



AWTORITÀ GĦAS-SAĦĦA U S-SIGURTÀ FUQ IL-POST TAX-XOGĦOL

**REPORT OF ACTIVITIES FOR THE PERIOD**

1<sup>st</sup> January 2023 - 31<sup>st</sup> December 2023

**BUDGETED INCOME AND EXPENDITURE ACCOUNT**

1<sup>st</sup> January 2024 - 31<sup>st</sup> December 2024

**FINANCIAL STATEMENTS**

1<sup>st</sup> January 2023 - 31<sup>st</sup> December 2023

**OCCUPATIONAL HEALTH AND SAFETY AUTHORITY**

17, Triq Edgar Ferro,  
Pietà, PTA 1533 MALTA

**2023**

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## LIST OF ABBREVIATIONS

Abbreviation	Definition
ACAB	Authorised Conformity Assessment Body
ACSH	Advisory Committee for Safety and Health at Work
BCA	Building and Construction Authority
BICC	Building Industry Consultative Council
CA	COMAH Competent Authority
CCA	Committee of Competent Authorities
CEO	Chief Executive Officer
CLP	Classification, Labelling and Packaging
COMAH	Control of Major Accident Hazards
CPD	Civil Protection Department
CRPD	Commission for the Rights of Persons with Disability
EFTA	European Free Trade Association
ELA	European Labour Authority
ERA	Environment and Resources Authority
EU	European Union
EU-OSHA	European Agency for Safety and Health at Work
FOI	Freedom of Information
GDPR	General Data Protection Regulation
GEA	General Enforcement Aspects
GHS	Globally Harmonized System
GIG	Governments' Interest Group
HR	Human Resources
ICT	Information and Communication Technologies
IPM	Integrated Pest Management
KSS	Knowledge Sharing System
LED	Light-emitting diode
MACHEX	Machinery Expert Working Group
MAHB	Major Accident Hazards Bureau

Abbreviation	Definition
MAM	Medical Association of Malta
MCAST	The Malta College of Arts, Science and Technology
MDA	Malta Developers' Association
MEPI	Machinery, Plant, Equipment & Installations
MIS	Management Information System
MITA	Malta Information Technology Agency
MJV	Mutual Joint Visits
MOSHPA	Malta Occupational Safety & Health Practitioners Association
MPWP	Ministry for Public Works and Planning
NCPE	National Commission for the Promotion of Equality
NGO	Non-Governmental Organization
OECD	Organisation for Economic Co-operation and Development
OELV	Occupational Exposure Limit Values
OHS	Occupational Health & Safety
OHSA	Occupational Health & Safety Authority
OIRA	Online Interactive Risk Assessment
OPM	Office of the Prime Minister
SEG	SEVESO Expert Group
SLIC	Senior Labour Inspectors Committee
SME	Small & Medium Sized Enterprises
SMT	Senior Management Team
SVPR	San Vincenz de Paule Long-Term Care Facility
TEIA	Transboundary Effects of Industrial Accidents
TWG2	Technical Working Group for SEVESO Inspections
UHSP	Union of Health & Safety Practitioners
UHM	Union Haddiema Magħqudin
UNECE	United Nations Economic Commission for Europe
VOC	Volatile Organic Compounds



## PREFACE

The Occupational Health and Safety Authority Act, Cap. 424, was published on the 17th of November 2000 and brought into force in its entirety on the 29th of January 2002. In terms of the Act, it is the responsibility of the Occupational Health and Safety Authority (OHS) to ensure that the physical, psychological, and social well-being of all workers in all workplaces are promoted and safeguarded by whoever has such a duty.

The following is a report of the Authority's activities for the period 1st January 2023 to 31st December 2023 and is being published in terms of Article 37 of the Act. The report includes the Authority's Budgeted Income and Expenditure Account for the period 1st January 2024 to 31st December 2024 (prepared in terms of section 31 of the Act) and the audited statement of accounts for the period 1st January 2023 to 31st December 2023.

The Authority has three major sources of revenue; the annual grant made by the Ministry of Finance, and the collection of fines from persons who were informed by OHS who were in breach of the law. Also, OHS generates a small amount of funds from the organisation of services for which a fee is charged.

## OBJECTIVES

### OHS's overall objectives are:

- to foster a culture which values prevention,
- to increase awareness about the benefits of achieving and maintaining adequate levels of occupational health and safety,
- to mainstream occupational health and safety (OHS) into all policy areas including public policy and procurement,
- to maintain the downward trends with regards to ohs-related incidents which lead to injuries, disease, and deaths.

apply these measures to their workplace. The OHS will be a partner to organisations, working together to improve health and safety at every opportunity.

- Within the context of the European Union, Malta will participate effectively in discussions regarding the continuous development of occupational health and safety levels.

## MISSION STATEMENT

*'Working with others to ensure healthier and safer workplaces in Malta.'*

## MISSION ANALYSIS

OHS's mission is concise and direct: 'Working with others' means that in fulfilling its role, OHS collaborates with, and involves other stakeholders including employers, workers, constituted bodies, and international organisations to gather feedback on policies, generate commitment and obtain consensus. This reinforces the image which OHS wants to project, namely that it is not solely a controlling, regulatory entity.

The most sustainable and positive way by which health and safety in the workplace will improve is if the process is self-regulating i.e., the employers themselves recognise that it is in their best interests to provide their workforce with a healthy and safe environment, while workers understand the need to cooperate with their employer in the preventive and protective measures that are required to be taken.

## CHAIRPERSON'S MESSAGE

### Perit David Xuereb, Chairperson

For a number of reasons, Health and Safety at the place of work has become a much-discussed priority in the lives of all of us. The unfortunate tragedy that has taken away Jean Paul Sofia from his family has contributed to focus attention on one particular industry - that of building and construction.

Last year OHS actively engaged in the review of two legislative consultation processes, (i) the amendments of the construction health and safety regulations and (ii) the proposal of a new occupational health and safety Act. During the consultative process on the review of LN 88 of 2018 during Quarter 3, OHS engaged with several stakeholders to identify the various challenges experienced namely by Trade Unions, the occupational health and safety practitioners and members in the Malta Development Association. This holistic level of participation augurs well to ensure a legislation that brings about the necessary changes to the benefit of our worker's health and safety and ultimately to the nation's economic sustainability.

On another positive note, 2023 brought to a successful conclusion OHS's Collective Agreement for the Technical and Support staff. A note of appreciation goes to the OHS staff who, together with the Industrial Relations Section within the People and Standards Division led the negotiations on behalf of the Government, as well as to the Union Haddiema Maghqudin - Voice of the Workers and the shop stewards whose maturity in these discussions enabled this agreement. This collective agreement is expected to strengthen the Authority and recognise the sterling work conducted by its employees. This agreement will also provide better working conditions and clear career development opportunities to staff. It is expected to facilitate the attraction of new employees while retaining existing talent at OHS.

Another challenge addressed by OHS during 2023 concerned the lack of availability of sufficiently qualified occupational health and safety practitioners in Malta - individuals who tender their advice to duty holders according to law, to employers and clients. To offer a wider opportunity to those wishing to enter this field, OHS assisted the Malta College of Arts Science and Technology (MCAST) to launch an MQF level 5 Diploma course in occupational health and safety. This course will offer a faster route to gain a recognised entry level qualification in this field and will compliment other existing training opportunities already available.

In 2023 OHS fulfilled various commitments as the local occupational health and safety regulator. It participated in various EU and local fora, contributing with various initiatives raising awareness among all stakeholders. The year 2023 was also a transitional year for the Authority, with a change at the headship position from Dr Mark Gauci, who I salute for having steered OHS through its first 21 years, to the new Chief Executive Officer Dr Josianne Cutajar, who will be guiding OHS through its next development phase.

These are just a few of the highlights of 2023 and a more in-depth description of the activities conducted by OHS are duly elaborated in this activity report. The challenges ahead are many and the actions needed to address these are clear. What remains is the good will together with meaningful and impactful initiatives from all parties involved to take occupational health and safety to the next level. Collaboration is key and Board of Directors I lead, plan to oversee and support this transition.



## MEMBERS OF THE AUTHORITY

### CHAIRPERSON

Perit David Xuereb

### DEPUTY CHAIRPERSON

(DIRECTOR OF INDUSTRIAL AND EMPLOYMENT RELATIONS, EX OFFICIO)

Ms Diane Vella Muscat

### MEMBERS

Dr Zaid Teebi

Prof Stephen Montefort

Mr Joseph Delia

Ms Abigail Mamo

Mr Victor Carachi

Mr Dolan Debattista

Ms Isabelle Farrugia

### SECRETARY

Dr Marouska Debono

### CHIEF EXECUTIVE OFFICER

The OHS Act provides for the appointment of a Chief Executive Officer who is responsible for the executive conduct of the Authority, its administration and organization as well as the administrative control of its Officers and employees. Dr Josianne Cutajar is the incumbent Chief Executive Officer of OHS, appointed on 11th October 2023.

## REVIEW OF ACTIVITIES

“The development of a culture which goes beyond the workplace, which adopts a holistic view of health and that values risk prevention.” This is OHS’s vision which it promotes throughout its day-to-day business. In a work environment where the expression of certain risks has become routine, thus jeopardising the occupational health and safety of workers, OHS always strives to promote elevated levels of occupational health and safety for all workers at all workplaces and ensuring that whosoever safeguards them has such an obligation. These duties must be fulfilled within the parameters of the general national policy established by the Minister.

## A Raising Awareness, Information, and Education

OHS always believed that awareness-raising, information, and education can inform stakeholders about OHS by highlighting and drawing attention to its fundamental importance in a bid to solicit the necessary action and changes. Although major progress has been registered, regrettably, not all stakeholders abide by their basic legal requirements, and do not proactively endorse this safety culture. In fact, some employers blatantly disregard OHS, opting instead to ride on OHS’s wave when things are looking up only to embark on a disparaging critical streak when accidents or fatalities occur. Despite this, or more the reason because of it, awareness raising remains a fundamental component of the process to bring about this much-needed upgrade both in mentality as well as in practical on-the-job measures and behaviour. Indeed, awareness has an especially vital role in turning this attitude around, however action must also follow for it to be effective – and it is just as important. OHS has resorted more to social media to raise awareness and disseminate its safety and health messages and documentation. More awareness was generated about OHS’s Facebook page with the page overview reaching 3,113 hits. The audience was predominantly female 50.60% with 2921 out of the total being local users. The traditional means of awareness raising were also utilized, including online seminars, media initiatives and other information campaigns, as well as those linked to European initiatives.

### 1 MEDIA INITIATIVES – GETTING THE MESSAGE ACROSS

As from November 2023, OHS engaged in a TV programme once every fortnight to discuss and raise awareness on general occupational health and safety concepts with the public. Several specialised speakers in different affairs from OHS are participating in this program which is scheduled to end in June 2024.

OHS organised a business breakfast on the 4th of December 2023 targeting top administration in the public service to raise awareness on the responsibility of the public services as an employer and a client in projects involving construction. The legal obligations of the public services administrators were discussed at length. The event was deemed successful and other similar events are also envisaged to be organised with more stakeholders in the coming year.

On the 7th of December 2023, the Occupational Health and Safety Authority (OHS) in collaboration with the European Agency for Safety and Health at Work (EU-OSHA) organised a half-day seminar to raise awareness about the importance of having in place a solid framework OHS management system to ensure safer and healthier workplaces as well as regulatory compliance.

The seminar addressed among others, the key elements of OHS management systems, the importance of accident investigations, OHS policies and risk assessments. The seminar also addressed the subjects of ergonomics and safe use of electricity.

Throughout the year OHS Officers also participated in ad hoc radio programmes disseminating information regarding the health and safety measures in various places of work.

### 2 EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK AND THE MALTESE FOCAL POINT

The European Agency for Safety and Health at Work (EU-OSHA) is a tripartite European Union organisation and brings together representatives from three key decision-making groups in every EU Member State and is the European Union’s information agency for OHS. Since its establishment, EU-OSHA has evolved into a primary source for sharing among others, technical, scientific, and economic details pertaining to OHS across Europe.

