

REGULATORY IMPACT ANALYSIS (RIA)

Proposal to review Safety in Industry Acts 1955 and 1980

Public consultation

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1 Foreword

This Regulatory Impact Analysis (RIA) has been prepared to support the review of the provisions of the Safety in Industry Acts 1955 and 1980 and Regulations made thereunder that remain on the statute book.

Many of the provisions of the Acts, Regulations and Orders made under the Acts are now covered more generally by the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005) and the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007) as amended. It is proposed that the provisions of the Acts and Regulations that currently remain on the statute book should be repealed or revoked and that a small number of provisions which are still relevant should retain a regulatory status.

Such provisions could be included as amendments to the Safety, Health and Welfare at Work (General Application) Regulations 2007 or be restated in specific Regulations made under the 2005 Act, supported as necessary by Codes of Practice and/or guidance.

In some cases the content of a revoked Regulation might be issued as a Code of Practice or guidance where it contains a theme which is captured in the scope of a latter Regulation.

This RIA examines the options considered in this review and the potential impacts on key stakeholders.

For ease of reference, an **unofficial** consolidated text of the extant provisions of the Safety in Industry Acts 1955 and 1980 is published on the Authority's website together with this RIA. Entitled "Safety in Industry Acts 1955 and 1980 - Status Document (27 September 2010)", it includes, in Part 1, an unofficial, annotated, consolidated text of extant provisions of the Factories Act 1955 (No. 10 of 1955) as amended by the Safety in Industry Act 1980 (No. 9 of 1980) and, in Part 2, an unofficial, annotated, text of extant "stand-alone" provisions of the Safety in Industry Act 1980 (No. 9 of 1980).

1 October 2010

2 Background information

Both the Safety, Health and Welfare at Work Act 1989 and the Safety, Health and Welfare at Work Act 2005 provided for the repeal of the Safety in Industry Acts 1955 and 1980.

Although several provisions of the Acts (and the Regulations made under them) have been repealed or revoked at various times since 1989, strong criticism was expressed during the Oireachtas debates on the Bill which became the 2005 Act that the repeal and replacement process was incomplete and ought to be expedited.

As regards the Safety in Industry Acts 1955 and 1980, in addition to the partial repeals already in place, there is active ongoing work in the Authority relating to the development of repeal proposals relating to –

(a) sections 40, 41 42 and 43 of the Factories Act 1955 and Sections 31, 32 and 33 of the Safety in Industry Act 1980 which are proposed for repeal from the coming into operation of the proposed draft Safety, Health and Welfare at Work (General Application)(Amendment) Regulations 2010 relating to Pressure Systems, which have been cleared by the Board for transmission to the Minister for Labour Affairs and Public Service Transformation, for consideration with a view to formal legal settlement by the Office of the Parliamentary Counsel to the Government. (This will also involve the repeal of the Boiler Explosions Acts 1882 and 1890.),

(b) the review of the provisions of the Safety in Industry Acts relating to docks etc. and the Docks (Safety, Health and Welfare) Regulations 1960, which is currently underway,

(c) the review of the Safety in Industry (Diving Operations) Regulations 1981 (S.I. No. 422 of 1981) and their replacement by new provisions under the 2005 Act (which have been cleared by the Board for transmission to the Minister for consideration with a view to formal legal settlement by the Office of the Parliamentary Counsel to the Government), and

(d) the review of Part X (Notification of Accidents and Dangerous Occurrences), Regulations 58 to 63 of and the Twelfth Schedule to the Safety, Health and Welfare at Work (General Application) Regulations 1993 (S.I. No. 44 of 1993).

Notwithstanding the above, there is still uncertainty and misunderstanding (even among some members of the legal profession) as to what provisions of the Safety in Industry Acts are still on the statute books and which have been repealed.

3 Objectives of this review

The primary objective of this review is to simplify the legislative basis for enforcing safety, health and welfare at work requirements. An associated objective is to reduce regulatory demands on business by revoking redundant legislation and ensuring that remaining or updated legislation is rationalised and coherent. This is in line with both the Government's better regulation programme and the European Commission's objective of simplifying the legislative framework and reducing administrative demands on companies (Community Strategy 2007-2012 on Health and Safety at Work).

The aim is to clarify the application and relevance of extant provisions of the Safety in Industry Acts 1955 and 1980. Many of the provisions of these Acts and their associated Regulations and Orders have already been repealed or revoked and more are due to be repealed as a result of current legislative proposals relating to pressure systems and docks. Other provisions have been identified as overlapping with or contradictory to provisions of the Safety, Health and Welfare at Work (General Application) Regulations 2007. This review considers the case for repealing redundant provisions, where this will not represent a diminution in the protection of safety, health and welfare at work.

There are other provisions of those Acts and Regulations which remain relevant to modern work activity and which should retain a regulatory status. This review will examine if such provisions are adequately covered by more recent regulatory instruments within the domain of the Authority (or other agencies or departments), or if it is necessary to draft proposals for new Regulations.

4 Options considered in this review

Option 1: Do nothing. Continue to enforce the extant provisions of the Safety in Industry Acts 1955 and 1980

Option 2: Repeal the Safety in Industry Acts 1955 and 1980, but retain the regulatory status of certain provisions by developing proposals for amendments to the Safety, Health and Welfare at Work (General Application) Regulations 2007 or proposals for other replacement Regulations. The amended Regulations would be accompanied by updated Codes of Practice and/or guidance.

The option to do nothing will not be considered further in this analysis. The Authority has a mandate to review and rationalise existing legislation under the Repeals/Revocations/Replacement/Consolidation process provided for in the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005). The need for progress in this process was highlighted in the Oireachtas debates on the Safety, Health and Welfare at Work Bill in 2005.

On this basis it is recommended to proceed with option 2, to repeal redundant provisions of the Safety in Industry Acts 1955 and 1980 and to obtain agreement in principle to include the remaining provisions either as amendments to the Safety, Health and Welfare at Work (General Application) Regulations 2007 or in proposals for specific new Regulations. In

repealing or revoking any legislation it is critical that there is no diminution of existing safety, health and welfare requirements. The schedule in Annex 2 maps most of the remaining provisions of the Safety in Industry Acts 1955 and 1980 onto the Safety, Health and Welfare at Work Act 2005 and the Safety, Health and Welfare at Work (General Application) Regulations 2007. Annex 2 also highlights the provisions which the Authority recommends should retain a regulatory status and indicates the proposed action in relation to each of these provisions.

The impacts of Option 2 are assessed in the following section.

5 Impact analysis

Health and Safety: There will be no diminution of existing safety, health and welfare standards resulting from this process to streamline the legislation. The exercise should facilitate improved health and safety management through clarification of the legislation that applies.

Business: Currently employers must comply with the extant provisions of the Safety in Industry Acts 1955 and 1980 and a large number of associated Regulations and Orders – see Annex 1. Under the proposal to repeal the Acts and to include relevant provisions as amendments to the Safety, Health and Welfare at Work (General Application) Regulations 2007 or in proposals for specific new Regulations, and/or Codes of Practice, employers would benefit from a simplified legislative framework and reduced regulatory demands. Updated guidance to accompany the updated Regulations would assist employers to identify relevant provisions and understand their legal obligations.

Enforcement: The proposed option should improve the efficiency of the enforcement process as inspectors will operate on the basis of a simplified legislative framework. The Authority does not expect the administration and enforcement of amended General Application Regulations or proposals for specific new Regulations to require significant additional resources. The costs associated with preparing an updated guidance document could be accommodated within existing budgets.

Other impacts: It is not expected that the proposed option will have negative impacts on national competitiveness, socially excluded and vulnerable groups, the environment, consumers and competition, the rights of citizens, compliance burdens or North-South and East-West relations.

