

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Safety of Employees (First-Aid and Welfare) Ordinance, 1954 *

[CONSOLIDATED TEXT]

NOTE

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* Recueil d'Ordonnances Tome XI, p. 49; as amended by the Transfer of Functions Ordinance, 1991 (Recueil d'Ordonnances Tome XXV, p. 328); the Board of Employment, Industry and Commerce (Transfer of Functions) Ordinance, 1996 (No. XXXI of 1996, Recueil d'Ordonnances Tome XXVII, p. 139); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016). See also the Health and Safety at Work (General) (Guernsey) Ordinance, 1987 (Recueil d'Ordonnances Tome XXIV, p. 162); the Health and Safety (Fees) Order, 2015 (G.S.I. No. 2 of 2015).

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The Safety of Employees (First-Aid and Welfare) Ordinance, 1954

ARRANGEMENT OF SECTIONS

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FIRST SCHEDULE

Items to be contained in first-aid box or cupboard at factory, quarry or growing property at which number of persons employed does not exceed fifty, or, in the case of a factory, quarry or growing property at which mechanical power is used, does not exceed ten.

SECOND SCHEDULE

Items to be contained in first-aid box or cupboard at factory, quarry or growing property at which number of persons employed exceeds fifty, or, in the case of a factory, quarry or growing property at which mechanical power is used, exceeds ten.

(Made on 4th August, 1954.)

The Safety of Employees (First-Aid and Welfare) Ordinance, 1954

THE STATES, in exercise of the powers conferred on them by the Health, Safety and Welfare of Employees Law, 1950, and of all other powers thereunto them enabling, and in pursuance of their Resolution of the first day of October, nineteen hundred and fifty-two, hereby order: –

Definitions.

1. (1) In this Ordinance the following expressions have the meanings hereby respectively assigned to them that is to say –

["**the Committee**"] means the [States of Guernsey [Committee for Employment & Social Security]] or such other committee as the States may by Resolution appoint,]

"factory" has the same meaning as in the Safety of Employees (Miscellaneous Provisions) Ordinance, 1952,

"growing property" has the same meaning as in the Safety of Employees (Growing Properties) Ordinance, 1954,

"prescribed process or operation" has the meaning assigned to it by paragraph (a) of subsection (1) of section four of this Ordinance,

"quarry" has the same meaning as in the Quarries (Safety) Ordinance, 1954.

(2) Except in so far as the context otherwise requires, any reference in this Ordinance to any other enactment shall be construed as a reference to that enactment as amended, extended or applied by or under any other enactment, including this Ordinance.

NOTES

In section 1,

the words in the first pair of square brackets were substituted by the Transfer of Functions Ordinance, 1991, section 4, Schedule 3, paragraph 8, with effect from 31st July, 1991;

the words in the second pair of square brackets within the square brackets in the definition of the expression "the Committee" in subsection (1) were substituted by the Board of Employment, Industry and Commerce (Transfer of Functions) Ordinance, 1996, section 3, Schedule 2, paragraph 18, with effect from 31st October, 1996;

the words, first, "the Committee" and, second, "Committee for Employment & Social Security" in square brackets in the definition of the expression "the Committee" in subsection (1) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, respectively section 5(1), Schedule 3, paragraph 4 and section 2, Schedule 1, paragraph 1(b), Schedule 2, Part 1, paragraph 1, with effect from 1st May, 2016.¹

The functions, rights and liabilities of the Commerce and Employment Department and of its Minister or Deputy Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for Employment & Social Security and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 1(b), Schedule 2, Part 1, paragraph 1, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.²

In accordance with the provisions of the Health and Safety at Work (General) (Guernsey) Ordinance, 1987, section 35(1), Schedule 4, with effect from 1st December, 1987, this enactment is one of those to be regarded as "relevant statutory provisions" for the purposes of the 1987 Ordinance.

In accordance with the provisions of the Health and Safety (Fees) Order, 2015, the fees payable for the provision of the services or documents therein referred to under or for the purposes of this Ordinance and any subordinate legislation made hereunder are as contained in article 5 thereof.