To ensure effective dissemination of information and implementation of its work programmes, EU-OSHA set up a network which provides for the appointment of a National Focal Point in every Member State.





These Focal Points serve as a crucial link between EU-OSHA and individual Member States. In Malta, this role is fulfilled by OHSA.

At a national level, the National Focal Points play an active role in both the development and implementation of EU-OSHA work programs and campaigns. The Focal Points are also responsible for providing EU-OSHA with essential input and recommendations on various OHS related subjects. In the case of awareness-raising activities, the National Focal Point Manager participated in various radio/tv programs which addressed several topics, sectors, and areas pertaining to OHS.

OHSA recognizes and values the consistent and essential support extended by EU-OSHA in elevating Malta's standards of OHS. OHSA also acknowledges that continued advancements in this domain can only be realized through Malta's proactive involvement in EU-OSHA's organized activities and initiatives—a dedication that OHSA commits to fulfil.

### 3 HEALTHY WORKPLACES CAMPAIGN – SAFE AND HEALTHY WORK IN THE DIGITAL AGE 2023-2025

Digitalization holds the potential for substantial innovation, heightened productivity, and enhanced flexibility in various sectors. In the case of occupational health and safety, the integration of digital technologies is significantly improving processes and elevating overall workforce safety. Nonetheless, the accelerated digitalization of the working environment has given rise to new challenges. Unforeseen hazards are surfacing, demanding fresh approaches and solutions. Moreover, certain well-established issues are being exacerbated by the rapid march of digitalization.

Following the completion of the EU-OSHA's 2020-2022 Lighten the Load campaign, the Occupational Health and Safety Authority has embarked on the preparation and implementation of EU-OSHA's 2023-25 Safe and Healthy Work in the Digital Age campaign. The campaign aims to increase awareness regarding the influence of digital technologies on work environments and practices, while also focusing on strategies for effectively managing these impacts.

The campaign is structured around five key areas that have been identified through EU-OSHA's research, encompassing findings from the 2020-23 OHS overview on digitalization as well as foresight studies. These areas delve into exploring the possibilities arising from digital technologies while also tackling the potential challenges they pose. The focal points include digital platform work, task automation, remote and hybrid work setups, AI-based worker management, and smart digital systems. At a national level, EU-OSHA's Healthy Workplaces Campaigns are coordinated by the National Focal Points.

In conclusion, the two-year campaign will see the organisation of webinars/seminars, media initiatives and interventions, publication of information documents, and workplace inspections targeting matters related to the impact of digitalisation on OHS.

### 4 OCCUPATIONAL HEALTH AND SAFETY IN THE DIGITAL AGE WEBINAR

The work industry is undergoing a digital revolution that extends far beyond mere computerisation and the utilisation of information and telecommunications technologies. Digitalisation is making great inroads into every area and OHS is not immune to this profound shift.

When it comes to OHS, digitisation offers new possibilities, particularly for physically demanding jobs and potentially dangerous tasks. Certain activities can be supported by machines or even delegated using robots and automated systems. This could alleviate physical stress and improve OHS, thus preventing work-related illnesses.

Digitalisation can also be used to enhance OHS by improving the identification of hazards, predicting potential risks, recognising unsafe behaviours and non-compliance with safety protocols, and even suggesting preventive and protective measures to ensure healthier and safer workplaces.

Nevertheless, just as every progress has its advantages and disadvantages, the scenario is similar with digitalisation. There is substantial evidence indicating that digitalisation might result in circumstances where workers encounter new or increased OHS hazards, especially those associated with mental well-being. The noteworthy progress in digital technologies and their swift integration into all sectors brings forth a crucial query: Are organisations, OHS practitioners, stakeholders, and other key players adequately equipped and ready to adapt their methods in OHS management?

The global discourse in political debates revolves around how the widespread integration of digitalisation in workplaces will profoundly impact the future of work. This discussion has gained such prominence that the upcoming EU-OSHA's 2023-2025 Healthy Workplace Campaign will exclusively concentrate on OHS in the era of digital advancements. This campaign aims to raise awareness about the impact of new digital technologies on work and workplaces and the associated OHS challenges and opportunities. It will also provide a platform for the exchange of good practice solutions.

To aid to this goal, the Occupational Health and Safety Authority in collaboration with EU-OSHA, conducted an online seminar aimed at offering audiences an insight into OHS in the era of digitalisation. The online seminar also highlighted EU-OSHA's healthy workplaces campaign.

The online seminar covers the following matters: (i) The impact of Digitalisation on OHS, (ii) EU-OSHA's Healthy Workplace Campaign: 2023-25 – Safe and Healthy Work in the Digital Area, (iii) Digitalisation of Work: Managing Psychosocial Risk Factors and Work-Related Musculoskeletal Disorders, and (iv) Working in an Increasingly Technological World – Safe Use of Work Equipment.

The online seminar can be viewed online free of charge on OHSA's official YouTube page.

### 5 SAFE USE AND MANAGEMENT OF HAZARDOUS SUBSTANCES WEBINAR

Hazardous substances, encompassing liquids, gases, or solids that pose potential risks to workers' health or safety are prevalent in every workplace setting, constituting a significant hazard that duty holders and OHS practitioners must prioritise concerning occupational health. Throughout Europe, millions of workers encounter chemical and biological agents that have the potential to cause harm to their health. Certain hazardous substances may also present safety hazards, including the risk of fire, explosion, or asphyxiation.

Despite this, there exists a widespread lack of awareness regarding the nature and prevalence of hazardous substances in workplaces and the potential risks they entail. Moreover, there has been minimal to no advancement in diminishing workers' exposure to these substances in recent years. As highlighted in the European Survey on Working Conditions, the percentage of workers reporting exposure to chemicals for at least a quarter of their working time has not changed since 2000 remaining at around 17%.

Effective OHS management necessitates the involvement of everyone—employers, managers, and workers. This becomes especially crucial concerning hazardous substances, as overlooking these risks can profoundly impact both worker health and the survival of the business.

To this end, the Occupational Health and Safety Authority, in collaboration with EU-OSHA, organised an online seminar titled 'Safe Use and Management of Hazardous Substances.'

The online seminar covers the following topics:

- i. Safe Use and Management of Hazardous Substances,
- ii. Risk Assessment for Hazardous Chemicals
- iii. The Protection of the Health and Safety of Workers from the Risks related to Chemical Agents at Work Regulations
- iv. The Protection related to Exposure to Carcinogens or Mutagens at Work Regulations.

The online seminar can be viewed online free of charge on OHSA's official YouTube page.



## 6 AWARENESS-RAISING INITIATIVES- SYRIAN COMMUNITY

To promote OHS amongst foreign workers and their communities, during 2023 OHSA organised various awareness raising information session with the Syrian Community. The sessions were organised in collaboration with the Ministry for Planning and Public Works and the coordinator of the Syrian community in Malta. As a result, from this initiative, a respectable number of attendees were made aware of their legal obligations vis-à-vis health and safety, and the legal requirements in their separate roles. During these talks, common hazards typically found at construction sites were highlighted, and safer work practices and work methods were also discussed, to avoid work related fatalities, injuries, and ill-health.

## 7 PREPARATION OF NEW GUIDANCE

In the first quarter of 2023, two guidelines concerning Chemical Risk Assessment and the CLP (Classification, Labelling & Packaging) Regulation were issued by OHSA. These two guidelines emphasized the need for all employers to control substances that are hazardous to the workers' health and best practices in achieving this. These guidelines reflect the constant growth of the international market in chemical substances and mixtures, with the aim to help protect people as well as the environment, whilst simplifying trade as a 'Globally Harmonised System' (GHS). These guides spelled out the classification and labelling system which has been developed recently. The purpose of these guidelines aims at ensuring that information on the hazardous properties of chemicals is available throughout the world, enhancing the protection of human health and the environment during the handling, transport, and use of chemicals.

A further two guidelines were prepared by OHSA covering Construction Scaffolding, which were published in English and Maltese and another guide on the Safe Use of Forklift Trucks which was published in Maltese.

## 8 OTHER AWARENESS-RAISING INITIATIVES

OHSA also devoted a significant amount of its resources, support and technical, towards other awareness-raising initiatives during the first three quarters of the year under review. The beneficiaries of these awareness-raising events were workers and representatives of management from the public administration, the private sector, and NGOs, therefore covering most of the gainfully occupied spectrum. The participating sectors and professions included engineering, nursing, forensics, ICT, Project Green, the health, and the education ministries, the National and Public Libraries, SVPR and Dar tal-Providenza. A total of ten face-to-face delivery courses were held during this period mostly hosted at the training rooms within OHSA's premises. In terms of participation, the 'Workers' Health and Safety Representative,' remained the most sought-after core topic for OHSA's awareness-raising courses, followed by 'First Aid and Safety at Work.' Unlike the previous year, no courses were delivered in Gozo.

Following changes in Q4 to management portfolios because of internal restructuring, more of the technical effort were focused on enforcement, while the delivery of such services was outsourced under quality and content guidance of the Authority.

## 9 SOCIAL PARTNERS' SPONSORSHIP FUND FOR OHS INITIATIVES

The OHSA's Social Partners' Sponsorship Fund, launched during 2014 to support social partners with OHS initiatives, remained open during 2023. The scope of this sponsorship fund is to encourage and assist social partners, to promote the benefits of having adequate levels of OHS and to disseminate information or guidance about various aspects of OHS. The total threshold available for this sponsorship fund does not exceed €5,000 for a given calendar year.

For eligibility, an OHS initiative should, as far as possible: (a) demonstrate a real, identifiable intervention to prevent or minimize risks at places of work, (b) improve working conditions through effective social

dialogue between employers and workers and (c) aim to achieve an identifiable long term or permanent benefit. Interventions should, as a minimum, meet all relevant legislative requirements in Malta, and shall be consistent with the general principles of prevention as laid down in Act XXVII of two thousand.

During 2023, OHSA sponsored the General Workers' Union 80th Anniversary Conference - "GWU: Building a Better Future: Social Protection, Dignity, Innovation, Sustainability".

## 10 DIPLOMA IN OHS - MCAST

During 2023, OHSA continued to discuss with MCAST the launch of a diploma level course on health and safety, targeted at professionals who wish to start a career in the field of OHS. These discussions led to this course opening during the MCAST academic year 2023-2024 and the first batch of students started reading towards this qualification during 2023.

This diploma course will fill a vacuum experienced by many persons wanting to start a career in OHS and who are not eager to spend five years studying before they receive their first academic qualification.

## 11 PUBLIC SERVICE EXPO 2023

OHSA participated in the Public Service Expo 2023 where all Public Administration were brought under one roof. This year's conference and expo were an opportunity of an immersive experience of innovative ideas, techniques, and strategies to elevate one's work to the next level.

There was a line-up of speakers and panellists who shared their insights, best practices, and practical solutions to the challenges one faces every day. Throughout the expo one had the chance to network with new peers, connect with industry leaders, and gain valuable knowledge that helped to drive change and achieve goals.

Also, there were a number of engaging stands and demos, spontaneous workshops, and interactive activities that kept the participants motivated throughout the three days. It was an occasion where one would learn about the latest trends, technologies, and methodologies in Public Administration, and how to implement them in the organization for maximum impact.

OHSA presented the Management Information System being developed for its inspectorate and its intended benefits within the overall enforcement mandate of OHSA.

## 12 PARTICIPATION IN SMES NATIONAL FORUM 2023

OHSA participated in the SMEs National Forum 2023 organised by the Malta Employers Association (MEA). This year's topic was 'Foreign Workers in logistics Industry- Addressing HR Challenges. OHSA participated in a round table discussion session attended by representatives from Sedqa, the Malta Developers' Association (MDA), Seifert Systems Ltd, Medical Association of Malta (MAM), the Building and Construction Authority (BCA), Sapport and Malta Transport. The main topic discussed was considering ensuring safety to foreign workers, the enforcement of safe practices, specific health issues and culture.