6 Consultation

In the drafting of proposals for Regulations and Codes of Practice, the Authority is obliged under Sections 57(2) and 60(2) of the Safety, Health and Welfare at Work Act 2005 to consult “any other person or body that appears to the Authority to be appropriate having regard to the proposals to be submitted or as directed by the Minister”.

This RIA will be made available for public consultation on the Authority’s website for a one month period in accordance with the Authority’s standard public consultation policy.

Selected stakeholders may be contacted directly by the Authority and invited to make submissions. Submissions received during the public consultation will be collated and considered by the Authority and relevant additions or amendments may be incorporated in the legislative proposals and in this RIA.

The revised proposals and RIA will be submitted to the Legislation and Guidance Sub-Committee of the Board and the Board of the Authority for consideration and approval. Subject to approval, the proposal to revoke the Safety in Industry Acts 1955 and 1980 and any proposals for amendments to the Safety, Health and Welfare at Work (General Application) Regulations 2007 or proposals for specific new Regulations will be submitted to the Minister for Labour Affairs and Public Service Transformation at the Department of Enterprise, Trade and Innovation for his consideration with a view to formal legal settlement by the Office of the Parliamentary Counsel to the Government.

7 Review

The Authority will maintain and monitor records of accident reports and inspection and enforcement actions to ensure that there is no diminution in the protection of the health and safety of workers arising from the proposed action.

Annex 1 – List of Regulations and Orders made under the Safety in Industry Acts 1955 and 1980 which are currently on the Statute Book

Factories Act 1955

1. Factories Act 1955 (Definition of "Work of Engineering Construction") Regulations 1981 (S.I. No. 58 of 1981)
2. Factories (Report of Examination of Steam Boilers) (Amendment) Regulations 1978 (S.I. No. 359 of 1978)
3. Factories (Report of Examination of Steam Receivers) (Amendment) Regulations 1978 (S.I. No. 358 of 1978)
4. Factories (Report of Examination of Air Receivers) (Amendment) Regulations 1978 (S.I. No. 357 of 1978)
5. Factories Lead Processes (Medical Examinations) Regulations 1976 (S.I. No. 45 of 1976)
6. Shipbuilding and Ship-Repairing (Safety, Health and Welfare) Regulations 1975 (S.I. No. 322 of 1975)
7. Factories (Wool and Hair Processing) Regulations 1975 (S.I. No. 272 of 1975)
8. Factories (Non-Ferrous Metals) (Melting and Founding) Regulations 1975 (S.I. No. 237 of 1975)
9. Factories (Abrasive Blasting of Surfaces) Regulations 1974 (S.I. No. 357 of 1974)
10. Factories (Celluloid) Regulations 1973 (S.I. No. 277 of 1973)
11. Factories (Refractory Materials) Regulations 1973 (S.I. No. 246 of 1973)
12. Factories (Miscellaneous Orders and Regulations) (Revocation) Order 1973 (S.I. No. 94 of 1973)
13. Factories Act 1955 (Application of Section 76 to Certain Diseases) Regulations 1972 (S.I. No. 262 of 1972)
14. Factories (Woodworking Machinery) Regulations 1972 (S.I. No. 203 of 1972)
15. Docks (Safety, Health and Welfare) (Forms) Regulations 1965 (S.I. No. 63 of 1965)
16. Factories (Adaptation of Regulations) Regulations 1961 (S.I. No. 247 of 1961)
17. Docks (Safety, Health and Welfare) Regulations 1960 (S.I. No. 279 of 1960)
18. Factories Act 1955 (Hygrometers) Regulations 1958 (S.I. No. 160 of 1958)
19. Factories Act 1955 (Commencement of Section 34 and 35) Order 1957 (S.I. No. 260 of 1957)
20. Factories Act 1955 (Birth Certificate) Regulations 1956 (S.I. No. 248 of 1956)
21. Factories (Report of Examination of Air Receivers) Regulations 1956 (S.I. No. 185 of 1956)
22. Factories (Report of Examination of Steam Receivers) Regulations 1956 (S.I. No. 184 of 1956)
23. Factories (Report of Examination of Steam Boilers) Regulations 1956 (S.I. No. 183 of 1956)
24. Factories (Notification of Industrial Diseases) Regulations 1956 (S.I. No. 181 of 1956)
25. Chains Ropes and Lifting Tackle (Register) Regulations 1956 (S.I. No. 178 of 1956)

26. Factories (Preparation of Steam Boilers for Examination) Regulations 1956 (S.I. No. 174 of 1956)
27. Home Work Order 1911 (Variation) Order 1956 (S.I. No. 168 of 1956)
28. Factories (Certificate of Fitness of Young Persons) Regulations 1956 (S.I. No. 165 of 1956)
29. Factories Act 1955 (Building Operations, Engineering Works, Docks etc.) (Modifications) Regulations 1956 (S.I. No. 163 of 1956)
30. Factories Act 1955 (Commencement of Section 34 and 35) Order 1956 (S.I. No. 162 of 1956)
31. Factories Act 1955 (Commencement of Section 22 (2) and 33 (4) and (7)) Order 1956 (S.I. No. 161 of 1956)
32. Factories Act 1955 (Commencement) Order 1956 (S.I. No. 160 of 1956)
33. Cellulose Solutions Regulations 1939 (S.I. No. 385 of 1939)
34. Locomotives and Waggons (Used on Lines and Sidings) Regulations 1906 (S.R. & O. 1906 No. 679)

Safety in Industry Act 1980

1. Safety in Industry (Fees of Certifying Doctors) Regulations 1983 (S.I. No. 256 of 1983)
2. Safety in Industry Act (Commencement) Order 1982 (S.I. No. 259 of 1982)
3. Safety in Industry (Abrasive Wheels) Regulations 1982 (S.I. No. 30 of 1982)
4. Safety in Industry (Vehicle Lifting Tables and Other Lifting Machines) (Register of Examinations) Regulations 1981 (S.I. No. 426 of 1981)
5. Safety in Industry Act (Commencement) (No. 2) Order 1981 (S.I. No. 424 of 1981)
6. Safety in Industry (Operations at Unfenced Machinery) Regulations 1981 (S.I. No. 423 of 1981)
7. Safety in Industry (Diving Operations) Regulations 1981 (S.I. No. 422 of 1981)
8. Safety in Industry Act (Section 34) (Commencement) Order 1981 (S.I. No. 248 of 1981)
9. Safety in Industry Act 1980 (Commencement) Order 1981 (S.I. No. 59 of 1981)

Annex 2 – Assessment of provisions of Safety in Industry Acts 1955 and 1980

Review of the Extant Provisions of the Safety in Industry Acts 1955 and 1980 (September 2010)

The purpose of this review is to demonstrate that (a) a provision is irrelevant or obsolete and can be dispensed with, (b) is already covered elsewhere by other legislation and therefore the provision under these Acts can be repealed or revoked, or (c) that the provision still has merit and requires to be retained in a new format such as a Regulation, Code of Practice or guidance material under the Safety, Health and Welfare at Work Act 2005.

Existing provision	Comment	Similar/alternative existing provision	Proposed action
Factories Act 1955			
Section of the Act			
1. Short title and commencement	Particular to the implementation of this Act only	n/a	None required on repeal of Section 1.
2. Interpretation generally. (as amended by the Safety in Industry Act 1980 (No 9 of 1980))	Particular to the implementation of this Act only	n/a	None required on repeal of Section 2.
3. Interpretation of "factory". (as amended by the Safety in Industry Act 1980)	Becomes irrelevant on the repeal of this Act	definition of "place of work" in Section 2 (1) of the Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 3.
4. Application of Act to young persons employed in factories in certain occupations	Similar provisions exist in Chapter 1 of Part 6 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007) . No diminution of existing safety, health and welfare standards for those at work would occur as a result of repeal.	Chapter 1 of Part 6 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 4.
5. Expenses incurred by Minister	Particular to the implementation of this Act only	n/a	None required on repeal of Section 5.