Provision of first-aid box or cupboard.

2. (1) A first-aid box or cupboard shall be provided and maintained so as to be readily accessible at every factory, every quarry and every growing property.

(2) The first-aid box or cupboard at any factory, quarry or growing property, at which –

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- (a) the number of persons employed does not exceed fifty,
or
- (b) mechanical power is used and the number of persons employed does not exceed ten,

shall contain at least the items specified in the First Schedule to this Ordinance.

(3) The first-aid box or cupboard at any factory, quarry or growing property, at which –

- (a) the number of persons employed exceeds fifty, or
- (b) mechanical power is used and the number of persons employed exceeds ten,

shall contain at least the items specified in the Second Schedule to this Ordinance.

(4) For the purposes of this section –

- (a) the number of persons employed at any factory, quarry or growing property shall be taken to be the largest number of persons employed thereat at any one time, and
- (b) where the persons employed at any factory, quarry or growing property are employed in shifts, the calculation of the number employed shall be according to the largest number at work at any one time.

3. As respects every first-aid box or cupboard provided and maintained in pursuance of section two of this Ordinance –

- (a) the first-aid box or cupboard shall be marked plainly "FIRST-AID",

- (b) only appliances or requisites for first-aid shall be kept therein,
- (c) all materials for dressings contained in a first-aid box or cupboard shall be those designated in, and of a grade or quality not lower than the standards prescribed by, the British Pharmaceutical Codex or any supplement thereto, and
- (d) the first-aid box or cupboard shall be placed under the charge of a responsible person who shall always be readily available during working hours.

Prescribed process or operation, etc.

4. (1) [The Committee] may from time to time by order –

- (a) declare any process or operation carried on at any factory, quarry or growing property, being a process or operation which in the opinion of [the Committee] is a process or operation liable to cause dermatitis or any other affection of the skin to any person employed in that process or operation, to be a prescribed process or operation for the purposes of this Ordinance,
- (b) declare any class or description of factory, quarry or growing property, at which any person is employed in any prescribed process or operation or in any process or operation in which lead, arsenic or any poisonous substance whether or not similar to the foregoing substances is used, to be a class or description of factory, quarry or growing property to which the provisions of subsection (2) of this section apply and thereupon the said provisions shall apply accordingly.

(2) There shall be provided and maintained at every factory, quarry or growing property of a class or description of factory, quarry or growing

property to which the provisions of this subsection apply, adequate and suitable facilities for washing for the use of persons employed thereat and such facilities shall include soap and clean towels or other suitable means of cleaning or drying, shall be readily accessible and shall be kept in a clean and orderly condition.

(3) [The Committee] may by certificate except from any of the requirements of the last preceding subsection any factory, quarry or growing property of a class or description of factory, quarry or growing property to which that sub-section applies in any case where, by reason of the difficulty of obtaining an adequate supply of water, or the fact that accommodation is restricted and adequate and suitable washing facilities are otherwise conveniently available or by reason of any other special circumstances, the application of the requirement would in the opinion of [the Committee] be unreasonable.

NOTE

In section 4, the words "T/the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 4, with effect from 1st May, 2016.

Duties of persons employed.

5. (1) Subsection (1) of section seventy-two of the Safety of Employees (Miscellaneous Provisions) Ordinance, 1952 (which relates to duties of persons employed) shall have effect as if any reference therein to that Ordinance included a reference to this Ordinance.

(2) Subsection (4) of section forty-seven of the Quarries (Safety) Ordinance, 1954 (which relates to duties of persons employed) shall have effect as if any reference therein to that Ordinance included a reference to this Ordinance.

(3) Subsection (1) of section thirty-one of the Safety of Employees (Growing Properties) Ordinance, 1954 (which relates to duties of persons employed) shall have effect as if any reference therein to that Ordinance included a reference to this Ordinance.

Offences, penalties and legal proceedings.

6. (1) In the application of the provisions of this Ordinance to factories, the provisions of Part V of the Safety of Employees (Miscellaneous Provisions) Ordinance, 1952 (which relates to offences, penalties and legal proceedings) shall apply for the enforcement of this Ordinance and otherwise in relation thereto as if the provisions, other than this section, the last preceding section and the next succeeding section, of this Ordinance were enacted in that Ordinance.