## 13 PARTICIPATION IN THE EUROPEAN LABOUR AUTHORITY'S CONFERENCE: RIGHTS AT WORK: PROTECTING WORKERS FROM LABOUR EXPLOITATION

OHSA participated in a conference organised by the European Labour Authority (ELA) in cooperation with the ELA 's National Liaison Officer from Malta and with the support of the Department for Industrial and Employment Relations. The conference main theme was 'Rights at Work: Protecting Workers from Labour Exploitation.' The main topics discussed were trends in labour exploitation, good practices in addressing labour exploitation and trends. This conference was addressed by a number of local and foreign speakers.



## B Ensuring Compliance

During 2023, OHS Officers conducted hundreds of workplace inspections. Unlike previous years, OHSA cannot submit the total number of inspections for the twelve months of the year due to Union directives not to record the number of inspections conducted. The number of inspections recorded amount to 2585.

The table below portrays the number of inspections conducted by the different sections within OHSA.

**Table 1 - Number of Inspections**

Inspections 2023	Construction	General	MEPI
2585	1874	200	511

OHSA issued 510 improvement notices and stopped works in 270 instances.

Orders to stop work activities remain in-vigore until the time when necessary remedial measures are implemented to ensure health and safety. Each stop order issued is followed up, and sometimes, more likely than not entails enforcement, meaning that OHS Officers are duty bound to conduct interviews with duty holders. Sometimes it also entails several meetings for each case. Duty holders are given their constitutional rights as determined in law.

Additionally, seventy-seven letters of intimation were issued to parties concerned having been deemed in breach of legislation. The Union's industrial action did not preclude the OHS Officers from performing their onsite duties.

## 1 ORGANISATION OF CAMPAIGNS: FUEL STATIONS CAMPAIGN

In the first quarter of 2023, inspections were conducted in sixty-three fuel stations around Malta and Gozo. These inspections were a follow-up of the previous inspections conducted in 2022, where orders were issued in writing to the respective duty holders to ensure protection of the health and safety of the workers and compliance with OHS legislation. These inspections focused on the required control measures that need to be implemented to prevent or reduce exposure of fuel attendants to volatile organic compounds (VOC's) emitted from petroleum fuel. Other requirements were also highlighted including, but not limited to, compiling a risk assessment document, fire safety, first-aid, and where necessary health surveillance of workers.

From these follow-up inspections it was noted that thirteen fuel stations equivalent to almost 21% of inspections performed, did not comply with orders issued by OHSA, while nine fuel stations which amounts to approximately 14% of the total, have stopped operating or were undergoing refurbishment. The remaining fuel stations were fully compliant with OHS regulations. Enforcement action will be taken in those cases where non-compliance has been observed.

## 2 CARCINOGENS AND MUTAGENS DIRECTIVE & CHEMICAL AGENTS DIRECTIVE

In February 2023, the European Commission adopted its proposal to revise the limit values for lead and its inorganic compounds under the Carcinogens, Mutagens and Reprotoxic Substances Directive and to introduce limit values for diisocyanates under the Chemical Agents Directive. This proposal followed numerous discussions held throughout the previous year.

Way back in 2021, the European Commission had proposed the addition of a fourth batch of chemicals to the Carcinogens, Mutagens and Reprotoxic Substances Directive. This proposal specifically aims to improve workers' health and safety protection by updating Annex III of the principal regulations which

contains the Occupational Exposure Limit Values (OELVs), by lowering the OELV of benzene, introducing new OELVs for nickel compounds and acrylonitrile and adding OELVs for twelve reprotoxic substances already present in the Chemical Agents Directive. Moreover, a new Annex - Annex IIIa is inserted to include the biological limit value of lead, already present in the Chemical Agents Directive.

Following several discussions between Member States and the European Commission, consensus was reached on an amendment acceptable to all member states. This was officially adopted in the first quarter of 2022. At national level, the drafting of this amendment was finalised at the end of 2023 and by April 2024 this EU Directive will be transposed into national legislation.

## 3 CONSTRUCTION SECTOR ACTIVITIES

OHSA committed itself and continues to strive to reach a safer level at every workplace particularly at construction sites. The construction sector, in its very nature, presents a continuously challenging OHS environment. OHSA acknowledges the fact that hazards at construction sites can never be eliminated, and it is for this reason that it continues to strive to reduce, if not eliminate, careless work practices which themselves give rise to accidents.

Therefore, OHSA continues to conduct numerous inspections in the construction sector to ensure that duty holders in this sector comply with their legal obligations. Like the sites of all other sectors, unless triggered by a complaint/report, all the inspections at construction sites are unannounced and take place at random.

During such inspections, OHS officers physically perform onsite inspections and assess the level of compliance at each particular site. Workers found on site are also spoken to, whilst photos are taken ensuring evidence is preserved at each inspection. Where shortcomings are observed, depending on the severity of the risks, orders are issued to stop works, ensuring that hazards are addressed. Appropriate enforcement action is also taken against duty holders in line with the enforcement policy.

Additionally, follow-up inspections are also conducted by OHS Officers to ensure that orders issued by its Officers are being abided by.

Pro-active routine inspections are also conducted. In line with this, OHS officers conduct joint inspections with Building and Construction Authority (BCA) officials, ensuring a collective action and adherence to policies at construction sites.

## 4 NOTIFICATION OF INJURIES AND ACCIDENT INVESTIGATION

A total of 742 injury notifications from employers were received by OHSA during 2023. As stipulated in L.N. 52 of 1986, every employer is duty bound to notify OHSA with workplace accidents resulting in a worker being incapacitated for work for more than three consecutive days or which result in the injured worker's being hospitalized for more than 24 hours beyond the period for observation. All notifications are vetted, and those which indicate serious injuries and accidents are investigated.

## 5 WORK RELATED ACCIDENTS - STATISTICAL TRENDS

Statistics about work related accidents, including injuries, fatalities and ill-health remain a valuable tool to assess the current state of occupational health and safety especially the effectiveness of current measures. Locally, these statistics are collated by various Government entities including the Occupational Health and Safety Authority, the National Statistics Office, as well as the Department for Social Security.

During this current year there were five (5) fatal accidents which occurred at the place of work. All fatal accidents involved male workers. Two of these fatal accidents occurred in the construction industry whereby the workers fell from height. Another incident was reported in the agricultural sector, whilst two were in the transport and haulage sector. One of the fatal accidents occurred in Gozo.

All five accidents were subject to a Magisterial Inquiry. In each of these fatal accidents OHS Officers are still assisting.





## 6 CONSTRUCTION NOTIFICATION FORMS

1763 Construction Notification Forms were received in accordance with regulation 5 of L.N. 88 of 2018. During this year OHSA continued to operate a sampling process to identify sites covered by these notifications, which will then be the subject of an inspection, or, in the case of large projects, a number of follow-up inspections as well, to verify compliance by the stakeholders.

## 7 RADIATION PROTECTION AND NUCLEAR SAFETY

From its inception in 2018, the Commission for the Protection from Ionising and Non-Ionising Radiation was assigned the regulatory function in the fields of ionising and non-ionising radiation, both from a public, as well as from an occupational point of view. Yet once again, it is being reported that non ionising aspects were still not brought under the effective remit of this Commission. However, discussions are under way to ensure that regulations dealing with the protection from risks resulting from Exposure to Artificial Optical Radiation and those from Electromagnetic Fields are brought under Chapter 585 of the Laws of Malta.

## 8 MACHINERY, EQUIPMENT, PLANT, AND INSTALLATIONS (MEPI)

Machinery and other equipment used at the workplace are regulated by the Work Equipment (Minimum Safety and Health Requirements) Regulations, S.L. 424.35. These regulations require that equipment such as goods lifts, steam boilers, escalators and moving walkways, cranes and lifting machines and accessories is inspected or examined, with specific time intervals by competent persons. For some equipment, the employer is required to send a copy of the examination report to the OHSA. Other regulations cover passenger and passenger/goods lifts. These are the Inspection of Lifts regulations, S.L. 427.63 which stipulate that lifts must undergo a preventive inspection every six months and a thorough examination every six years by an Authorised Conformity Assessment Body (ACAB). The responsible person is required to send a copy of the report to the OHSA.

The examination reports that are required to be sent to the OHSA and other reports that are requested by the officers are held at the Machinery Equipment Plant and Installation (MEPI) section. The reports are checked, vetted, and inserted in the section's database. The total number of reports received in 2023 was 4344, 3132 for lifts, 331 for cranes, 19 for boilers, 269 for forklift trucks and 593 for other work equipment.

This section undertook an inspection campaign on heavy duty goods lifts with a safe working load of more than 2500Kg. These are installed in vehicle show rooms. A total of 40 lifts were inspected, 5 of which were found not to be in use and 35 had a valid examination report.

Officers from MEPI section participated in the adjudication of the Management Information System tender and in data collection and preparation of the tender document for the lease of vehicles for the OHSA. The senior manager of this section was again appointed as secretary to the Chairman for the SLIC Evaluation of the Austrian Labour Inspectorate. This involved the participation in the evaluation week in Austria and drafting the evaluation report.

A key role entrusted to this section is the implementation of the Control of Major Accident Hazards (COMAH), Regulations, S.L. 424.19 which transposes the Seveso III Directive. Following extensive discussions and collaboration with the Environment and Resources Authority (ERA), the Civil Protection Department (CPD), the Planning Authority (PA) and other Ministries, OHSA as the lead authority within the COMAH Competent Authority drafted and finalised the Malta's report pursuant to Article 21(2) of Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances (Seveso III Directive) for the reporting period (2019-2022) and submitted it to the European Commission before the deadline of the 30th September 2023. The data in the Seveso Plants Information Retrieval System (SPIRS) was updated to reflect the current situation. Following the severe storm that hit the Island in February of this year, one COMAH establishment suffered extensive damages amounting to extremely excessive costs, which required notification, under the Seveso III Directive and the COMAH regulations, to the European Commission's Major Accident Reporting System (MARS).

## 9 COORDINATION WITH THE BUILDING AND CONSTRUCTION AUTHORITY (BCA)

The preceding year marks a milestone in the construction sector since a Memorandum of Understanding was agreed upon and signed between two important stakeholders, the BCA and OHSA. Both entities agreed to strengthen cooperation and collaboration while respecting each entity's parameters. Through this memorandum of understanding both entities agreed to strive in ensuring a more efficient approach towards enforcement and safeguarding the rights of the citizens. Additionally, it was agreed that OHS Officers actively participate in joint inspections, involving officers from both entities in construction sites.

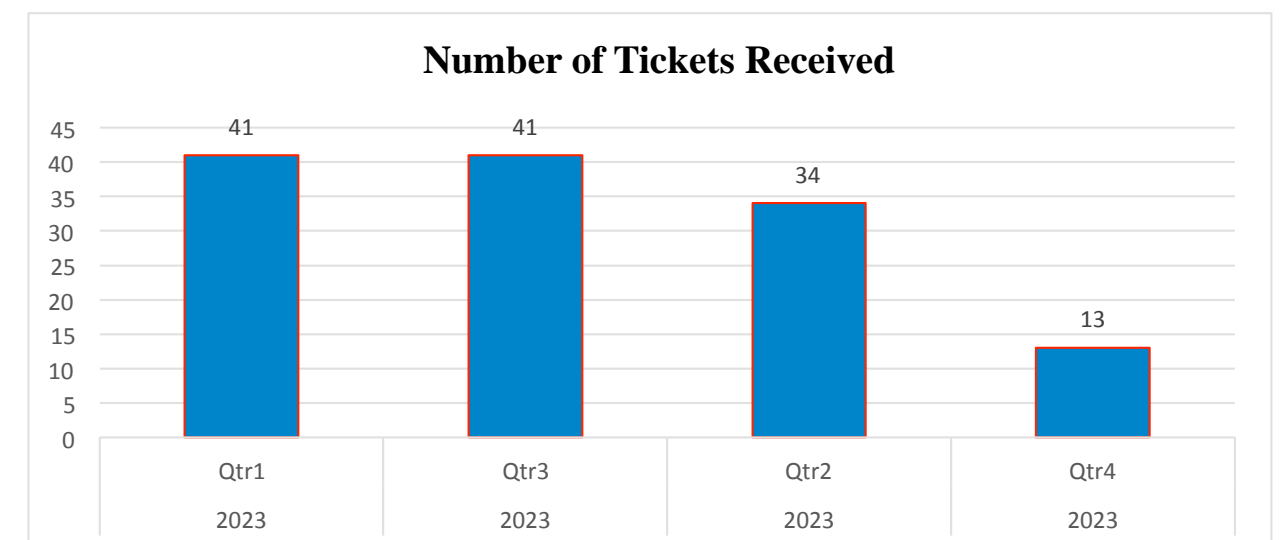
During this year under review, OHSA held a number of meetings with the Minister for Planning and Public Works and representatives of the Building and Construction Authority on matters of mutual interest, seeking better delineation of the roles and responsibilities of each entity.

