, ill health or death.
- Promote education and training on occupational health and safety, and emergency and first aid response at workplaces.
- Collate and analyse data and statistics on occupational injuries, ill health and deaths, and on matters ancillary to occupational health and safety: Provided that the Authority may request data or information on any matter related to occupational health and safety, and such data or information shall be provided forthwith: Provided further that any such data or information shall be deemed to have been given and received under the obligation of confidentiality.

- Keep registers of such plant, installations, equipment, machinery, articles, substances, or chemicals and intended for use at work which in the opinion of the Authority provide a serious occupational health and safety risk.
- Carry out any investigation on any matter concerning occupational health and safety, including but not limited to the investigation of any accident, injury, disease or death occurring as a result, or by reason of, any association with work, as well as investigations to ascertain the level of occupational health and safety provided at any work place, and the duty of the Authority to secure the enforcement of any provision of this Act shall not be reason to debar the carrying out of such investigations: Provided that the Authority may appoint competent persons as far as possible from the register mentioned in subparagraph (1) to assist it in any investigations and to accompany its officials during an investigation.
- Promote and carry out scientific research aimed at better methods of preventing occupational ill health, injury, or death.
- Keep registers of persons competent to give advice on matters related to occupational health and safety: If the Authority may determine the minimum qualifications required before the name of a person may be entered into the register.

OHSA Executive: The OHSA's executive has a current staff complement of thirty-six

### **General Description of the Categories of Documents Held**

- Legislation (e.g. Copies of OHS Act XXVII/2000 and subsidiary legislation)
- Codes of Practice
- Publications (including electronic) such as best practice and guidelines by employment sector/industry
- Entity policy documents such as Standard Operational Procedure – Ops Manual; Enforcement Policy and related working documents
- Studies, reports and correspondence in connection with OHSA's international contributions at particularly European Commission level (e.g. Labour inspectorates, European Agency for Safety and Health at Work, other working groups)
- Copies of certification such as workplace lifts, plant, equipment and installation pertaining to OHS legislation
- Electronic database pertaining to various sectors in relation to OHS Act XXVII/2000 and subsidiary legislation
- Register of Competent Persons (in terms of OHS Act XXVII/ 2000)
- Case reports relating to enforcement action
- Copies of Injury reports in terms of OHS legislation
- Memoranda of Understanding
- Agreements and records related to payments made out of the government subvention and other sources of revenue
- Documents in relation to applications for/criteria for selection/implementation of EU projects

- Documents pertaining to its HR complement
- Identification documents pertaining to powers of entry of OHSA officers.
- Extracts of local media coverage of OHS issues
- Minutes of the Board of the OHSA
- Documents (e.g. Annual Report of Activities) relating to OHSA initiatives
- Documents (Questionnaires, Application Forms) in respect of OHSA's courses for awareness raising.

### **Contact Details of the MFH - Occupational Health and Safety Authority**

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