6. Regulations in relation to prescribed matters	Particular to the implementation of this Act only. Similar powers conferred on the Minister in Section 58 of the 2005 Act	Section 58 Safety, Health and Welfare at Work Act	None required on repeal of Section 6.
7. Repeals.	Particular to the implementation of this Act only	n/a	None required on repeal of Section 7.
8. Continuation of certain orders, etc.	Particular to the implementation of this Act only	n/a	None required on repeal of Section 8.
9. Construction of certain references,	Particular to the implementation of this Act only	n/a	None required on repeal of Section 9.
15. Drainage of floors.	Similar provision in Regulation 9 (1)(a) General Application Regulations 2007 – “An employer shall ensure that— (a) the floors of rooms have no dangerous bumps, holes or slopes and are fixed, stable and, so far as is reasonably practicable, not slippery,”	Regulation 9 (1)(a) and Regulation 18 (a) and (b) of Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 15.
16. Slippery floors.	Regulation 9 (1)(a) General Application Regulations 2007 – “An employer shall ensure that— (a) the floors of rooms have no dangerous bumps, holes or slopes and are fixed, stable and, so far as is reasonably practicable, not slippery,”	Regulation 9 (1)(a) and Regulation 18 (a) and (b) of Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 16.
20. Power to require medical supervision.	Similar provisions exist.	Section 63 of Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 20.
21. Prime movers.	Similar provisions exist.	Part 2 Chapter 2, Use of Work Equipment (Regulation 33), & Part 3, Electricity, of Safety, Health and Welfare at Work (General	None required on repeal of Section 21.

		Application) Regulations 2007 (S.I. No. 299 of 2007)	
22. Transmission machinery.	Similar provisions exist.	Part 2 Chapter 2, Use of Work Equipment (Regulation 33), of Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 22.
23. Machinery other than prime movers and transmission machinery.	Similar provisions exist.	Part 2 Chapter 2, Use of Work Equipment(Regulation 33), & Part 3 Electricity, of Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 23.
26. Provisions as to unfenced machinery. (as amended by the Safety in Industry Act 1980)	Similar provisions exist.	Regulations 31(b) of Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 26.
29. Vessels containing dangerous liquids. (as amended by the Safety in Industry Act 1980)	Similar provisions exist.	Section 8(2) (c) and (d) of Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 29.
31. Cleaning of machinery by women and young persons. (as amended by the Safety in Industry Act 1980)	Alternative provisions exist.	Section 19(1) of Safety, Health and Welfare at Work Act 2005 Regulations 31(b), and Part 6 Chapter 1 of Safety, Health and Welfare at Work (General	None required on repeal of Section 31.

		Application) Regulations 2007 (S.I. No. 299 of 2007)	
32. Training and supervision of persons working at dangerous machines. (as amended by the Safety in Industry Act 1980)	Similar provisions exist.	Section 10 of Safety, Health and Welfare at Work Act 2005 Regulation 29 of Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 32.
36. Construction and maintenance of floors, passages and stairs. (as amended by the Safety in Industry Act 1980, but this amendment repealed by the Safety, Health and Welfare at Work Act, 1989 (Repeals and Revocations) Order 1995 (S.I. No. 357 of 1995))	Similar provisions exist.	Section 8 (1)(c), of Safety, Health and Welfare at Work Act 2005 Regulations 5, 9, 11, 14 & 18 of Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 36.
39. Precautions with respect to explosive or inflammable dust gas, vapour or substance. (as amended by the Safety in Industry Act 1980)	Similar provisions exist. Also proposed new "Pressure Systems" Regulations at an advanced stage of development.	Part 8, Explosive Atmospheres at Places of Work, of Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 39.
40. Steam boilers. (as amended by the Safety in Industry Act 1980)	New "Pressure Systems" Regulations at an advanced stage of development.	Proposed "Pressure Systems" Regulations as General Application Amendment Regulations	Implementation of the proposed "Pressure Systems" Regulations
41. Steam receivers and steam containers. (as	New "Pressure Systems" Regulations at an advanced stage of development.	Proposed "Pressure Systems" Regulations as	Implementation of the proposed "Pressure

amended by the Safety in Industry Act 1980)		General Application Amendment Regulations	Systems” Regulations
42. Air receivers. (as amended by the Safety in Industry Act 1980)	New “Pressure Systems” Regulations at an advanced stage of development.	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations	Implementation of the proposed “Pressure Systems” Regulations
43. Exceptions as to steam boilers, steam receivers and containers, and air receivers.	New “Pressure Systems” Regulations at an advanced stage of development.	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations	Implementation of the proposed “Pressure Systems” Regulations
50. Power of the District Court to make orders as to dangerous conditions and practices	Similar provisions exist in the 2005 Act. Note: Section 46(1) of the Dangerous Substances Act 1972 (No. 10 of 1972) provides as follows – “46. (1) Sections 50 and 51 of the Factories Act, 1955 , which relate to the making of orders by the District Court as to dangerous conditions and practices, and dangerous factories, shall apply to premises to which this Act applies.”	Sections 65 to 71 of the Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 50.
51. Power of the District Court to make orders as to dangerous factory	Similar provisions exist in the 2005 Act Note: Section 46(1) of the Dangerous Substances Act 1972 (No. 10 of 1972) provides as follows – “46. (1) Sections 50 and 51 of the Factories Act, 1955 , which relate to the making of orders by the District Court as to dangerous conditions and practices, and dangerous factories, shall apply to premises to which this Act applies.”	Sections 65 to 71 of the Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 51.
53. Washing facilities, Subsection (1). (as amended by the	Similar provisions exist.	Regulation 20 of Safety, Health and Welfare at Work (General	None required on repeal of Section Section 53.

Safety in Industry Act 1980) (Subsections (2) and (3) repealed)		Application) Regulations 2007 (S.I. No. 299 of 2007)	
58. Removal of dust or fumes. (as amended by the Safety in Industry Act 1980)	Similar provisions exist.	Section 8 (1) of Safety, Health and Welfare at Work Act, 2005 Regulations 6 and 37 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007) Safety, Health and Welfare At Work (Chemical Agents) Regulations, 2001 (S.I. No. 619 of 2001)	None required on repeal of Section 58.
59. Meals in certain dangerous trades. Subsections (1) and (2). (Subsection (3) repealed)	Alternative provisions exist.	Regulations 18 and 19 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007) Safety, Health and Welfare At Work (Chemical Agents) Regulations, 2001 (S.I. No. 619 of 2001)	None required on repeal of Section 59.
62. Prohibition of use of white phosphorus in manufacture of matches.	Exclusive to the manufacture of matches. Most likely, in reaction to The Berne Convention of 1906, which prohibits the use of white (yellow) phosphorus in the manufacture of matches.		None required on repeal of Section 62.

