

REGULATION NO. 3 ON THE FORM, CONTENTS AND PROCEDURE FOR SUBMITTING AND KEEPING THE DECLARATION UNDER ART. 15, PARA. 1 OF THE HEALTH AND SAFETY AT WORK ACT

In State Gazette No. 19/09.03.2010 Regulation No. 3 on the form, contents and procedure for filing the declaration under Art. 15 of the Health and Safety at Work Act was promulgated.

1. Obligation to File the Declaration under Art. 15 of the Health and Safety at Work Act

By virtue of the Health and Safety at Work Act all legal entities and natural persons who independently employ workers as well as the legal entities and natural persons who use employees provided by temporary employment agencies, are obliged to submit an annual declaration on the work conditions in the respective enterprise. The persons who work alone at their own account are relieved from the obligation to file a declaration.

The failure to file a declaration is penalized with an administrative sanction.

2. Contents of the Declaration

The declaration contains the following sections:

- Section I – Information on the employer
- Section II – Information on the enterprise – name, activities, details for the employed persons
- Section III – Information on the organization and management of the healthy and safety at work – work conditions structures, health and safety at work trainings and instructions, periodic medical examinations, etc.
- Section IV – Work conditions related to the enterprise activities – information on the work places, personal protective equipment, work with heavy objects, video displays (computers), risks of noise, vibrations, etc.
- Appendix No. 1 – it is filled in by constructors and designers within the meaning of the Spatial Development Act
- Appendix No. 2 – it is filled in by enterprises producing, using or storing chemical agents over certain quantities
- Appendix No. 3 – it is filled in by enterprises carrying out works in a potentially explosive environment
- Appendix No. 4 – it is filled in by enterprises carrying out drilling works
- Appendix No. 5 – it is filled in by mining enterprises

3. Time Limits for Submitting the Declaration

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The declaration is filed annually by 30 April of the following year. The declaration for 2009 is filed within longer time limits - by 30 June 2010.

In case there are no changes in the circumstances subject to declaration, the persons do not file a declaration and submit only a notification for lack of changes by 30 April of the following year.

4. Competent Body Receiving the Declaration

The declaration and the notification for lack of changes in the declared circumstances should be filed in the territorial directorate of the Labour Inspection at the person's seat and registered address.

5. Form of the Declaration

The declaration can be filed in one of the following forms:

- on paper – it must be signed and stamped by the person.
- on an electronic carrier – using the software developed by the Chief Labour Inspection Executive Agency.
- by electronic means - using the software developed by the Chief Labour Inspection Executive Agency and submitted with an advanced electronic signature.

The notification for lack of changes in the declared circumstances can be filed on paper or by electronic means.

Upon submission of the declaration or of the notification the sender is issued a certificate with an incoming number and date. Within 30 working days to the date of the declaration filing the Chief Labour Inspection Executive Agency enters the declaration in a public register accessible on the Agency's website.

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