During these meetings, OHSA stated that since it is usually perceived that OHSA is more accessible, people tend to send their complaints at this Authority even if often such complaints fall under the remit of BCA. Hence, through such agreement an improved mutual way of informing one another was devised, rendering a far efficient and effective means of ensuring compliance by the duty holders.

## 10 THE INSPECTIONS CAMPAIGN OFFICE

OHSA remained involved in initiatives by Inspections Coordination Office, which operates under the Implementation Division of the OPM. In 2023, the Inspections Coordination Office submitted 129 referrals (tickets) to OHSA through the inline platform, most of which required OHSA to effectively carryout inspections due to shortcomings in Occupational Health and Safety (OHS).

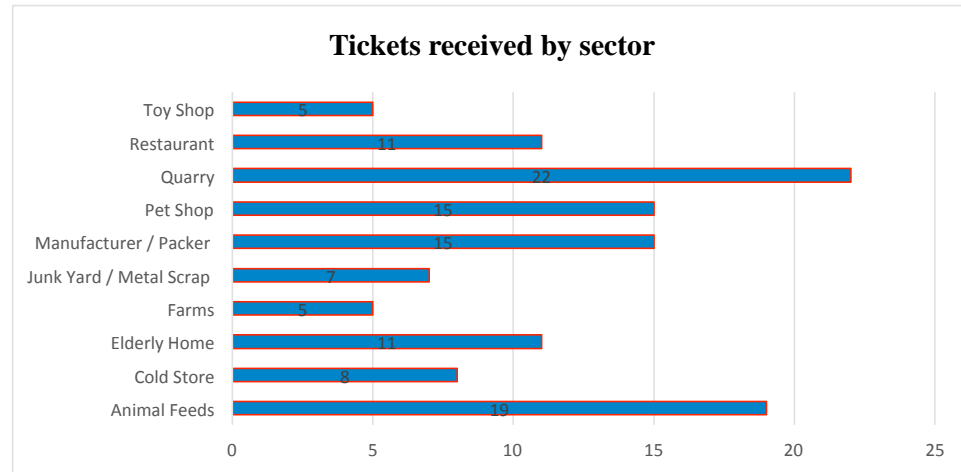
Table 10.1 - Number of Tickets Received



The workplaces that were subject to inspection included animal feed stores, toy shops, cold stores facilities, elderly care homes, junk yards/metal scrap facilities, quarries, pet shops, manufacturer packers, farms (involving sheep, goats, and chickens) and restaurants.

**Table 10.2 – Tickets Received by Sector**

The main infringements, which were referred, related to lack of health and safety signage, certification for forklifts and lifts (both for goods and passengers), inadequate measures for firefighting, evacuation



procedures and first aid arrangements. Occupational Health and Safety (OHS) Officers conducted unannounced visits, held meetings with employers, and conducted inspections at the respective workplaces. After each inspection, OHS officers followed up through action by issuing orders to rectify observed irregularities and, in some instances, when adherence was not met, imposed an administrative fine.

## 11 REGISTERED COMPLAINTS

Following previous years' commitments, in respect of complaints received, OHSA continued to address all incoming complaints as soon as they are received, in particular to construction complaints during the summer months, when works in this sector increase. All complaints received are tackled within 48 hours from being logged followed by action commensurate with OHSA findings. Throughout the current year under review there is no backlog of pending complaints. This has resulted in an increased workload on OHSA officers but has helped the general public in better understanding the work done by the OHSA officers.

During 2023, OHSA addressed all 271 complaints received in the construction sector, whilst another 119 complaints were related to other sectors. Complaints were received either through OHSA's social media, through email or by means of telephone calls. All the 390 complaints received were tackled within forty-eight working hours.

## 12 CASES PRESENTED FOR CRIMINAL PROCEEDINGS

Prosecution by the Authority is conducted before the Court of Criminal Judicature. Con-currently during the same year, the appointed prosecutor continued to assist the Executive Police in cases appointed before the Court of Criminal Inquiry, both in Malta and Gozo.

During the past year, the Authority appointed and prosecuted in a total of 128 NEW criminal cases, whilst continuing to present further evidence in another 155, which remain sub judice, in both Malta and Gozo.

Another thirty-eight cases have been appointed and are being heard before different Magistrates in the stage of compilation of evidence.

In cases which have been decided, several companies' directors/ contractors/ self-employed or Project Supervisors have been successfully prosecuted and positive convictions were obtained. In respect of these cases, the court imposed the sum of €241,950.00 in fines. During the year under review ten were acquitted. From these acquittals four have been appealed by OHSA. Appeals are litigated by lawyers from the Attorney General's office.

Additionally, OHSA has issued seventy-seven administrative fines which sixty-six have paid and settled, hence no further action was required, whilst eleven are still pending payment. If no settlement is made, these cases will be referred to court, as it is assumed that the aggrieved party wishes to contest the admin fine referred.

During 2023, a drive was made to seek closure to a number of cases which were subject to Magisterial Inquiries. From this exercise OHSA managed to narrow down the pending cases and charges against the duty holders have been or will be drawn up and presented in court for the hearing of evidence.

Whereas prosecution in the initial months of this year was conducted before two Magistrates in Malta and two in Gozo, due to reassigning of duties of one of the Magistrates OHSA sittings are now only conducted before one Magistrate in Malta and one in Gozo.

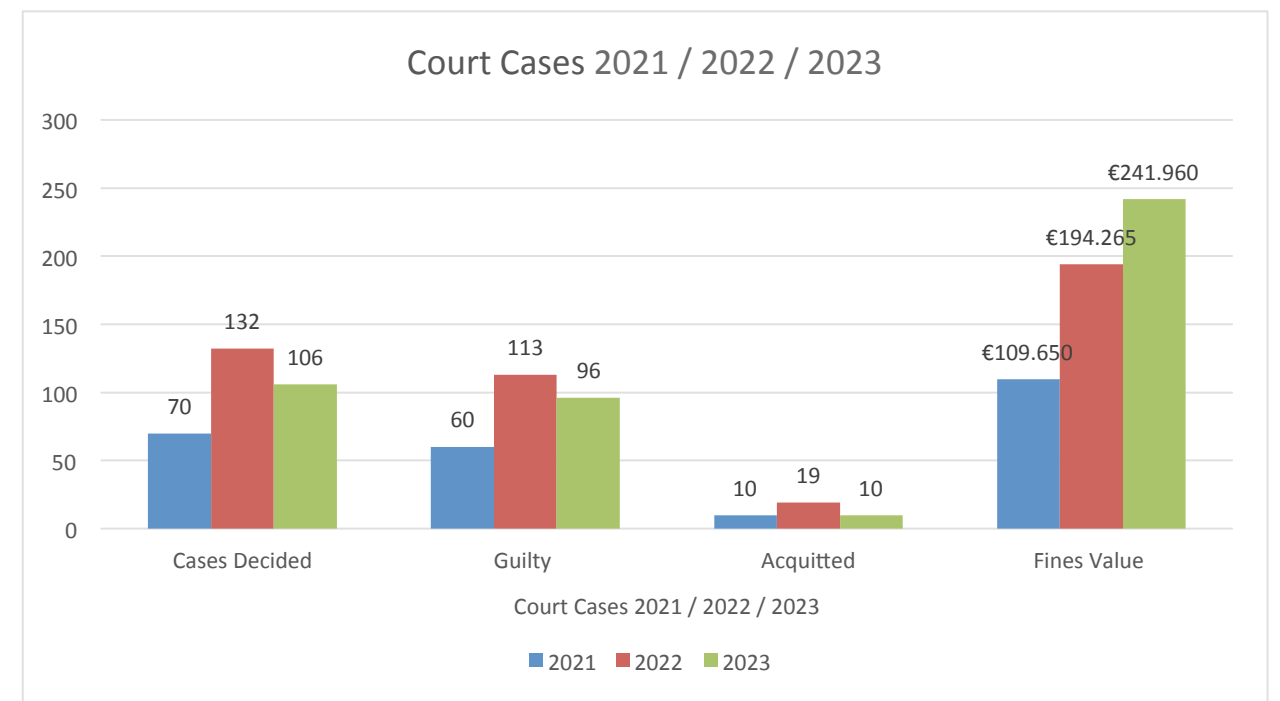
OHS cases are complex cases and entail citing all witnesses and bringing forward evidence in one day. On some occasions this is not possible since despite being a Criminal Judicature, it entails the continued hearing on different dates and in different subsequent sittings. A case which prolongs to be decided by a number of reasons hinders the OHSA from appointing new cases, as only a limited of cases are appointed for one particular sitting depending on the number of witnesses required.

OHSA still strives to be allocated two Magistrates hearing OHS cases as only this will justice be served within a reasonable time.

Apart from prosecuting OHSA cases, our legal representative prepares charges to be referred against a duty holder and compile the relative list of witnesses required in each case. These lists are referred to the police for service of summons. Additionally, OHSA is also summoned in ohs-related civil cases before several Judges to tender evidence.

In order to improve efficiency in the prosecution section within OHSA the number of prosecutors will double from one to two. This measure has long been felt following the ever-increasing court sittings and cases being prosecuted. Another legal professional has been identified and shall actively oversee OHS cases. This introduction of the prosecuting office will better guide OHS officers in their investigations and collection of evidence to be then referred to the police.

**Table 12.1 – Court Cases**



The above figures show a positive number of both successfully prosecuted cases and the high value of fines handed down by the Courts compared to previous years.



## 13 ASBESTOS IN WORKPLACES

In total, documentation relating to eighty notifiable asbestos-removal projects were submitted during 2023. All documentations submitted were vetted in accordance to LN 323 of 2006. In certain instances, OHSa had to intervene and carry out on-site inspections.

During the first quarter of 2023, a virtual workshop was held by DG Grow Deloitte and Empirica, where several Member States including Malta, represented by OHSa, were invited to participate. The goal of this workshop was to collect evidence for an Impact Assessment, whilst accompanying one or more possible new legislative initiative/s on the screening and registration of asbestos in buildings that could result in a European framework for national asbestos removal strategies. The European Commission was key participant in this workshop.

## 14 OHSa'S 'MODUS OPERANDI' IN INVESTIGATIONS

OHSa is empowered to investigate breaches of law concerning legislation under its remit, gradually but steadily, the same authority has had to update its ways and methods of interviews and investigating accidents as well as complaints received. Such new modus operandi also covers the day-to-day operations following the many inspections conducted from time to time at workplaces.

Today, OHSa is fully geared up to meet the ever changing challenges and has during the past year offered guidance in such skills without departing from safeguarding an individual's right of silence, right to legal assistance as well as the right not to incriminate oneself.

The internal relative procedure is now fully updated and whilst compliance to local legislation remains the core of OHSa operations, the updated procedure ensures transparency, and fairness.