	<p>Obsolete provision in light of modern occupational hygiene procedures and given that white phosphorus is no longer used in the manufacture of matches.</p> <p>No similar prohibition exists.</p>		
63. Humid factories. (as amended by the Safety in Industry Act 1980)	There is no directly equivalent legal provision for situations where artificial humidity is generated other than general temperature and ventilation requirements		The issue of humid environments may require being addressed elsewhere in the form of a Regulation or Guideline.
67. Lifting excessive weights, Subsection (1) (Subsection (2) repealed)	Similar provisions exist	Regulation 69 and Schedule 3 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 67.
76. Notification of industrial diseases. (as amended by the Safety in Industry Act 1980)	<p>Related, but not entirely similar, provisions exist in Part X of the Safety, Health and Welfare at Work (General Application) Regulations 1993 (S.I. No. 44 of 1993)</p> <p>Sections 22, Health surveillance, and 63, Medical Examinations, of the Safety, Health and Welfare at Work Act 2005</p>	Part X of the Safety, Health and Welfare at Work (General Application) Regulations 1993 is currently under review	The duty on Medical Practitioners to report specific diseases of which they become aware is important. This could be addressed by being incorporated into Regulations on Health surveillance or Reporting of Illnesses.
79. Investigation and report in certain cases	Similar provisions exist.	Section 63, Medical Examinations, of the Safety, Health and Welfare at Work Act	The duty on Medical Practitioners to report specific

		2005	diseases of which they become aware is important. This could be addressed by being incorporated into Regulations on Health surveillance.
80. Certificates of fitness for employment of young persons. (as amended by the Safety in Industry Act 1980)	Alternative provisions exist.	Section 23 of the Safety, Health and Welfare at Work Act 2005. Part 6, Chapter 1 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 80.
82. Premises where part of building is separate factory.	Becomes irrelevant on the repeal of this Act and the definition of “place of work” in the 2005 Act	definition of “place of work” in Section 2 (1) of the Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 82.
86. Docks, wharves, and warehouses. (as amended by the Safety in Industry Act 1980) (other than paragraphs (b), (d), (f), (g), (i), (k) and (l) of Subsection (1) which are repealed)	Application of the Factories Act to these specific workplaces. Becomes irrelevant given the definition of “place of work” in the 2005 Act	definition of “place of work” in Section 2 (1) of the Safety, Health and Welfare at Work Act 2005	New proposals being developed in relation to Docks
87. Ships.	Application of the Factories Act to work on ships in a harbour or wet dock. Becomes irrelevant given the definition of “place of work” in the 2005 Act	definition of “place of work” in Section 2 (1) of the Safety, Health and Welfare at Work Act 2005	New proposals being developed in relation to Docks
88. Building operations.	Application of this Act to Building operations.	Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 88.

	<p>Alternative provisions exist.</p> <p>Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006) definition of “construction work”</p>	<p>Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006) (as amended)</p> <p>Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. 299 of 2007)</p>	
89. Works of engineering construction.	<p>Application of this Act to Works of engineering construction.</p> <p>Alternative provisions exist.</p> <p>Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006) definition of “construction work”</p>	<p>Safety, Health and Welfare at Work Act 2005</p> <p>Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006) (as amended)</p> <p>Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. 299 of 2007)</p>	None required on repeal of Section 89.
96. Appointment and duties of certifying doctors.	<p>Alternative provisions exist.</p>	<p>Sections 22, 23 and 63 of the Safety, Health and Welfare at Work Act 2005</p>	None required on repeal of Section 96.
97. Fees of certifying doctors	<p>Alternative provisions exist.</p>	<p>Section 8(5) of the Safety, Health and Welfare at Work Act 2005 (in conjunction with Sections 22, 23 and 63)</p>	None required on repeal of Section 97.
99. Provisions as to regulations, orders and certificates of the Minister.	<p>Particular to the implementation of this Act only</p>	n/a	None required on repeal of Section 99.
100. Offences generally.	<p>Particular to the implementation of this Act only.</p> <p>Offences now contained</p>	<p>Section 77 of the Safety, Health and Welfare at Work Act 2005</p>	None required on repeal of Section 100.

	within the Safety, Health and Welfare at Work Act 2005		
102. Power of court to order cause of contravention to be remedied. (as amended by the Safety in Industry Act 1980) (partly repealed by the Safety, Health and Welfare at Work Act 1989)	Similar provision exists.	Section 77 (8)(a) of the Safety, Health and Welfare at Work Act 2005.	None required on repeal of Section 102.
103. Offence in case of death or injury. (as amended by the Safety in Industry Act 1980) (partly repealed by the Safety, Health and Welfare at Work Act 1989)	Particular to the implementation of this Act only. Similar provisions exist	Section 77 (9) of the Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 103.
104. Offence by parent. (as amended by the Safety in Industry Act 1980)	There is no directly equivalent legal provision making a parent liable for an offence. Current legislation places the responsibility on the Employer. Provision now largely irrelevant		None required on repeal of Section 104.
106. Offence by person actually committing offence for which occupier or owner is liable.	Alternative provisions exist	Sections 15, 16 and 77 of the Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 106.
108. Proceedings against persons other than occupiers or owners.	Alternative provisions exist	Sections 15, 16 and 77 of the Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 108.
109. Owner of machine liable in certain cases instead of occupier.	Alternative provisions exist	Sections 15, 16 and 77 of the Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 109.
117. General application of Act.	Particular to the implementation of this Act	n/a	None required on repeal of Section

	only		117.
118. Application to factories belonging to the State.	Particular to the implementation of this Act only. Covered by the application and scope of the Safety, Health and Welfare at Work Act 2005, including public service activities.	n/a	None required on repeal of Section 118.
123. Preservation of registers and records.	Particular to the implementation of this Act only. Becomes irrelevant on repeal of this Act. Requirement to keep equipment inspection and health surveillance records covered in the General Application Regulations 2007.	Regulations 30 and 131 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 123.
126. Prohibition of deductions from wages.	Alternative provisions exist.	Section 8 (5) of the Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 126.
FIRST SCHEDULE	Particular to the implementation of this Act only	n/a	None required on repeal of the Schedule.
SECOND SCHEDULE (as amended by the Safety in Industry Act 1980)	Particular to Section 63 of this Act only		As per proposal for Section 63, this may require being addressed elsewhere in the form of Regulation or Guideline.
THIRD SCHEDULE (as amended by the Safety in Industry Act 1980)	Particular to the implementation of this Act only. Procedures for making new Regulations covered in the Safety, Health and Welfare at Work Act 2005	n/a	None required on repeal of the Schedule.

Existing provision	Comment	Similar/alternative existing provision	Proposed action
Safety in Industry Act 1980			
Section of the Act			
1 Short title, commencement, construction and collective citation.	Particular to the implementation of this Act only	n/a	None required on repeal of Section 1.
2 Interpretation. (partly repealed by the Safety, Health and Welfare at Work Act 1989 (Repeals and Revocations) Order 1995 (S.I. No. 375 of 1995))	Particular to the implementation of this Act only	n/a	None required on repeal of Section 2.
3 Definition of "factory" amended.	Particular to the implementation of this Act only.	Definition of "place of work" in Section 2 (1) of the Safety, Health and Welfare at Work Act 2005.	None required on repeal of Section 3.
4 Amendment by order of Acts and section 3 of Principal Act.	Particular to the implementation of this Act only. Similar provisions exist,	Part 6 Chapter 1 of the Safety, Health and Welfare at Work Act 2005.	None required on repeal of Section 4.
5 Regulations for safety and health.	Amending Section 71 of the Principal Act which was repealed by the Safety, Health and Welfare at Work Act 1989 (Repeals and Revocations) Order 1995 (S.I. No. 357 of 1995)	n/a	Already repealed by virtue of the repeal of Section 71 of the Factories Act 1955.
6 Serving and sending of documents.	Amending Section 113 of the Principal Act which was repealed by the Safety, Health and Welfare at Work Act 1989.	n/a	Already repealed by virtue of the repeal of Section 113 of the Factories Act 1955.
7 Repeals.	Repealing several Sections of the Principal Act. Becomes irrelevant on repeal of the Principal Act	n/a	None required on repeal of Section 7.
8 Duties of persons employed.	Amending Section 125 of the Principal Act which was repealed by the Safety, Health and Welfare at		Already repealed by virtue of the repeal of Section 125 of the

	Work Act 1989		Factories Act 1955.
17 Training and supervision of persons working at machines.	Amending Section 32 of the Principal Act. Similar provisions exist.	Section 10 of the Safety, Health and Welfare at Work Act 2005 Regulation 29 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 17.
18 Cleaning of machinery.	Amending Section 31 of the Principal Act. Similar provisions exist.	Section 19(1) of the Safety, Health and Welfare at Work Act 2005 Regulations 31(b), and Part 6 Chapter 1 of Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 18.
20 Removal of dust and fumes.	Amending Section 58 of the Principal Act. Similar provisions exist.	Section 8 (1) of the Safety, Health and Welfare at Work Act 2005 Regulations 6 and 37 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 20.
21 Precautions in places where dangerous fumes are liable to be present.	Amending Section 38 of the Principal Act which was repealed by the Safety, Health and Welfare at Work Act 1989 (Repeal of Section 38 of Factories Act 1955)(Commencement)	n/a	Already repealed by virtue of the repeal of Section 38 of the Factories Act 1955.