(2) In the application of the provisions of this Ordinance to quarries, the provisions of Part VII of the Quarries (Safety) Ordinance, 1954 (which relates to offences, penalties and legal proceedings) shall apply for the enforcement of this Ordinance and otherwise in relation thereto as if the provisions, other than this section, the last preceding section and the next succeeding section, of this Ordinance were enacted in that Ordinance.

(3) In the application of the provisions of this Ordinance to growing properties, the provisions of Part VI of the Safety of Employees (Growing Properties) Ordinance, 1954 (which relates to offences, penalties and legal proceedings) shall apply for the enforcement of this Ordinance and otherwise in relation thereto as if the provisions, other than this section, the last preceding section and the next succeeding section, of this Ordinance were enacted in that Ordinance.

Application.

7. This Ordinance shall have effect in the Island of Guernsey.

Commencement.

8. This Ordinance shall come into force on the first day of October, nineteen hundred and fifty-four.

FIRST SCHEDULE

Items to be contained in first-aid box or cupboard at factory, quarry or growing property at which number of persons employed does not exceed fifty, or, in the case of a factory, quarry or growing property at which mechanical power is used, does not exceed ten.

1. A sufficient number (not less than six) of small sterilised dressings for injured fingers.
2. A sufficient number (not less than three) of large sterilised dressings for injured hands or feet.
3. A sufficient number (not less than three) of large sterilised dressings for other injured parts.
4. A sufficient number of sterilised burn dressings (small and large).
5. A bottle containing not less than one fluid ounce of a two per cent alcoholic solution of iodine or a one per cent aqueous solution of gentian violet.
6. A bottle containing not less than one fluid ounce of sal volatile, having the dose and mode of administration indicated on the label.

SECOND SCHEDULE

Items to be contained in first-aid box or cupboard at factory, quarry or growing property at which number of persons employed exceeds fifty, or, in the case of a factory, quarry or growing property at which mechanical power is used, exceeds ten.

1. A sufficient number (not less than a dozen) of small sterilised dressings for injured fingers.
2. A sufficient number (not less than six) of medium size sterilised dressings for injured hands or feet.
3. A sufficient number (not less than six) of large sterilised dressings for other injured parts.
4. A sufficient number of sterilised burn dressings (small and large).
5. A sufficient supply of sterilised cotton wool, in ½ oz. packets.
6. A bottle containing not less than two fluid ounces of a two per cent alcoholic solution of iodine or a one per cent aqueous solution of gentian violet.
7. A bottle containing not less than two fluid ounces of sal volatile, having the dose and mode of administration indicated on the label.

¹ The words "Committee for Employment & Social Security" were previously substituted by the Transfer of Functions Ordinance, 1991, section 4, Schedule 3, paragraph 8, with effect from 31st July, 1991; the Board of Employment, Industry and Commerce by the Board of Employment, Industry and Commerce (Transfer of Functions) Ordinance, 1996, section 3, Schedule 2, paragraph 18, with effect from 31st October, 1996; the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 5, with effect from 6th May, 2004.

² The functions, rights and liabilities of the Commerce and Employment

Department and its Minister arising under or by virtue of this Ordinance were previously transferred to them from the Board of Industry and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 5, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance; the functions of the Board of Industry were previously transferred to it from the Board of Employment, Industry and Commerce by the Board of Employment, Industry and Commerce (Transfer of Functions) Ordinance, 1996, section 1, Schedule 1, paragraph 19, with effect from 31st October, 1996, subject to the savings and transitional provisions in section 2 of the 1996 Ordinance; the functions of the Board of Employment, Industry and Commerce arising under or by virtue of this Ordinance were previously transferred to it from the States Labour and Welfare Committee by the Transfer of Functions Ordinance, 1991, section 2, Schedule 2, paragraph 8, with effect from 31st July, 1991, subject to the savings and transitional provisions in section 3 of the 1991 Ordinance.