

**ACT 514
OCCUPATIONAL SAFETY AND HEALTH ACT 1994**

PART IV - GENERAL DUTIES OF EMPLOYERS AND SELF-EMPLOYED PERSONS

Section 15. General duties of employers and self-employed persons to their employees.

(1) It shall be the duty of every employer and every self-employed person to ensure, so far as is practicable, the safety, health and welfare at work of all his employees.

(2) Without prejudice to the generality of subsection (1), the matters to which the duty extends include in particular-

(a) the provision and maintenance of plant and systems of work that are, so far as is practicable, safe and without risks to health;

(b) the making of arrangements for ensuring, so far as is practicable, safety and absence of risks to health in connection with the use or operation, handling, storage and transport of plant and substances;

(c) the provision of such information, instruction, training and supervision as is necessary to ensure, so far as is practicable, the safety and health at work of his employees;

(d) so far as is practicable, as regards any place of work under the control of the employer or self-employed person, the maintenance of it in a condition that is safe and without risks to health and the provision and maintenance of the means of access to and egress from it that are safe and without such risks;

(e) the provision and maintenance of a working environment for his employees that is, so far as is practicable, safe, without risks to health, and adequate as regards facilities for their welfare at work.

(3) For the purposes of subsections (1) and (2)-

(a) "employee" includes an independent contractor engaged by an employer or a self-employed person and any employee of the independent contractor; and

(b) the duties of an employer or a self-employed person under subsections (1) and (2) extend to such an independent contractor and the independent contractor's employees in relation to matters over which the employer or self-employed person-

(i) has control; or

(ii) would have had control but for any agreement between the employer or self-employed person and the independent contractor to the contrary.