	Order 2001 (S.I. No. 219 of 2001)		
24 Docks, wharves, quays and warehouses.	Applying Sections 32, 45 and 58 of the Principal Act to Docks, wharves, quays and warehouses. Section 45 was repealed by the Safety, Health and Welfare at Work Act 1989. Also amending Section 86 of the Principal Act	Sections 8(1) and 10 of the Safety, Health and Welfare at Work Act 2005 Regulations 6, 29 and 37 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	New proposals being developed in relation to Docks.
25 Construction and maintenance of floors, passages and stairs.	Amending Section 36 of the Principal Act. Similar provisions exist.	Section 8 (1)(c), of the Safety, Health and Welfare at Work Act 2005 Regulations 5, 9, 11, 14 & 18 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 25.
30 Fixed vessels containing liquids etc.	Amending Section 29 of the Principal Act. Similar provisions exist.	Section 8(2)(c) , of the Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 30.
31 Steam boilers.	Amending Section 40 of the Principal Act. Proposed new “Pressure Systems” Regulations at an advanced stage of development	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations	Implementation of the proposed “Pressure Systems” Regulations
32 Steam receivers.	Amending Section 41 of the Principal Act. Proposed new “Pressure Systems” Regulations at an advanced stage of development	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations	Implementation of the proposed “Pressure Systems” Regulations
33 Air receivers.	Amending Section 42 of the Principal Act. Proposed new “Pressure	Proposed “Pressure Systems” Regulations as General Application	Implementation of the proposed “Pressure Systems”

	Systems” Regulations at an advanced stage of development	Amendment Regulations.	Regulations
40 Amendment of sections 2 and 3 of Principal Act.	Particular to the implementation of this Act and the Principal Act only	n/a	None required on repeal of Section 40.
42 Amendment of sections 39, 72 and 85 of Principal Act, Subsection (1) (Subsection (2) and (3) repealed)	Sections 72 and 85 of Principal Act already repealed. In relation to Section 39 similar provisions exist. Also new “Pressure Systems” Regulations proposed	Part 8, Explosive Atmospheres at Places of Work, of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 42.
43 Extension of sections 88 and 89 of Principal Act.	Application of this Act to building operations and works of engineering construction. Alternative provisions exist.	Safety, Health and Welfare at Work Act 2005 Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006) (as amended) – definition of “construction work” Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. 299 of 2007)	None required on repeal of Section 43.
46 Amendment of section 120 (1) of Principal Act.	Section 120 of the Principal Act already repealed by the Safety, Health and Welfare at Work Act, 1989 (Repeals and Revocations) Order 1995 (S.I. No. 357 of 1995).	n/a	Already repealed by virtue of the repeal of Section 120 of the Factories Act 1955.
47 Metric conversion of, or provisions of metric	Particular to the implementation of this Act only.	n/a	None required on repeal of Section 47.

equivalents for, certain measurements specified in Principal Act.			
48 Amendment of Third Schedule to Principal Act.	Procedures for making new Regulations covered in the Safety, Health and Welfare at Work Act 2005	n/a	None required on repeal of Section 48.
51 Certain medical practitioners enabled to issue certificates of fitness under section 80 of Principal Act.	Amending Section 80 of the Principal Act. Alternative provisions exist.	Section 23 of the Safety, Health and Welfare at Work Act 2005 Part 6, Chapter 1 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	None required on repeal of Section 51.
52 Fee payable to medical practitioners under section 76 of Principal Act.	Amending Section 76 of the Principal Act regarding the notification of industrial diseases		See comments on Section 76 of the Factories Act 1955
54 Certain publications privileged.	Similar provisions exist	Chapter 3, Obtaining and Disclosure of Information (Section 76) of the Safety, Health and Welfare at Work Act 2005	None required on repeal of Section 54.
56 Penalties for offences under Principal Act increased.	Particular to the implementation of this Act and the Principal Act only	n/a	None required on repeal of Section 56.
SCHEDULE	Particular to the implementation of this Act and the Principal Act only Applying to Section 47 of this Act, conversion to metric, and amending Schedule Two of the Principal Act (humidity measurements)	n/a	Consider humid environments. See comment on Section 63 of the Principal Act.

Existing provision	Comment	Similar/alternative existing provision	Proposed action
Regulations made under the SAFETY IN INDUSTRY ACT, 1980			
Safety in Industry (Fees of Certifying Doctors) Regulations 1983 (S.I. No. 256 of 1983)	Relate to Sections 70, 71 and 80 of the Factories Act, (as amended). Sections 70 and 71 already repealed. Alternative provisions exist for Section 80	Section 23 of the Safety, Health and Welfare at Work Act 2005 Part 6, Chapter 1 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	Revoke the Regulations
Safety in Industry Act (Commencement) Order 1982 (S.I. No. 259 of 1982)	Relate to the coming into operation of certain sections of the Safety in Industry Act 1980 (No. 9 of 1980) Becomes irrelevant on the repeal of this Act	n/a	Now obsolete and spent
Safety in Industry (Abrasive Wheels) Regulations 1982 (S.I. No. 30 of 1982)	No equivalent specific requirements exist. These Regulations set down very useful requirements for safety in the use of abrasive wheels in respect of the speed of wheels and spindles, training for mounting wheels and the guarding of wheels.		A large proportion of these Regulations require to be retained, and be applied to all relevant workplaces, in some format such as amended General Application Regulations or new specific Regulations and/or a Code of Practice

Safety in Industry (Vehicle Lifting Tables and Other Lifting Machines) (Register of Examinations) Regulations 1981 (S.I. No. 426 of 1981)	Outline particulars of vehicle lifting tables and other lifting machines to be kept in a register as required by Section 35 of the Factories Act 1955. That Section was repealed by the Safety, Health and Welfare at Work Act 2005 (Repeals)(Commencement) Order 2007 (S.I. No. 300 of 2007) Safety, Health and Welfare at Work Act 2005 (Repeals) (Commencement) Order 2007 (S.I. No. 300 of 2007). Similar legislation exists.	Regulations 52 (3) and Part B of Schedule 1 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. 299 of 2007) require vehicle lifting tables to be examined every 12 months and Regulation 53 requires the particulars set out in Part E of Schedule 1 to be contained in the report	Revoke the Regulations
Safety in Industry Act (Commencement) (No. 2) Order 1981 (S.I. No. 424 of 1981)	Relates to the coming into operation of certain sections of the Safety in Industry Act 1980 (No. 9 of 1980) Becomes irrelevant on the repeal of this Act.	n/a	Now obsolete and spent
Safety in Industry (Operations at Unfenced Machinery) Regulations 1981 (S.I. No. 423 of 1981)	Obsolete. Amended the Factories (Operations at Unfenced Machinery) Regulations 1956 (S.I. No. 173 of 1956), which were revoked in full by the Safety, Health and Welfare at Work Act, 1989 (Repeals and Revocations) Order 1995 (S.I. No. 357 of 1995).	n/a	Revoke the Regulations
Safety in Industry (Diving Operations) Regulations 1981 (S.I. No. 422 of 1981)	No equivalent provisions exist, and new Regulations have already been proposed to revoke and replace these Regulations		Revoke the Regulations. Proposals for new Safety Health and Welfare at Work (Diving) Regulations, to be made under the 2005 Act (and

