

## 2006 – A Challenging Year

### 2006 - Landslide of Legislation

The last year has seen a period of intense activity for employers and their safety advisors as they have had to manage the implementation of numerous new sets of Legislation. This “landslide” of legislation began 15 months ago with the enactment of the new Safety, health and Welfare at Work Act in September 2005. Since then, eighteen sets of new or updated health and safety regulations and nine other Acts or statutory instruments which impact on health, safety and the environment have become law. The passing of new legislation will continue in the New Year with the enactment of the Quarries Regulations and the proposed new General Application Regulations.



Some of the new legislation that has come into force this year includes:

- Maternity Protection (Extension of Periods of Leave) Order 2006 (SI 51/06)
- Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006 (SI 000/06)
- Safety, Health and Welfare at Work (Work at Height) Regulations 2006 (SI 318/06)
- Safety, Health and Welfare at Work (Control of Noise) Regulations 2006 (SI 371/06)
- Carriage of Dangerous Goods by Road Regulations 2006 (SI 405/06)
- Safety, Health and Welfare at Work (Construction) Regulations 2006 (SI 504/06)
- European Communities (Road Transport) Regulations 2006 (SI 88/06)

### 2006 - Serious Implications for Employers and Employees

A series of recent judgments delivered by the Circuit Criminal Court will have serious implications for company directors and employees in the coming years



In two cases, arising out of the one accident, suspended prison sentences of three years were imposed on a site manager (an employee) and two years on a company director, following the electrocution of a worker. In another case, a director of a diving company was fined a total of €21,903, out of an accident in which a diver lost his life two years ago. In another case arising as a

result of scaffolding falling on a pedestrian, an employee of a scaffolding company was recently fined €10,000. These are serious sentences and suggest that directors, managers and those in supervisory roles are now at risk of imprisonment and/or large fines if charged with breaches of health and safety law

## 2006 – Fatality Statistics

Yet again the construction and agricultural sectors have the highest rate of fatalities.

<b>Economic Sector</b>	<b>No Of Fatalities 2006 (Dec 12<sup>th</sup>)</b>
Agriculture, hunting and forestry	17
Fishing	2
Mining and quarrying	2
Manufacturing	4
Electricity / gas / water	0
Construction	10
Wholesale/retail trade; repair of goods	3
Hotels and restaurants	0
Transport, storage and communication	3
Financial intermediation	0
Real estate, renting, business	2
Public Admin / Defence	1
Education	0
Health / social work	1
Other community, social and personal service	1
<b>Total Fatalities</b>	<b>46</b>