## C Legislative Reform

Following the repeal of LN281/2004, the existing L.N. 88/2018 for the safety in the construction sector was enacted. Despite these changes to legal requirements covering such industry, it was felt that more changes are required. In view of this, a private legal firm has been contracted in order to ascertain that new legislation, keeping abreast to the EU directive, is drafted. With such important legislation, the law firm must have a better understanding of these legal workings and what new concepts are required. In this respect, a number of workshops were held with stake holders and the amendments are now in the final stages. The final draft will be prepared for the responsible Minister to issue a new legal notice.

### 1 PUBLIC CONSULTATIONS

During 2023, the OHSa launched two different public consultations linked to the updates made to the legislative framework on health and safety at work; the amendment of Legal Notice 88 of 2018 and the publication of a White Paper on a New Act for OHS.

The proposed amendments on the minimum Occupational Health and Safety Requirements in Construction Sites primarily intends, among others, to clarify the legal obligations of Project Supervisors appointed on construction sites.

On the other hand, the White Paper on the new OHS Act proposes a renewal of the national OHS legislation including the restructuring of OHSa, the creation of a Governing Board that will be responsible for ensuring that the Executive leads the administration with a high level of governance and the establishment of a Health and Safety Council that will give a stronger voice to the social partners. This White Paper also proposes the establishment of new administrative instruments, including an Administrative Tribunal, an increase in administrative penalties that the Authority can impose as well as an increase in the applicable penalties that can be decided by Courts.

The ultimate goal of this White Paper is to update the OHSa law for today's needs and to help the Authority be more effective and efficient in enforcement. The work on these two legislative proposals will continue in 2024.

### 2 AMENDMENTS TO THE ASBESTOS DIRECTIVE

During the third quarter of 2022, the European Commission proposed the amendment of Directive 2009/148/EC on the protection of workers from the risks related to exposure to asbestos at work. The main objective of the amendment being proposed is to make the Occupational Exposure Limit Value (OELV) under the asbestos directive more effective by updating it based on scientific expertise, as well as to achieve a more uniform and better protection of workers across the EU against asbestos.

Discussions between the European Commission, European Parliament and the European Council are underway for an agreement on the final text of the Directive to be implemented.

### 3 AMENDMENT TO THE CRIMINAL CODE DIRECTLY CONCERNING MAGISTERIAL INQUIRIES

This year, further legislative reforms were introduced to the Criminal code. Until the enactment of the prevailing legal provisions it was the prerogative of the Inquiring Magistrate to allow OHS Officers to be present during the interviewing of duty holders.

In those cases where OHS Officers were not permitted to be present, many times, the Inquiring Magistrate through the court appointed experts who reached different and contrasting conclusions. On the other hand, in those cases where OHS Officers were present, the court appointed experts' and attention was



given to OHS legislation. To streamline good practice, the legal provisions covering the holding of Inquiries was amended and today the Inquiring Magistrate is duty bound to inform OHSA of workplace accidents and has a legal obligation to give OHSA access to the sittings whereby witnesses or other duty holders are interviewed.

In terms of this newly introduced legislation, two OHS Officers will conduct an investigation whilst another must be present during the inquiry. This officer compiles a report and if needed, he files a report to be included in the process verbal.

To safeguard the confidentiality of this report, the OHS official who participates in these inquiries must not share the report with OHSA but if requested he must submit the report only to the court. This measure has added further strain on OHS Officers who must be available when inquiries are held, but OHSA feels that justice is better served through such new provisions.

## 4 A NEW ACT FOR OCCUPATIONAL HEALTH AND SAFETY

During 2023, the Ministry issued a consultation paper reviewing the Act for Occupational Health and Safety. This was followed by a comprehensive consultation exercise in November with the involvement of the Malta Developers' Association (MDA), the Malta Occupational Safety & Health Practitioners Association (MOSHPA) and the Union of Health & Safety Practitioners (UHSP). The drafting of the new Act is now in an advanced stage.

## 5 AMENDMENTS TO THE INSPECTION OF LIFTS REGULATIONS

During 2023, OHSA held discussions with the Malta Competition and Consumer Affairs Authority regarding the proposed amendments to the Inspection of Lifts Regulations. An agreement on the final version was reached and the necessary approvals for publication are being sought.

# D Consolidating the Authority's Resources

## 1 STAFF DEVELOPMENT

Staff development encompasses a life-long learning strategy which OHSA implements while continuing educating and training the public, its officers and support staff continue to develop further their knowledge and skills on various aspects in the domain of occupational health and safety and management. OHSA encourages further self-development by part-sponsoring tuition fees as this was found to enhance staff member's skills and abilities in line with the holder's job description. This was also complemented through qualification allowances, paid study leaves and part-sponsorships to pursue further studies in OHS. By virtue of the new collective agreement, besides other improved salaries, and conditions of work, OHSA budgets €12,000 per annum for its collective training fund, which is double that of the previous year. During Q4 an expression of interest was issued which attracted four submissions for continued professional development.

Several OHSA employees participated in online conferences and seminars organised locally and overseas covering a wide range of OHS areas, including occupational diseases, the prevention of industrial accidents, amendments of EU Directives, EU Agency matters, train the trainers and well-being at work.

Continuous development for all its staff members remains a priority. This entails the organisation of several information sessions held at OHSA premises during which topics of interest are discussed. During 2023, OHSA employees benefited from 383 hours of staff development. The training was given online, overseas, and at fieldwork. The themes covered inspection skills, pesticides, prevention of work-related diseases, green procurement, and anti-racism. Besides formal training, all staff members continuously receive IT updates, guidelines, and support for a more efficient and secure use of IT. Informal training is not captured in these statistics.

## 2 RECRUITMENT

In the last 2 months of the year 2023, the new CEO discussed with the Authority's Senior Management Team (SMT) the status of the current organogram and any challenges that needed to be addressed. A multi-faceted approach was adopted to deal with the gaps at Operational, Scientific and Administrative Support elements. Internally, a limited number of staff members and portfolios at managerial and support levels, were reshuffled to better use the available talent. A process of fast tracking of vacancies, by internal and external recruitment calls was kickstarted in the month of October. Furthermore, a request was submitted for detailing a public service officer to OHSA and another was successfully concluded for the loaning of an employee from another public sector entity.

The three-year HR Plan 2022-2024 is being reviewed and updated to reflect current and perceived HR needs. The resultant calls for recruitment will include the newly created grade of OHS Officer Trainee and employment opportunities in engineering, communications, HR, ICT, and international policy. Calls shall be prioritised as a Budget Measure to ensure the implementation of the new CEO's vision for a proactive organisational structure that deals with emerging risk factors and the exigencies of OHSA Strategy 2022-2027.

## 3 INTERNAL INDUSTRIAL RELATIONS

The majority of the Authority's workforce are organised under two collective agreements. An agreement for the managerial grades expired in December 2022 and is currently being re-negotiated with the General Workers Union. A newly negotiated agreement, covering the support and technical staff was signed with UHM Voice of the Workers, in September. As a run up to the signing, several directives issued by the Union had an immediate impact on the operational ability of the entity. Despite these Union directives, which lasted for 8 weeks, it is acknowledged by all stake holders that teamwork, flexibility, and healthy





industrial relations within the Authority have always helped to ensure that strategic objectives could be reached in a timely manner. The successful closure of the Collective Agreement for technical and support staff brought about an enhanced package for serving members and now offers an attractive take home pay for recruits at entry level.

## 4 ICT INFRASTRUCTURE

Considerable improvement in terms of administration, data storage and infrastructure continued during the period under review. Throughout 2023, OHSa continued to maintain its ICT infrastructure by improving the service contract with MITA, in line with Government's Modern Workplace Initiative. File sharing at MITA and continuous enhancements to protocols and the templates in use have enabled easier access to documentation in most technical and support areas. These developments continue to provide for an adequate, systematic, and secure backup of OHSa's data.

During 2023, OHSa evaluated and awarded a tender for the development of a management information system (MIS) for the inspectorate division.

Further investment in the appropriate hardware and training was conducted and the replacement programme for computers supplied via the MITA procurement channels continued

## 5 USE OF PREMISES

During the period under review, the Authority opened its premises and used alternative means to provide advice and information via electronic channels. The maintenance programme included the façade, which was redone in collaboration with the Ministry for Public Works and Planning. During Q1/2023, the first phase of change from halogen lighting to LEDs was implemented and the training room was upgraded. A budgetary proposal to replace aging plant, the lift, air conditioning system and apertures for a more sustainable impact of its carbon footprint. A replacement standby generator is being sought under the expertise of the MPWP's Project Design and Engineering Directorate. The premises is the operational base for all OHSa staff, but also houses the National Focal Point for the European Agency for Safety and Health at Work. Meetings of the COMAH Competent Authority are also held at OHSa.

## 6 EQUAL OPPORTUNITIES AND GENDER MAINSTREAMING

Gender mainstreaming and equal opportunities are a corner stone in OHSa's employment policies and activities as the OHS regulator in Malta. OHSa works to address gender segregation by discarding the 'gender neutral approach' where possible and including the gender dimension (and other non-discrimination grounds) into risk evaluation and prevention measures to account for specific characteristics of women and other vulnerable groups in terms of workplace health and safety. In furtherance of its equal opportunities policy, the engagement of a person with mild disability was implemented well before this became mandatory. A similar approach is mirrored in policies such as its own Collective Agreements, Standard Operating Procedures, and periodic internal policy Memos to sustain OHSa as an equal opportunities employer.

Implementation of family-friendly measures and enhanced conditions of work through a newly negotiated collective agreement enabled staff to benefit from reduced hours, flexitime and, working remotely as necessary.

As in previous years, the Authority's focal point for equal opportunities participated as necessary in online activities organized by the National Commission for the Promotion of Gender Equality (NCPE) and the Commission for the Rights of Persons with Disability (CRPD).

## 7 INTEGRITY PROMOTION, AWARENESS AND ASSESSMENT FOR PUBLIC EMPLOYEES

Newly recruited members of staff successfully participated in the Integrity and Ethics Awareness-Learning Programme, organised by the Governance Action Directorate which sets to address the visible responsiveness of decision-based ethical conduct in the Public Administration amongst senior and executive public employees. Participants were identified as potential candidates in line with clause 1.2 of Directive 15: Governing Policy for Integrity Promotion, Awareness and Assessment for Public Employees.

## 8 MANAGEMENT INFORMATION SYSTEM (MIS)

As reported in the previous Activity Report, OHSa continued its work on the development of an electronic solution for its Technical Division to manage its information systems, including the collection of data during inspections and to assist OHS Officers in the management of the information collected. This data will be integrated into one electronic system and will be accessible by OHS Officers across OHSa. This digital system will facilitate the enforcement conducted by OHSa. A key feature of the solution will be security, as well as auditing of the data held.

The tender for the development of this software was evaluated in 2023, under the direction of the Sectoral Procurement Directorate of the Department of Contracts. The contract was signed in Quarter 2 of 2023 and the development part of the contract will be concluded by end of 2024.



## E External Relations

OHSA actively participates in several international fora. During 2023 OHS Officers have participated in the following events:

### 1 SENIOR LABOUR INSPECTORS COMMITTEE

The Committee of Senior Labour Inspectors (SLIC) set up by Commission Decision of the 12 July 1995 (95/319/EC), is a forum for discussion between the European Commission and the representatives of the Member States' national authorities who are, amongst other things, responsible for monitoring the enforcement of Community law on OHS matters and who are consequently in direct contact with the businesses affected by it. The Committee provides the Commission with a channel for receiving information about any problems relating to the enforcement of secondary Community law. It is also a forum for the national authorities to compare experience of the structure, methods, and instruments of labour inspection. OHSA recognizes the benefits that can accrue from making full use of membership of this group, and participates actively in meetings, including plenaries, several Working Groups, the various SLIC Inspection Campaigns and in the exchange of Labour Inspectors' initiative.