			Codes of Practice) are at an advanced stage of development and are designed to revoke and replace the 1981 Regulations.
Safety in Industry Act (Section 34) (Commencement) Order 1981 (S.I. No. 248 of 1981)	<p>Obsolete</p> <p>Relates to the coming into operation of Sections 34 of the Safety in Industry Act 1980 (No. 9 of 1980)</p> <p>Section 34 already repealed by the Safety, Health and Welfare at Work Act, 1989 (Repeals and Revocations) Order 1995 (S.I. No. 357 of 1995).</p>	n/a	Now obsolete and spent
Safety in Industry Act 1980 (Commencement) Order 1981 (S.I. No. 59 of 1981)	<p>Obsolete</p> <p>Relates to the coming into operation of certain sections of the Safety in Industry Act 1980 (No. 9 of 1980)</p> <p>Becomes irrelevant on the repeal of this Act</p>	n/a	Now obsolete and spent
Regulations made under the FACTORIES ACT, 1955			
Existing provision	Comment	Similar/alternative existing provision	Proposed action
Factories Act 1955 (Definition of "Work of Engineering Construction") Regulations 1981 (S.I. No. 58 of 1981)	<p>Revoked the Factories Act 1955 (Extension of Definition of "Work of Engineering Construction") Regulations 1972 (S.I. No. 81 of 1972), as the definition of "Work of Engineering Construction" was extended in Section 40 of the Safety in Industry Act 1980.</p> <p>Adequate similar</p>	<p>Safety, Health and Welfare at Work Act 2005</p> <p>Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006) (as amended)</p> <p>Safety, Health and Welfare at Work</p>	Revoke the Regulations

	provisions defining Work of Engineering Construction exist.	(General Application) Regulations 2007	
Factories (Report of Examination of Steam Boilers) (Amendment) Regulations 1978 (S.I. No. 359 of 1978)	Amended the Factories (Report of Examination of Steam Boiler) Regulations 1956 (S.I. No. 183 of 1956) Proposed new "Pressure Systems" Regulations at an advanced stage of development	Proposed "Pressure Systems" Regulations as General Application Amendment Regulations	To be revoked by implementation of the proposed "Pressure Systems" Regulations
Factories (Report of Examination of Steam Receivers) (Amendment) Regulations 1978 (S.I. No. 358 of 1978)	Amended the Factories (Report of Examination of Steam Receiver) Regulations 1956 (S.I. No. 184 of 1956) Proposed new "Pressure Systems" Regulations at an advanced stage of development	Proposed "Pressure Systems" Regulations as General Application Amendment Regulations	To be revoked by implementation of the proposed "Pressure Systems" Regulations
Factories (Report of Examination of Air Receivers) (Amendment) Regulations 1978 (S.I. No. 357 of 1978)	Amended the Factories (Report of Examination of Air Receivers) Regulations 1956 (S.I. No. 185 of 1956) Proposed new "Pressure Systems" Regulations at an advanced stage of development	Proposed "Pressure Systems" Regulations as General Application Amendment Regulations	To be revoked by implementation of the proposed "Pressure Systems" Regulations
Factories Lead Processes (Medical Examinations) Regulations 1976 (S.I. No. 45 of 1976)	Lay down specific requirements for health surveillance for work in lead processes. Alternative, but more general, provisions exist.	Section 22 of the Safety, Health and Welfare at Work Act 2005 Regulation 10 of the Safety, Health and Welfare at Work (Chemical Agents) Regulations 2001 (S.I. No. 619 of 2001) Regulation 10 of the Safety, Health and Welfare at Work (Carcinogens)	The specific requirements or the modern equivalent could be incorporated into guidance material.

		Regulations 2001 (S.I. No. 78 of 2001)	
Shipbuilding and Ship-Repairing (Safety, Health and Welfare) Regulations 1975 (S.I. No. 322 of 1975) [<i>Certain Regulations have already been revoked</i>]	<p>Large portions have already been revoked</p> <p>– Regulations 32 to 48 by the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)</p> <p>— Regulations 49 to 52 by the Safety, Health and Welfare At Work (Confined Spaces) Regulations, 2001 (S.I. No. 218 of 2001), and</p> <p>— Regulations 49, 70, 76 to 81 and 87 to 90 by the Safety, Health and Welfare At Work Act 1989 (Repeals and Revocations) Order, 1995 (S.I. No. 357 of 1995).</p> <p>The remaining provisions deal with access to heights, falling materials, dangerous substances, fumes and vapours, other miscellaneous general safety and health welfare precautions, training and supervision requirements and fire precautions.</p> <p>Adequate similar provisions exist.</p>	<p>Part 3, Protective and Preventive Measures, of the Safety, Health and Welfare at Work Act 2005</p> <p>- “place of work” in particular includes a “vessel” and “vessel” means a waterborne craft of any typeand any structure in or on water or on water and attached to land.</p> <p>Work at Height provisions of the Safety, Health and Welfare at Work (General Application) Regulations 2007</p>	Revoke the remaining Regulations
Factories (Wool and Hair Processing) Regulations 1975 (S.I. No. 272 of 1975)	<p>Lay down specific requirements for work in wool and hair processing.</p> <p>No similar specific requirements exist.</p> <p>Regulation 30, relating to first-aid training, has been revoked.</p>		The specific requirements or the modern equivalent could be incorporated into a guidance document or Code of Practice especially for that work activity.

	Rarely used.		
Factories (Non-Ferrous Metals) (Melting and Founding) Regulations 1975 (S.I. No. 237 of 1975)	<p>These Regulations contain very specific prescriptive requirements applicable to a very specific work activity, although some of the provisions are obsolete.</p> <p>Regulation 15, relating to PPE, has already been revoked.</p> <p>No similar specific requirements exist.</p>		Retain some elements in some form of regulatory status. On the repeal of the Factories Act and the revocation of these Regulations the useful specific requirements could be incorporated into a guidance document or Code of Practice especially for that work activity.
Factories (Abrasive Blasting of Surfaces) Regulations 1974 (S.I. No. 357 of 1974)	<p>These Regulations contain specific requirements applicable to abrasive blasting. The Regulations, in general, relate to PPE, including respirators, and hazards from dust.</p> <p>Regulation 11, relating to reporting of defects, has already been revoked.</p> <p>There is a reference to the use an abrasive at high pressure for redecoration or other maintenance purposes in the Construction Regulations 2006.</p> <p>No similar specific requirements exist, although alternative provisions affording similar protection exist.</p>	<p>Certain provisions of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007) in relation to –</p> <p>“ventilation of enclosed spaces”, and</p> <p>“personal protective equipment”,</p> <p>are relevant.</p>	Retain some elements in some form of a Regulation and/or Code of Practice for “Abrasive blasting” and apply to all work sectors.
Factories (Celluloid) Regulations 1973 (S.I. No. 277 of 1973)	<p>These Regulations contain specific requirements to protect against the flammable nature of celluloid and they only apply to specific</p>	Safety, Health and Welfare At Work (Chemical Agents) Regulations 2001 (S.I. No. 619 of 2001)	Revoke the Regulations

