SCHEDULE 1

Article 9(2)

PART 1

MATTERS TO BE CONSIDERED IN RISK ASSESSMENT IN RESPECT OF DANGEROUS SUBSTANCES

The matters are—

(a) the hazardous properties of the substance;

(b) information on safety provided by the supplier, including information contained in any relevant safety data sheet;

(c) the circumstances of the work including —

(i) the special, technical and organisational measures and the substances used and their possible interactions;

(ii) the amount of the substance involved;

(iii) where the work will involve more than one dangerous substance, the risk presented by such substances in combination; and

(iv) the arrangements for the safe handling, storage and transport of dangerous substances and of waste containing dangerous substances;

(d) activities, such as maintenance, where there is the potential for a high level of risk;

(e) the effect of measures which have been or will be taken pursuant to this Order;

(f) the likelihood that an explosive atmosphere will occur and its persistence;

(g) the likelihood that ignition sources, including electrostatic discharges, will be present and become active and effective;

(h) the scale of the anticipated effects;

(i) any places which are, or can be connected via openings to, places in which explosive atmospheres may occur; and

(j) such additional safety information as the responsible person may need in order to complete the assessment.

Article 9(5)

PART 2

MATTERS TO BE TAKEN INTO PARTICULAR ACCOUNT IN RISK ASSESSMENT IN RESPECT OF YOUNG PERSONS

The matters are—

(a) the inexperience, lack of awareness of risks and immaturity of young persons;

(b) the fitting-out and layout of the premises;

(c) the nature, degree and duration of exposure to physical and chemical agents;

(d) the form, range, and use of work equipment and the way in which it is handled;

(e) the organisation of processes and activities;

(f) the extent of the safety training provided or to be provided to young persons; and

(g) risks from agents, processes and work listed in the Annex to Council Directive 94/33/EC(**1**) on the protection of young people at work.

Article 10

PART 3

PRINCIPLES OF PREVENTION

The principles are—

(a) avoiding risks;

(b) evaluating the risks which cannot be avoided;

(c) combating the risks at source;

(d) adapting to technical progress;

(e) replacing the dangerous by the non-dangerous or less dangerous;

(f) developing a coherent overall prevention policy which covers technology, organisation of work and the influence of factors relating to the working environment;

(g) giving collective protective measures priority over individual protective measures; and

(h) giving appropriate instructions to employees.

Article 12

PART 4

MEASURES TO BE TAKEN IN RESPECT OF DANGEROUS SUBSTANCES

1. In applying measures to control risks the responsible person must, in order of priority—

(a) reduce the quantity of dangerous substances to a minimum;

(b) avoid or minimise the release of a dangerous substance;

(c) control the release of a dangerous substance at source;

(d) prevent the formation of an explosive atmosphere, including the application of appropriate ventilation;

(e) ensure that any release of a dangerous substance which may give rise to risk is suitably collected, safely contained, removed to a safe place, or otherwise rendered safe, as appropriate;

(f) avoid—

(i) ignition sources including electrostatic discharges; and

(ii) such other adverse conditions as could result in harmful physical effects from a dangerous substance; and

(g) segregate incompatible dangerous substances.

2. The responsible person must ensure that mitigation measures applied in accordance with article 12(3)(b) include—

(a) reducing to a minimum the number of persons exposed;

(b) measures to avoid the propagation of fires or explosions;

(c) providing explosion pressure relief arrangements;

(**1**) O.J. No L216, 20.8.94, p.12.

(d) providing explosion suppression equipment;

(e) providing plant which is constructed so as to withstand the pressure likely to be produced by an explosion; and

(f) providing suitable personal protective equipment.

3. The responsible person must—

(a) ensure that the premises are designed, constructed and maintained so as to reduce risk;

(b) ensure that suitable special, technical and organisational measures are designed, constructed, assembled, installed, provided and used so as to reduce risk;

(c) ensure that special, technical and organisational measures are maintained in an efficient state, in efficient working order and in good repair;

(d) ensure that equipment and protective systems meet the following requirements—

(i) where power failure can give rise to the spread of additional risk, equipment and protective systems must be able to be maintained in a safe state of operation independently of the rest of the plant in the event of power failure;

(ii) means for manual override must be possible, operated by employees competent to do so, for shutting down equipment and protective systems incorporated within automatic processes which deviate from the intended operating conditions, provided that the provision or use of such means does not compromise safety;

(iii) on operation of emergency shutdown, accumulated energy must be dissipated as quickly and as safely as possible or isolated so that it no longer constitutes a hazard; and

(iv) necessary measures must be taken to prevent confusion between connecting devices;

(e) where the work is carried out in hazardous places or involves hazardous activities, ensure that appropriate systems of work are applied including —

(i) the issuing of written instructions for the carrying out of work; and

(ii) a system of permits to work, with such permits being issued by a person with responsibility for this function prior to the commencement of the work concerned.