### 2 SLIC WG GENERAL ENFORCEMENT ASPECTS (GEA)

OHSA continued its active participation in this Working Group, which serves as a forum for proposals by the OHS inspectorates across the EU to the SLIC plenary on possible initiatives that can be taken by the Member States. The WG also allows labour inspectors to share good practice and initiatives, such as inspection campaigns' learning points and outcomes, development in legislation or in the organisational structures or operations. In addition, this WG acts as the preliminary point of contact for the exchange of labour inspectors before this is officially announced and launched by SLIC.

OHSA supported SLIC by chairing this WG, while another OHSA member acted as the assistant to the chair. Three Task Groups set up by this WG continued the assigned missions as previously agreed in this WG's mandate. The Chair and / or assistant also attended all the meetings of the different Task Groups. The assistant to the chair was part of TG 3 which finalised the work on the development of training guidance to the Labour Inspectorates.

### 3 LABOUR INSPECTION NETWORK AND INFORMATION EXCHANGE SYSTEM (KNOWLEDGE SHARING SYSTEM (KSS))

Having a system that allows and facilitates the sharing of information between Labour Inspectorates which share common challenges and problems in relation to health and safety inspections and accident investigation is a central theme of SLIC. In this regard, SLIC developed the 'Knowledge Sharing Site' (KSS); an online platform that serves as the main vehicle to enable Member States to share with each other through their knowledge and experience, the required information, and solutions to address certain obstacles faced by Member States themselves.

Every Member State has a national coordinator and a deputy. In the case of Malta, such positions are fulfilled by OHSA through its appointed persons. Since its very first day of establishment, the SLIC-KSS platform has proved to be a valuable resource for Labour Inspectorates so much so that questions dealing with various issues pertaining to OHS have been posted, even at the time of this writing, on a regular basis. Being a multidisciplinary field, one which encompasses many disciplines and numerous workplace and environmental hazards, the questions pertaining to OHS issues would undoubtedly address various issues and areas.

### 4 EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK (SEE A2)

The European Agency for Safety and Health at Work (EU-OSHA) was set up in 1994 by Council Regulation (EC) No. 2062/94 of 18 July 1994 with the aim of encouraging improvements in the field of occupational health and safety as provided for in the Treaty and successive action programmes concerning OHS. Its leading role is to provide the Community bodies, the Member States and those involved in OHS with the necessary technical, scientific and information of use in the field of OHS.

Malta has three full members on the Agency's Administrative Board, which is made up of representatives of the respective governments, employers and workers from EU Member States, representatives of the European Commission and other observers. The Agency's principal safety and health information network is made up of a 'Focal Point' in every EU Member State, in the four EFTA countries and in the Candidate countries.

This network is an integral part of the Agency's organisation and Focal Points are nominated by each government as the Agency's official representative in that country and are normally the competent national authority for safety and health at work. In the case of Malta, OHSA is the Focal Point of the Agency (see A2), and a national information network was also set up locally to ensure that the views of all stakeholders are represented during Focal Point meetings. Members of this network include government departments and entities, trade unions, employer bodies, and various NGOs. The Authority endeavours to participate as much as possible, within the constraints of its available time and resources, in all initiatives launched by the European Agency.

### 5 OIRA (ONLINE INTERACTIVE RISK ASSESSMENT) MEETING

This year only a few short meetings were held online mainly to inform and demonstrate new and proposed features to the OIRA tools. To this effect various emails requesting translation of the added features were answered by the OIRA country manager. Over the past years, a total of 3259 accumulated Maltese OIRA assessments have been carried out by 2252 users, an increase of more than 14% and 10% respectively over the previous year.

### 6 ADVISORY COMMITTEE FOR SAFETY AND HEALTH AT WORK

The Advisory Committee for Safety and Health at Work (ACSH) was established by means of Council Decision 2003/C 218/01, of the 22nd of July 2003 and was tasked with assisting the Commission in the preparation, implementation, and evaluation of activities in the fields of safety and health at work. Specifically, the Committee conducts exchanges of views and experiences regarding existing or planned regulations and helps to devise a common approach to problems in the fields of safety and health at work. It also identifies Community priorities as well as the measures necessary for implementing them. More importantly, the Advisory Committee has the important task of drawing the Commission's attention to areas in which there is an apparent need for new knowledge and for suitable training and research measures, and to express opinions on the annual programme and the rotating four-year programme of the European Agency for Safety and Health at Work.

In fulfilling its functions, the Advisory Committee cooperates with the other Committees which are competent for health and safety at work. This Committee is tripartite, and the Authority participates actively not only in the plenary sessions of the Committee, but also in the Governments' Interest Group meetings (GIG).



During 2023, the ACSH held two Plenary meetings as well as an extraordinary Plenary meeting in September, in addition to various GIG meetings throughout the year. Except for the November Plenary and GIG meetings, which were held in person in Luxembourg, all ACSH meetings during 2023 were held online.

During these meetings, several policy actions and possible initiatives were discussed, including the addition of new, or the revision of existing, chemicals in the Directive on the protection of workers from the risks related to exposure to carcinogens, mutagens or reprotoxic substances at work and the effects of climate change on workers.

## 7 SEVESO III COMMITTEE OF COMPETENT AUTHORITIES (CCA) AND SEVESO EXPERT GROUP (SEG)

The SEG and Seveso III implementation meeting were held back-to-back and could be attended online. Delegates from Spain and France presented preliminary findings from major accidents involving fuel storage and lithium batteries. The new system of the 4-year Seveso Implementation reporting was presented. This was sent to members of the group for feedback and a meeting was scheduled for later this year. Other information on the future role of the Major Accident Hazards Bureau (MAHB) and on the UNECE TEIA and OECD was presented. Seveso III implementation issues were discussed, and it was suggested that an online platform is created for sharing of implementation information.

## 8 TECHNICAL WORKING GROUP FOR SEVESO INSPECTIONS (TWG2) AND MUTUAL JOINT VISITS (MJV)

This meeting brought together Seveso inspectors from various Member States to discuss the challenges that Competent Authorities face when dealing with lower tier establishments. These range from lack of knowledge and expertise which often necessitates the engagement of consultants resulting in considerable costs. Hence, these operators strive to reduce their inventory of dangerous substances so that they do not fall within the remit of the Directive. Various accidents were presented, and the main point was that there is a lack of awareness and technical knowledge from the operators and Competent Authorities can offer guidance and information so that these operators would be able to comply with the requirements of the Directive.

## 9 SLIC WG MACHEX

The meeting focused on digitalisation and robotics. Robots can alleviate workers from heavy tasks, dangerous movements and minimise exposure, but there are also risks from these emerging digital technologies. There is ongoing research on the organisational, psychosocial, and physical effects on the workers. Workers are required to have new skills and are affected by the fear that robots may threaten job security. It was stressed that early involvement and communication with the workers, reduces the acceptance period and promotes acceptance. The Meeting also discussed the upcoming train the trainer event with the participation of two persons from each Member State, to be held during 2024, and the exchange of inspectors with particular interest in safety of machinery.

In 2023, OHS officers were invited to attend a training organised by a sub-working group (MACHEX) of the Senior Labour Inspectors' Committee (SLIC), which tackled safety inspections on Work Equipment. The MACHEX organised "Training of Inspectors on Work Equipment Safety Inspections." Due to the number of attendees, they were divided into two groups, with OHS Officers forming part of Group 2.

To make labour inspection more effective and efficient, it was deemed as especially important to guarantee an appropriate training of officers to improve the quality of inspections so that the inspectorate can respond to its dual role of prevention and protection.

It was noted that officers should receive general training that would make them to understand better the national laws, which derive from European legislation on safety in the use of Work Equipment. For this purpose, the first training module tackled what was deemed as essential knowledge, i.e., knowing the contents of the social and product directives.

To be able to carry out an inspection on work equipment and to promote the development of technical and scientific skills, it is necessary for officers to have a level of knowledge in Occupational Health & Safety.

It was also made obligatory that attendees had to be able to understand the work equipment, identify associated risk factors, establish the main preventive measures, and perform the appropriate inspection based on the applicable legislation.

The training included both theoretical and a practical part, with modules being:

1. Characterization of risks associated with machines and the machinery directive.
2. The work equipment directive.
3. To promote the improvement of safety during the use of work equipment in use through organizational measures.
4. Training and practical demonstration of production processes with machines in various industrial sectors.

The practical part of the training involved the attendance to an institute that trains students in various trades and use of machinery/work equipment primarily in the building and road works industries. Focus is given not only to first-hand experience, but to classroom sessions where students are made aware of trade standards, risks associated with works, deciphering of information on work equipment and other limitations during any works being conducted.

The ultimate outcome from this MACHEX training session was for local officers to train their colleagues on the safe inspection of work equipment by the end of 2024.

## 10 OCCUPATIONAL SAFETY AND HEALTH STOCKTAKING SUMMIT

On the 15th and 16th May 2023, the European Commission and the Swedish Presidency of the Council of the EU organised the EU OSH Stocktaking Summit in Stockholm to review the progress of the EU Strategic Framework on Health and Safety at Work 2021-2027.

The meeting welcomed politicians from several member states, representatives of the EU institutions and experts in this field and members of the national OHS inspectorates, including OHSA. The Maltese Minister responsible for OHS at the time, Dr Zrinzo Azzopardi was also part of the panel of speakers.

This Summit confirmed the effectiveness of the EU strategic OHS framework 2021-2027 in identifying the key objectives and actions to make the workplace fit for the increasingly rapid changes in the work industry due to, among others, the digital, and green transition, and the impact of the pandemic crisis.

Considerable progress has been made in the implementation of the EU strategic framework. On one hand, the ambitious agenda of EU initiatives and actions put forward in the strategic framework is being implemented at a good pace. On the other hand, some Member States, including Malta, have adopted, or updated, their national OHS strategies in line with the updated vision set by the EU strategic framework.

The stocktaking exercise acknowledged the active mobilisation of the main OHS stakeholders and identified several remaining challenges in this field.

Four parallel workshops focused on the main themes being discussed:

- (a) mental health at work
- (b) OHS national strategies
- (c) the vision zero approach to work-related deaths
- (d) climate change and heatwaves and OHS.



These discussions have shown that more efforts are needed from all the stakeholders to implement the challenges of the strategic framework until 2027, both at EU and national levels, like for example adopting more ambitious national strategies considering the EU framework or developing practical initiatives to pursue a vision zero approach to work-related deaths. In addition, the Summit identified ongoing OHS issues that need further consideration, such as addressing psychosocial risks and mental health at work, climate change and its impact on workers' health and safety, and the potential of Artificial Intelligence and robotics to create safer and healthier workplaces for all.

The programme also included a study visit to the Swedish Construction Federation's Construction Safety Park in Stockholm. This park is a physical training facility where those working in the construction industry are trained in practical occupational health and safety measures.

## 11 SLIC EVALUATION OF THE AUSTRIAN NATIONAL LABOUR INSPECTORATE

The basic purpose of a SLIC Evaluation is to review the capability of the labour inspection system in the country to be evaluated, to implement and enforce EU Directives on health and safety at work and relevant OSH strategies at EU level.

Towards this end, SLIC has drawn up the Common Principles of Labour Inspection which set out the rationale for such evaluations and specify how these evaluations should take place such as, the assessment of the organisational structure, the administrative and operational procedures, the standards for inspection and their application, the resources available, the personnel and their training and the systems for reporting, record keeping and information collection. It also requires on-site inspection by the evaluation mission with the host inspectors.

During 2023, OHSa lead the SLIC Evaluation of the Austrian National Labour Inspectorate, together with experts from the labour inspectorates of Estonia, Greece, Luxembourg, Poland, Slovakia, Slovenia, and Sweden. The evaluation report will be eventually sent to SLIC for adoption during 2024.

## 12 TWG 2 WEBINAR - PROMOTING LESSONS LEARNED

This online seminar, organised by the Major Accident Hazards Bureau, MAHB, focused on the importance of investigating, reporting accidents and near misses and disseminating the information. There is a lot of information available in dedicated databases and publications; yet accidents are repeated. Learning involves change and this includes changes in culture, organisation, training, technology, and procedures. The Seveso III Directive explicitly promotes the use of lessons learned in the preparation of the required documentation to be submitted to the competent authorities.