	<p>workplaces where the substance is used.</p> <p>The Regulations have become obsolete with the rarity of uses of celluloid.</p> <p>Adequate alternative provisions exist.</p>	<p>Fire Services Acts 1981 and 2003 (No. 30 of 1981 and No.15 of 2003)</p>	
<p>Factories (Refractory Materials) Regulations 1973 (S.I. No. 246 of 1973)</p>	<p>These Regulations contain specific prescriptive requirements to protect against the hazards associated with silica dust and also some related health surveillance requirements. They only apply to specific workplaces.</p> <p>The Regulations have become obsolete.</p> <p>Adequate alternative provisions exist.</p>	<p>Safety, Health and Welfare At Work (Chemical Agents) Regulations 2001, (S.I. No. 619 of 2001)</p> <p>Certain provisions of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007) in relation to – “ventilation of enclosed spaces”, and</p> <p>“personal protective equipment”</p>	<p>Revoke the Regulations</p>
<p>Factories (Miscellaneous Orders and Regulations) (Revocation) Order 1973 (S.I. No. 94 of 1973)</p>	<p>Revocation of Regulations particular to the application of the Factories Act 1955 only.</p>	<p>n/a</p>	<p>Would fall with the final repeal of the Act – no action necessary.</p>
<p>Factories Act 1955 (Application of Section 76 to Certain Diseases) Regulations 1972 (S.I. No. 262 of 1972)</p>	<p>Applies Section 76 to specific diseases listed in the schedule.</p> <p>No similar provisions exist but alternative procedures are contained in Part X of the Safety, Health and Welfare at Work (General Application) Regulations 1993 (S.I. No. 44 of 1993) and Sections 22, Health surveillance, and 63,</p>	<p>Part X of the General Application Regulations 1993 is currently under review</p>	<p>As per the comment on Section 76 of the Principal Act, the duty on Medical Practitioners to report specific diseases of which they become aware is important.</p> <p>This could be addressed by being</p>

	Medical Examinations, of the Safety, Health and Welfare at Work Act 2005		incorporated into Regulations on Health surveillance or Reporting of Illnesses.
Factories (Woodworking Machinery) Regulations 1972 (S.I. No. 203 of 1972)	<p>These Regulations contain very specific prescriptive requirements applicable to a very specific work sector.</p> <p>Although some of the provisions have become obsolete with the advancements in more modern woodworking machinery, there remains a significant amount of useful provisions.</p> <p>There are no other similar provisions in existence.</p>		<p>Retain the still useful elements in some form of regulatory status.</p> <p>On the repeal of the Factories Act and the revocation of these Regulations the useful specific requirements could be incorporated into new Regulations and/or a Code of Practice especially for that work sector.</p>
Docks (Safety, Health and Welfare) (Forms) Regulations 1965 (S.I. No. 63 of 1965)	<p>Laying down specific forms for use at Docks.</p> <p>These Regulations are obsolete in relation to modern dock work.</p>		<p>New proposals being developed in relation to Docks.</p> <p>Revoke the Regulations.</p>
Factories (Adaptation of Regulations) Regulations 1961 (S.I. No. 247 of 1961)	<p>Adapting Regulations made under the Factory and Workshop Act, 1901 to the Factories Act 1955.</p> <p>All of the listed Regulations have been revoked making these Regulations obsolete.</p>	n/a	Revoke the Regulations.
Docks (Safety, Health and Welfare) Regulations 1960 (S.I. No. 279 of 1960)	<p>Regulations 8 – 12, 22 – 35, 37 and 38 have already been revoked.</p> <p>The remaining provisions are prescriptive and largely obsolete given modern loading methods and procedures.</p>	Part 2, Chapter 1, Workplace, and Part 4, Work at Height of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299/2007)	<p>New proposals being developed in relation to Docks.</p> <p>Revoke the Regulations.</p>

	Provisions in relation to access and work at height have new modern equivalents.		
Factories Act 1955 (Hygrometers) Regulations 1958 (S.I. No. 160 of 1958)	Specific to the use of wet and dry bulb hygrometers. Now obsolete given modern electronic devices for measuring and recording.	n/a	Revoke the Regulations, but see comment on humid environments under Section 63 of the Principal Act
Factories Act 1955 (Commencement of Section 34 and 35) Order 1957 (S.I. No. 260 of 1957)	Relates to the coming into operation of Sections 34 and 35 of the Factories Act which have already been repealed. Becomes irrelevant on the repeal of this Act	n/a	Now obsolete and spent
Factories Act 1955 (Birth Certificate) Regulations 1956 (S.I. No. 248 of 1956)	Relates to Section 114 of the Factories Act 1955, which has already been repealed. Obsolete	n/a	Revoke the Regulations.
Factories (Report of Examination of Air Receivers) Regulations 1956 (S.I. No. 185 of 1956)	Proposed new “Pressure Systems” Regulations at an advanced stage of development.	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.	To be revoked on implementation of the proposed “Pressure Systems” Regulations.
Factories (Report of Examination of Steam Receivers) Regulations 1956 (S.I. No. 184 of 1956)	Proposed new “Pressure Systems” Regulations at an advanced stage of development.	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.	To be revoked on implementation of the proposed “Pressure Systems” Regulations.
Factories (Report of Examination of Steam Boilers) Regulations 1956 (S.I. No. 183 of 1956)	Proposed new “Pressure Systems” Regulations at an advanced stage of development.	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.	To be revoked on implementation of the proposed “Pressure Systems” Regulations.

Factories (Notification of Industrial Diseases) Regulations 1956 (S.I. No. 181 of 1956)	Applicable to Section 76 of the Factories Act 1955. Now obsolete		Revoke the Regulations. (See comment on Section 76 of the Factories Act 1955). Note: New proposals being developed on Reporting of Occupational Illnesses.
Chains Ropes and Lifting Tackle (Register) Regulations 1956 (S.I. No. 178 of 1956)	Specify particulars to be kept with respect to chains, ropes or lifting tackle. Covered in modern provisions as lifting accessories.	Regulations 49, 52 and 57 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	Revoke the Regulations.
Factories (Preparation of Steam Boilers for Examination) Regulations 1956 (S.I. No. 174 of 1956)	Proposed new “Pressure Systems” Regulations at an advanced stage of development.	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.	To be revoked on implementation of the “Pressure Systems” Regulations.
Home Work Order, 1911 (Variation) Order 1956 (S.I. No. 168 of 1956)	Amended the Home Work Order 1911 to make reference to Section 91 of the Factories Act 1955 which has already been repealed. Obsolete provisions.	n/a	Now obsolete and spent
Factories (Certificate of Fitness of Young Persons) Regulations 1956 (S.I. No. 165 of 1956)	Alternative provisions exist.	Section 23 Safety, Health and Welfare at Work Act 2005. Part 6, Chapter 1, of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	Revoke the Regulations.

