

**SECOND SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

**No. 2,894 of 25th January, 1996**

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LEGAL NOTICE NO. 10 OF 1996

**INTERPRETATION AND GENERAL CLAUSES ORDINANCE**

**FACTORIES ORDINANCE**

**FACTORIES (SAFETY) REGULATIONS 1996**

In exercise of the powers conferred on it by section 23 of the Interpretation and General Clauses Ordinance, and of all other enabling powers, and for the purpose of transposing into the national law of Gibraltar Council Directive 89/391/EEC the Government has made the following regulations

**Title.**

1. These regulations may be cited as the Factories (Safety) Regulations, 1996.

**Amendment to section 6.**

2. (1) Section 6 of the Factories Ordinance (hereinafter called “the principal Ordinance”) is amended —

(a) in sub-section (1) —

(i) in the definition of “place of work” by inserting after the word “Ordinance” the following words —

“and “work” means work under a contract of service or for services, that is to say, as an employee or as a self employed person, other than work, whether under a contract of service or for services, as a domestic servant or on a ship (whether or not registered in Gibraltar), and the expression “at work” shall be construed accordingly,”;

- (ii) after the definition of “railway” by inserting the following definition —

““relevant statutory provision” means any law having..as its intention the implementation of any Community.. obligation concerned with the regulation of..... places of work for ensuring the safety, health and welfare.. of employed persons;”;

- (b) by inserting after sub-section (5) the following sub-section —

“(6) In this Ordinance any reference to —

- (a) an employer includes a reference to a self employed person and any duty imposed by this Ordinance on an employer in respect of his employee shall extend to a self-employed person in respect of himself;
- (b) an employee includes a reference to —
- (i) a self-employed person; and
- (ii) a trainee or cadet,

who but for the operation of this sub-section would not be classed as an employee.”.

**Amendment of section 58.**

3. Section 58 of the principal Ordinance is amended in sub-section (2) by omitting paragraph (g) and substituting therefor the following paragraphs —

- “(g) provide for the extent to which regulations shall bind the Crown and for the extent to which they shall apply to persons in the service of the Crown;
- (h) prescribe anything which may be prescribed under this Ordinance.”.

Dated this 25th day of January, 1996.

M. FEETHAM,

Minister for Trade and Industry.