## 13 PARTICIPATION IN LOCAL BOARDS AND COMMITTEES

The Authority is also represented in several local boards and entities, most of which have a legal standing. These include:

The COMAH Competent Authority (CA), which is made up of OHSa, ERA (Environment and Resources Authority) and the CPD (Civil Protection Department) oversees the implementation of the Control of Major Accident Hazards (COMAH) Regulations, L.N. 179/2015. OHSa is the lead entity and coordinates the functions of the COMAH CA.

The Building Industry Consultative Council (BICC) - OHSa, as a stakeholder (regulator) involved in the construction sector formed part of the Building Industry Consultative Council (BICC), in order to assist and advice on occupational health and safety issues related to the building and construction sector, with a representative (as well as reserve alternate member) appointed on the Advisory Board, as well as in two working groups (Building Regulation, Education & Training). During 2023, OHSa participated in meetings on diverse topics such as Draft regulations on registration of contractors, the Mason's License, and the Skills Card. OHSa also presented proposals for the amendments of the role of the project supervisor

to the forum. Following restructuring, BICC has rebranded itself to BIC. OHSa will no longer have a representative in the BIC forum.

OHSa also has a representative on the Pesticide Control Board and the Plant Protection Board. Early in 2023, a 'Plant Protection' Board meeting was held at the Plant Protection Directorate in Lija. This board is composed of members from different Authorities. The aim of this meeting was to review applications submitted for registration as Soil Technical Advisors as well as those submitted for registration as Integrated Pest Management (IPM) Technical Advisors. During this informative meeting three speakers delivered their presentations to the Board outlining the extensive work carried out by their respective section within the Plant Protection Directorate.





## F Freedom of Information, Corporate Governance and General Data Protection

### 1 FREEDOM OF INFORMATION ACT

OHS maintains the necessary structures and has the necessary systems in place according to the FOI Act. Throughout 2023, OHS received and closed off five FOI requests, two of which were not accepted. The requests, filed on the dedicated central government portal, dealt with OHS investigations and contracts of, or for service.

### 2 CORPORATE GOVERNANCE

Corporate governance provides the framework for attaining OHS's objectives. The concept encompasses every sphere of management, from the elaboration of action plans and the institution of internal controls to performance measurement. Thus, while valuing its autonomy as a public sector organization, OHS also takes on board and follows policies and rules of good governance established by the Government and seeks to implement recommendations issued by the National Audit Office and the Internal Audit and Investigations Department.

Conditions of employment for its own workers are regulated by agreements signed with Unions. Outside of these parameters, OHS remains guided by those policies established by the People and Standards Division.

### 3 GENERAL DATA PROTECTION

In line with the requirements of the General Data Protection Regulation (GDPR), (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016) on the protection of natural persons regarding the processing of personal data and the free movement of such data, OHS has reviewed its procedures and policies concerning data collection and storage. Such data, including data pertaining to individuals, is collected in fulfilment of OHS's statutory functions as laid down in the Occupational Health and Safety Authority Act, Chapter 424 of the Laws of Malta. Following its own internal review, OHS ensures that all newly recruited staff are trained in the GDPR requirements.

## G Financial Review 2023

The Occupational Health & Safety Authority was granted a government subvention of €1,500,000 for recurrent expenditure and €20,000 for capital expenditure. The Authority also generated income of €53,468 arising from the administrative fines and awareness training organised for stakeholders.

The major expense of the Authority is the salaries bill which amounted to €1,068,342 or 76% of total expenditure. In 2022, these costs amounted to €971,535. This increase in staff cost arises from the arrears of over 22 months, which were paid after the respective collective agreement for the technical staff and support staff was finalised and signed on 18th October 2023. The operational expenses of the Authority which include various categories like utilities, material & supplies, repair & upkeep, rent, subscriptions, office services, transport, travel, information services, contractual services, professional fees, amounted to €292,603, while in the previous year, the operational expenses amounted to €274,181. The surplus for the year accumulated to €164,136.

A capital vote of €20,000 allocated in this year's financial estimates was absorbed by the initial stage of implementation of the MIS system, a project which was approved in early 2023. The financial position of the Authority strengthened from a net asset position of €1,115,978 in 2022 to €1,288,138 in 2023.

## H Outlook for 2024

The Occupational Health & Safety Authority is poised to continue its trend of positive financial results in 2024. The Authority has received a recurrent government grant of €2,000,000, which is an increase of €500,000 from the previous year. It is being implied that the OHS will be embarking on a recruitment drive to enhance its complement of Officers to further ensure that the requirements of the law are being complied with. The OHS has also been allocated €100,000 for capital projects, which will finance the implementation and conclusion of the Management Information System, estimated at €138,503. The OHS will embark on three major projects in 2024 namely the replacement of the current car fleet to an electric fleet of cars, the replacement of a 20-year-old lift and the replacement of an air conditioning system for the offices of the Authority.

OHS plans to continue the implementation of the HR Business Plan, which will involve the engagement of forty-three members of staff over a three-year period. The Authority's expenditure on personal emoluments is expected to exceed €1.6 million as the staff complement increases with two positions at management level, and ten other positions earmarked to strengthen the following sections: Construction, General, Chemical, Policies & Programmes, Communications and Corporate Services. It is intended that the staff complement continues to be strengthened in 2025 and 2026. During the year, collective agreement negotiations for the managerial grades may be concluded. During 2024, the authority's operational expenses are expected to reach €522,675.

The Budgeted Income and Expenditure Account for the period 1st January 2024 - 31st December 2024 is being published as Annex 2. The audited Financial Statements of the Authority are being published as Annex 3.



## ANNEX 1: KEY ACTIVITIES CARRIED OUT BY OHS

JANUARY 2023 - DECEMBER 2023

	Total
Workplace visits	2585
Equipment certificates vetted	4344
Construction site notifications received	1763
Asbestos removal project notifications	80
Staff development (person hours)	383
Judicial Proceedings decided - Malta Court	77
Judicial Proceedings decided - Gozo Court	29
Monetary value of fines imposed by Court	€241,950
Judicial proceedings initiated	128
Awareness raising (person hours)	1042
Course participants	98

## ANNEX 2: BUDGETED INCOME AND EXPENDITURE ACCOUNT

1<sup>ST</sup> JANUARY 2024 - 31<sup>ST</sup> DECEMBER 2024

	€	€
Government Grant, Vote 44 Recurrent - Item 6282		2,000,000
Courses (awareness raising)		6,600
Other Income - Competent person		2,400
Other Income - Administrative Fines		51,000
<b>TOTAL</b>		<b>2,060,000</b>
<b>Personal Emoluments</b>		
Staff Salaries	1,225,959	
Honoraria to OHS members	42,173	
NI Contributions	105,086	
Overtime/Allowances/Statutory Bonuses	264,638	
		1,637,856
<b>Operational Expenses</b>		
Utilities	25,170	
Material & Supplies	33,985	
Repair & Upkeep	31,468	
Rent	28	
Office Services	33,280	
Transport	28,744	
Travel	50,000	
Information Services	25,000	
Contractual Services	100,000	
Professional Services	15,000	
Training and CPD	50,000	
OHS awards activity	30,000	
Marketing & promotion	100,000	
Depreciation	14,000	
Transfers from government capital grants	(14,000)	
<b>Total Operational Expenses</b>		<b>522,675</b>
<b>Contributions and Initiatives</b>		
Appeals Board	2,000	
Social Partners Fund	5,000	
<b>Total Budget Cost</b>		<b>7,000</b>
<b>Total Operational Cost</b>		<b>2,167,531</b>
<b>Budgeted deficit</b>		<b>(107,531)</b>

Capital Budget for the year ending 31 December 2024

	Category	€
Management Information System, Vote XIX Capital - Item 7608	IT	100,000



# ANNEX 3: FINANCIAL STATEMENTS

## Occupational Health & Safety Authority

### Financial Statements

Year ended 31st December 2023

#### Contents:

Page 1	Chief Executive Officer's Report
Page 2	Statement of Authority's Responsibilities
Page 3	Auditor's Report
Page 4	Income and expenditure account
Page 5	Balance sheet
Page 6	Cash flow statement
Page 7 to 10	Notes to the financial statements

#### Schedule :

Schedule (a)	Staff costs
Schedule (b)	Other operating expenses

## Occupational Health & Safety Authority

### Chief Executive Officer's Report

Year ended 31st December 2023

The chief executive officer presents herewith the annual report together with the audited financial statements for the year ended 31st December 2023.

#### 1 PRINCIPAL ACTIVITY

The Occupational Health and Safety Authority is responsible for ensuring that the physical, psychological and social well-being of all workers in all work places are promoted and safeguarded by whoever is obliged to do so. Its functions include:

- a) establishing strategies by which the general national policy relating to occupational health and safety may be implemented;
- b) advising the Minister and preparing regulations or codes of practice to promote, maintain and protect a high level of occupational health and safety;
- c) monitoring compliance with relevant occupational health and safety legislation, taking enforcement action and carrying out investigations where necessary;
- d) promoting the dissemination of information, education and training on occupational health and safety and first aid response at work places;
- e) collating, analysing data and statistics and maintaining registers on matters relating to occupational health and safety;
- f) promoting and carrying out scientific research aimed at better methods of preventing occupational ill health, injury or death.

#### 2 RESULTS

The results for the year ended 31st December 2023 are shown in the income and expenditure account on page 4. The surplus for the financial year was Eur 164,136.

#### 3 POST BALANCE SHEET EVENTS

There have been no events since the balance sheet date which materially affect the position of the authority.

#### 4 CHIEF EXECUTIVE OFFICER

The chief executive officer who held office during the year was:  
Dr. Josianne Cutajar

#### 5 AUDITOR

Mr. Christopher Spiteri B.A. (Hons) Accty, F.I.A., C.P.A., has intimated his willingness to remain in office, and a resolution to reappoint him will be proposed at the Annual General Meeting.

Signed on behalf of the members on  
by :

  
\_\_\_\_\_  
Dr. Josianne Cutajar  
Chief Executive Officer

  
\_\_\_\_\_  
Perit David Xuereb  
Chairperson

17, Triq Edgar Ferro,  
Pieta' - PTA 1533





**Occupational Health & Safety Authority**

**Statement of Authority's Responsibilities**

Year ended 31st December 2023


The Occupational Health and Safety Authority Act, 2000 requires the Authority to prepare accounts for each financial year, which accounts are to be certified by a Certified Public Accountant (Registered Auditor). In line with International Financial Reporting Standards the accounts must give a true and fair view of the state of affairs of the Authority at the end of the financial year and of the surplus or deficit and cash flows of the Authority for that year. The preparation of the annual accounts is the responsibility of the Authority, which is required to :

- a) select suitable accounting policies and then apply them consistently.
- b) make judgements and estimates that are reasonable and prudent.
- c) state whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.
- d) prepare the financial statements on a going concern basis unless it is inappropriate to presume that the Authority will continue to operate.

The Authority is responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the Authority and to enable it to ensure that the financial statements comply with the provisions of the Occupational Health and Safety Authority Act, 2000 . The Authority is also responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Signed on behalf of the members on 26/1/2024 by:

  
 Dr. Josianne Cutajar  
 Chief Executive Officer

  
 Perit David Xuereb  
 Chairperson

**Auditor's Report**

**To the members of Occupational Health & Safety Authority**

Year ended 31st December 2023

I have audited the financial statements as set out on pages 4 to 10.

**Respective responsibilities of the authority and the auditor .**

As described on page 2 the Authority is responsible for the preparation of the financial statements. It is my responsibility to form an independent opinion based on my audit on these statements and to report my opinion to you. I am also required to report

- a) whether I have obtained all the information and explanations which to the best of my knowledge and belief, were necessary for the purpose of my audit.
- b) whether, in my opinion, proper books of account have been kept.
- c) whether the financial statements are in agreement with the books of account.