Factories Act, 1955 (Building Operations, Engineering Works, Docks etc.) (Modifications) Regulations 1956 (S.I. No. 163 of 1956)	Amended certain Sections of the Factories Act 1955, some of which have already been repealed. Obsolete provisions	n/a	Revoke the Regulations.
Factories Act, 1955 (Commencement of Section 34 and 35) Order 1956 (S.I. No. 162 of 1956)	Relates to postponing the coming into operation of Sections 34 and 35 of the Factories Act 1955 (No. 10 of 1955). These sections have already been repealed. Obsolete provision.	n/a	Now obsolete and spent
Factories Act, 1955 (Commencement of Section 22 (2) and 33 (4) and (7)) Order 1956 (S.I. No. 161 of 1956)	Relates to postponing the coming into operation of certain sections of the Factories Act 1955 (No. 10 of 1955). Section 33 has already been repealed. Obsolete provision.	n/a	Now obsolete and spent
Factories Act, 1955 (Commencement) Order 1956 (S.I. No. 160 of 1956)	Relates to the coming into operation of the Factories Act, 1955 (No. 10 of 1955). Becomes irrelevant on the repeal of this Act.	n/a	Now obsolete and spent
Cellulose Solutions Regulations 1939 (S.I. No. 385 of 1939)	Made pursuant to the Factory and Workshop Act 1901, they remain in effect by virtue of Sections 8 and 9 of the Factories Act 1955. These Regulations contain specific requirements to protect against the flammable nature of cellulose, and they only apply to specific workplaces where the substance is used.	Safety, Health and Welfare At Work (Chemical Agents) Regulations 2001, (S.I. No. 619 of 2001) Fire Services Acts 1981 and 2003 (No. 30 of 1981 and No.15 of 2003)	Revoke the Regulations.

	<p>The Regulations have become obsolete.</p> <p>Adequate alternative provisions exist.</p>		
<p>Locomotives and Waggon (Used on Lines and Sidings) Regulations 1906 (S.R. & O. 1906 No. 679)</p>	<p>Made pursuant to the Factory and Workshop Act 1901, they remain in effect by virtue of Sections 8 and 9 of the Factories Act 1955.</p> <p>Specific to the use of locomotives and wagons on narrow gauge rail systems.</p> <p>Uncertainty as to continuing legal status.</p>		<p>Establish the extent of the relevance of the Regulations other than to Bord na Móna.</p> <p>Consider using as basis for guidelines.</p>
Existing provision	Comment	Similar/alternative existing provision	Proposed action
<p>Safety in Industry Acts, 1955 and 1980</p> <p>Certificates of Exemption</p>			
<p>Certificate of Exception No. G. 1A Steam Boilers – Steam Tube Ovens and Steam Tube Hotplates</p>	<p>Exception from certain provisions of Section 40 of the Factories Act 1955 as amended by Section 31(b) of the Safety in Industry Act 1980 in respect of certain types of steam boilers.</p> <p>Will fall on repeal of Section 40.</p> <p>Proposed new “Pressure Systems” Regulations at an advanced stage of development.</p>	<p>Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.</p>	<p>None required.</p> <p>Will fall on repeal of Section 40 of the Factories Act 1955.</p>
<p>Certificate of Exemption No. G. 2 Steam Boilers – Low Pressure Cast Iron Sectional for Steam Heating</p>	<p>Exception from certain provisions of Section 40 of the Factories Act 1955 in respect of certain types of steam boilers.</p> <p>Will fall on repeal of Section 40.</p> <p>Proposed new “Pressure</p>	<p>Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.</p>	<p>None required.</p> <p>Will fall on repeal of Section 40 of the Factories Act 1955.</p>

	Systems” Regulations at an advanced stage of development.		
Certificate of Exemption No. G. 3 Steam Boilers (Autoclaves and Vulcanisers)	Exception from certain provisions of Section 40 of the Factories Act 1955 in respect of certain types of steam boilers. Will fall on repeal of Section 40. Proposed new “Pressure Systems” Regulations at an advanced stage of development.	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.	None required. Will fall on repeal of Section 40 of the Factories Act 1955.
Certificate of Exemption No. G. 4 Steam Boilers of the Cylindrical, Multitubular Type-Fired by Town Gas or Oil	Exception from Section 40 (1)(c) of the Factories Act 1955 in respect of certain types of steam boilers. Will fall on repeal of Section 40. Proposed new “Pressure Systems” Regulations at an advanced stage of development.	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.	None required. Will fall on repeal of Section 40 of the Factories Act 1955.
Certificate of Exemption No. G. 5 Steam Boilers of the Calorifier Type	Exception from Section 40 (1)(c) of the Factories Act 1955 in respect of certain types of steam boilers. Will fall on repeal of Section 40. Proposed new “Pressure Systems” Regulations at an advanced stage of development.	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.	None required. Will fall on repeal of Section 40 of the Factories Act 1955.
Certificate of Exemption No. G. 7A Traps, Separators or Dryers, Strainers, De-Superheaters and Oil Separators	Exception from certain provisions of Section 41 of the Factories Act 1955 as amended by Section 32 of the Safety in Industry Act 1980 in respect of certain types of steam receivers. Will fall on repeal of	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.	None required. Will fall on repeal of Section 41 of the Factories Act 1955.

	Section 41. Proposed new “Pressure Systems” Regulations at an advanced stage of development.		
Certificate of Exception No. G. 8A Steam Receivers – Miscellaneous Types	Exception from Section 41 of the Factories Act 1955 as amended by Section 32 of the Safety in Industry Act 1980 in respect of certain types of steam receivers. Will fall on repeal of Section 41. Proposed new “Pressure Systems” Regulations at an advanced stage of development.	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.	None required. Will fall on repeal of Section 41 of the Factories Act 1955.
Certificate of Exemption No. G. 9 Coil Type Steam Generators	Exception from Section 40 (1)(a)(iv) of the Factories Act 1955 in respect of certain types of steam boilers. Will fall on repeal of Section 40. Proposed new “Pressure Systems” Regulations at an advanced stage of development.	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.	None required. Will fall on repeal of Section 40 of the Factories Act 1955.
Certificate of Exception No. G. 10 Electrode Boilers and Electrical Immersion Heated Boilers	Exception from Section 40 (1)(a)(iv) and (1)(c) of the Factories Act 1955 in respect of certain types of steam boilers. Will fall on repeal of Section 40. Proposed new “Pressure Systems” Regulations at an advanced stage of development.	Proposed “Pressure Systems” Regulations as General Application Amendment Regulations.	None required. Will fall on repeal of Section 40 of the Factories Act 1955.
Certificate of Exception No. G. 11B	Exception from certain provisions of Section 40(7) of the Factories Act 1955	Proposed “Pressure Systems” Regulations as	None required. Will fall on repeal

Fusion Welded and Solid Forged Steam Boilers	<p>as amended by Section 31(a) of the Safety in Industry Act 1980 in respect of certain types of steam boilers.</p> <p>Will fall on repeal of Section 40.</p> <p>Proposed new “Pressure Systems” Regulations at an advanced stage of development.</p>	General Application Amendment Regulations.	of Section 40 of the Factories Act 1955.
Certificate of Exception No. G. 12 Welding Connections to Pipelines and Plant containing Petroleum Liquids and Vapours	<p>Exception from Section 39 (5) of the Factories Act 1955.</p> <p>Will fall on repeal of Section 39.</p>	Part 8, Explosive Atmospheres at Places of Work, of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	<p>None required.</p> <p>Will fall on repeal of Section 39 of the Factories Act 1955.</p>
Certificate of Exception No. G. 13 Welding Brackets on Oil Tanks	<p>Exception from Section 39 (5) of the Factories Act 1955.</p> <p>Will fall on repeal of Section 39.</p>	Part 8, Explosive Atmospheres at Places of Work, of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007).	<p>None required.</p> <p>Will fall on repeal of Section 39 of the Factories Act 1955.</p>
Certificate of Exemption No. S.B. 13 Shipbuilding and Ship-Repairing (Safety, Health and Welfare) Regulations 1975,	<p>Exemption from Section 39 (5) of the Factories Act 1955.</p> <p>Will fall on repeal of Section 39.</p>	Part 8, Explosive Atmospheres at Places of Work, of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)	<p>None required.</p> <p>Will fall on repeal of Section 39 of the Factories Act 1955.</p>

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