**Basis of opinion**

I conducted my audit in accordance with generally accepted auditing standards. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the Authority in the preparation of the financial statements and of whether the accounting policies are appropriate to the Authority's circumstances, consistently applied and adequately disclosed .

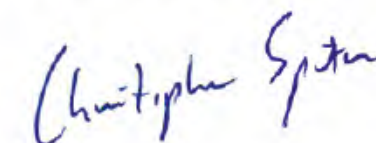
I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements are free from material mis-statement, whether caused by fraud or other irregularity or error. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements. I believe that my audit provides a reasonable basis for my opinion.

**Opinion**

In my opinion, the financial statements give a true and fair view of the state of the Authority's affairs as at 31st December 2023 and of the results of its operations and its cash flows for the year then ended and have been properly prepared in accordance with International Financial Reporting Standards as adopted by the EU and comply with the Occupational Health and Safety Act, 2000.

**CHRISTOPHER SPITERI B.A. (HONS) Accty, F.I.A., C.P.A.**  
 Registered Auditor

Date: 26-Jan-24



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 Fax : 21499573  
 E-mail: chris\_spiteri@melita.com





## Occupational Health &amp; Safety Authority

## Income and expenditure account

Year ended 31st December 2023

	Note	2023 Eur	2022 Eur
<b>Income</b>	<b>3</b>	<u>1,569,588</u>	<u>1,436,869</u>
<b>Expenditure</b>			
Staff costs	<i>Schedule a</i>	(1,112,849)	(1,015,968)
Other operating expenses	<i>Schedule b</i>	<u>(292,603)</u>	<u>(274,181)</u>
		<u>(1,405,452)</u>	<u>(1,290,149)</u>
<b>Operating surplus for the year</b>	<b>4</b>	<u>164,136</u>	<u>146,720</u>
<b>Surplus for the year</b>		164,136	146,720
<b>Accumulated fund brought forward</b>		<u>1,353,551</u>	<u>1,206,831</u>
<b>Accumulated fund carried forward</b>		<u>1,517,687</u>	<u>1,353,551</u>


## Occupational Health &amp; Safety Authority


## Balance sheet

31st December 2023

	Notes	2023 Eur	2022 Eur
<b>Fixed Assets</b>			
Tangible assets	<b>5</b>	<u>869,789</u>	<u>873,933</u>
		<u>869,789</u>	<u>873,933</u>
<b>Current assets</b>			
Debtors	<b>6</b>	29,463	9,915
Cash in hand and at bank	<b>7</b>	<u>1,427,277</u>	<u>1,169,478</u>
		<u>1,456,740</u>	<u>1,179,393</u>
<b>Creditors : amounts falling due within one year</b>	<b>8</b>	(168,602)	(63,415)
<b>Net Current Assets</b>		<u>1,288,138</u>	<u>1,115,978</u>
<b>Total assets less current liabilities</b>		2,157,927	1,989,911
<b>Deferred income - Government capital grants</b>	<b>9</b>	(640,240)	(636,360)
<b>Net Assets</b>		<u>1,517,687</u>	<u>1,353,551</u>
<b>Financed by:</b>			
Accumulated fund		<u>1,517,687</u>	<u>1,353,551</u>
		<u>1,517,687</u>	<u>1,353,551</u>

Signed on behalf of the members on 26/1/2024 by:

  
 \_\_\_\_\_  
 Dr. Josianne Cutajar  
 Chief Executive Officer

  
 \_\_\_\_\_  
 Perit David Xuereb  
 Chairperson



## Occupational Health &amp; Safety Authority

## Cash flow statement

Year ended 31st December 2023

	<u>Note</u>	<u>2023</u> Eur	<u>2022</u> Eur
<b>Cash flows from operating activities</b>			
<b>Operating surplus for the year</b>		164,136	146,720
<i>Adjustments for:</i>			
Depreciation		16,120	13,257
<b>Operating surplus before working capital movements</b>		180,256	159,977
Movement in debtors		(19,548)	(7,027)
Movement in creditors		105,187	(1,015)
<b>Cash generated from operations</b>		265,895	151,935
<b>Net cash generated from operating activities</b>		265,895	151,935
<b>Cash flows from investing activities</b>			
Payment to acquire tangible assets		(11,976)	(31,373)
<b>Net cash used in investing activities</b>		(11,976)	(31,373)
<b>Cash flows from financing activities</b>			
Government capital grants		3,880	18,116
<b>Net cash flows from financing activities</b>		3,880	18,116
<b>Movement in cash and cash equivalents</b>		257,799	138,678
<b>Cash and cash equivalents at the beginning of the year</b>		1,169,478	1,030,800
<b>Cash and cash equivalents at the end of the year</b>	<b>10</b>	<u>1,427,277</u>	<u>1,169,478</u>

## Occupational Health &amp; Safety Authority

## Notes to the financial statements

31st December 2023

## Note

1 Legal Status

The Occupational Health and Safety Authority was established by Act No. XXVII of 2000 together with an Occupational Health and Safety Appeals Board. The provisions of the Act came into force on 3rd May 2001 by virtue of Legal Notice 121 of 2001 and 29th January 2002 by virtue of Legal Notice 9 of 2002. It is the duty of the Authority to see that the levels of occupational health and safety protection established by the Act and by regulations made under the Act are maintained.

2 Principal accounting policies

These financial statements have been prepared in accordance with the requirements of the International Financial Reporting Standards issued by the International Accounting Standards Board. A summary of the more important accounting policies which have been applied consistently, is set out below:

**Accounting convention**

These financial statements have been prepared under the historical cost convention.

**Tangible assets**

Tangible assets are stated at cost or revalued amounts less accumulated depreciation. The depreciation on the tangible assets is charged on the straight line method at the following rates :

Computer equipment	25%	Furniture & fixtures	10%
Office equipment	25%	Soft furnishings	10%
PABX system	16.67%	Motor vehicles	20%
Lift	10%	PV panels/EES system	16.67%
AC system	16.67%		

It is the Authority's policy not to charge depreciation on property and property improvements.

**Debtors**

Debtors are stated at their net realisable value after writing off any known bad debts and providing for any bad debts considered doubtful.

**Government grants**

The Authority is funded by Central Government Grants, which are voted separately for recurrent and capital expenditure. The recurrent grants are recognised in the income statement on a systematic basis over the periods necessary to match them with related costs which they are intended to compensate. The capital grants are treated as deferred income in the year in which they are voted in the National Estimates.



**Occupational Health & Safety Authority****Notes to the financial statements  
31st December 2023****Note****3 Income**

Income receivable is represented by :

	2023	2022
	Eur	Eur
Government recurrent grants	1,500,000	1,225,000
Recharges and miscellaneous income	53,468	198,612
Government capital grants (note 9)	16,120	13,257
	<u>1,569,588</u>	<u>1,436,869</u>

**4 Operating surplus for the year**

The surplus on operations is stated after charging:

	2023	2022
	Eur	Eur
Board members' remuneration	40,657	40,116
Auditor's remuneration	1,098	1,098
Depreciation	16,120	13,257

**Occupational Health & Safety Authority****Notes to the financial statements  
31st December 2023****Note**

5 Tangible assets	Property improvements Eur	Property improvements Eur	Computer equipment Eur	Office equipment Eur	PABX system Eur	Furniture & fixtures Eur	Motor vehicles Eur	Soft furnishings Eur	Lift Eur	panels/EES system Eur	PV system Eur	AC system Eur	Total Eur
Cost - beginning of year	373,760	463,853	281,769	5,820	19,888	44,149	36,369	5,558	46,268	68,791	-	9,662	1,355,887
Additions new this year	-	-	11,132	844	-	-	-	-	-	-	-	-	11,976
Additions second hand this year	-	-	-	-	-	-	-	-	-	-	-	-	-
Revaluations	-	-	-	-	-	-	-	-	-	-	-	-	-
Disposals this year	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Cost - at end of year</b>	<b>373,760</b>	<b>463,853</b>	<b>292,901</b>	<b>6,664</b>	<b>19,888</b>	<b>44,149</b>	<b>36,369</b>	<b>5,558</b>	<b>46,268</b>	<b>68,791</b>	<b>-</b>	<b>9,662</b>	<b>1,387,863</b>
Acc.depreciation - start of year	-	-	258,329	5,257	19,888	35,949	36,369	5,558	46,268	68,791	-	5,545	481,954
Charge for the year	-	-	12,781	492	-	2,023	-	-	-	-	-	824	16,120
Disposals	-	-	-	-	-	-	-	-	-	-	-	-	-
Acc.depreciation - end of year	-	-	271,110	5,748	19,888	37,972	36,369	5,558	46,268	68,791	-	6,369	488,074
<b>Net book value end 2022</b>	<b>373,760</b>	<b>463,853</b>	<b>23,440</b>	<b>563</b>	<b>-</b>	<b>8,200</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,117</b>	<b>873,933</b>
<b>Net book value end 2023</b>	<b>373,760</b>	<b>463,853</b>	<b>21,791</b>	<b>915</b>	<b>-</b>	<b>6,177</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,293</b>	<b>869,789</b>

**Occupational Health & Safety Authority****Notes to the financial statements**

31st December 2023

Note	2023 Eur	2022 Eur
<b>6 Debtors</b>		
Debtors	-	770
Prepayments	848	1,345
Payments in advance	28,615	7,800
	<u>29,463</u>	<u>9,915</u>
<b>7 Cash in hand and at bank</b>		
Bank	1,426,835	1,168,986
Petty cash	442	492
	<u>1,427,277</u>	<u>1,169,478</u>
<b>8 Creditors : amounts falling due within one year</b>		
Suppliers	160,811	60,416
Accruals	6,313	2,775
VAT payable	228	224
Advance deposits	1,250	-
	<u>168,602</u>	<u>63,415</u>
<b>9 Deferred income - Government capital grants</b>		
Government capital grants represent funds available to the Authority for the purchase of tangible fixed assets as follows:		
	2023 Eur	2022 Eur
Received from Central Government - beginning of year	1,126,537	1,095,164
Received from Central Government this year	20,000	31,373
Government capital grants available to date	1,146,537	1,126,537
Transfer to income - beginning of year	(490,177)	(476,920)
Transferred to income this year	(16,120)	(13,257)
	<u>640,240</u>	<u>636,360</u>
Government capital grants have been utilised as follows:		
	2023 Eur	2022 Eur
Capital expenditure - beginning of year	1,126,537	1,095,164
Capital expenditure during the year	20,000	31,373
Unutilised funds	-	-
	<u>1,146,537</u>	<u>1,126,537</u>
<b>10 Cash &amp; cash equivalents as at the end of the year</b>		
Cash in hand	442	492
Net bank balance	1,426,835	1,168,986
	<u>1,427,277</u>	<u>1,169,478</u>

**Schedule a ; b****Occupational Health & Safety Authority****Schedule**

Year ended 31st December 2023

	2023 Eur	2022 Eur
<b>Schedule (a) - Staff costs</b>		
Board members' remuneration	40,657	40,116
Staff salaries	1,068,342	971,535
Staff uniforms	1,294	1,614
Staff training	1,060	1,460
Staff welfare	428	250
Continued professional development	1,068	993
	<u>1,112,849</u>	<u>1,015,968</u>
<b>Schedule (b) - Other operating expenses</b>		
Advertising	23,892	8,064
Car hire	25,698	21,965
Travelling expenses	13,127	5,258
Rent	30	28
Legal & professional fees	114,837	95,710
Stationery, printing and postage	13,360	10,474
Telecommunications	25,224	23,842
Water & electricity	10,377	11,404
Repairs & maintenance	27,218	27,044
Motor vehicles running expenses	14,604	15,718
Transport expenses	2,047	2,098
Audit fee	1,098	1,098
Events & conferences	2,478	36,889
Depreciation	16,120	13,257
Bank charges	993	1,114
Sponsorships	1,500	218
	<u>292,603</u>	<u>274,181</u>



