

Subsidiary Legislation made under ss. 58 and 81.

## **Display Screen Equipment Regulations, 1996**

**LN. 1996/026**

*Commencement*                      **1.3.1996**

**Transposing:**  
Directive 90/270/EEC

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### **ARRANGEMENT OF REGULATIONS**

Regulation

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### **SCHEDULE.**

Minimum requirements for workstations which are contained in the Annex to Council Directive 90/270/EEC on the minimum safety and health requirements for work with display screen equipment.

**1956-12**

**Factories**

**1996/026**

**Display Screen Equipment Regulations, 1996**

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*In exercise of the powers conferred on him by sections 58 and 81 of the Factories Act, and of all other enabling powers, and for the purpose of transposing into the national law of Gibraltar Council Directive 90/270/EEC, the Governor has made the following regulations —*

**Title and commencement.**

1.(1) These Regulations may be cited as the Display Screen Equipment Regulations, 1996 and, subject to subregulation (2) and regulation 4, shall come into effect on the 1st day of March 1996.

(2) Where on the effective date of these Regulations a person is an employer, or a self-employed person who, by virtue of the Act or these Regulations, is to be treated as an employer for the purposes of these Regulations, to whom these Regulations or any provision of them applies it shall be deemed sufficient compliance with these Regulations by that person if he shall have complied with them by the 1st day of June 1996.

**Interpretation and application.**

2.(1) In these Regulations, unless the context shall otherwise require—

“display screen equipment” means any alphanumeric or graphic display screen, regardless of the display process involved;

“operator” means a self-employed person who habitually uses display screen equipment as a significant part of his normal work;

“use” means use for or in connection with work;

“user” means an employee who habitually uses display screen equipment as a significant part of his normal work; and

“workstation” means an assembly comprising—

- (a) display screen equipment (whether provided with software determining the interface between the equipment and its user or operator, a keyboard or any other input device);
- (b) any optional accessories to the display screen equipment;
- (c) any disk drive, telephone, modem, printer, document holder, work chair, work desk, work surface or other item peripheral to the display screen equipment; and
- (d) the immediate work environment around the display screen equipment.

- (2) Nothing in these Regulations shall apply to or in relation to—
- (a) drivers' cabs or control cabs for vehicles or machinery;
  - (b) display screen equipment on board a means of transport;
  - (c) display screen equipment mainly intended for public operation;
  - (d) portable systems not in prolonged use;
  - (e) calculators, cash registers or any equipment having a small date or measurement display required for direct use of the equipment; or
  - (f) window typewriters.
- (3) Terms defined in the Management of Health and Safety at Work regulations 1996 shall in these Regulations bear the meaning given to them in those regulations.
- (4) The provisions of these Regulations are relevant statutory provisions.

**Analysis of workstations.**

- 3.(1) Every employer shall perform a suitable and sufficient analysis of those workstations which—
- (a) (regardless of who has provided them) are used for the purposes of his undertaking by users; or
  - (b) have been provided by him and are used for the purposes of his undertaking by operators,

for the purpose of assessing the health and safety risks to which those persons are exposed in consequence of that use.

- (2) The employer shall reduce the risks identified in consequence of an assessment to the lowest extent reasonably practicable.
- (3) The reference in subregulation (2) to "an assessment" is a reference to an assessment made by the employer concerned in pursuance to subregulation (1).

**Requirements for workstations.**

4.(1) Every employer shall ensure that any workstation first put into service on or after 1st day of June 1996 which—

- (a) (regardless of who has provided it) may be used for the purposes of his undertaking by users; or
- (b) has been provided by him and may be used for the purposes of his undertaking by operators,

meets the requirements laid down in the Schedule to the extent specified in paragraph 1.

(2) Every employer shall ensure that any workstation first put into service on or before the 31st day of May 1996 which—

- (a) (regardless of who provided it) may be used for the purposes of his undertaking by users; or
- (b) was provided by him and may be used for the purposes of his undertaking by operators,

meets the requirements laid down in the Schedule to the extent specified in paragraph 1 not later than the 31st December 1997.

**Daily work routine of users.**

5. Every employer shall so plan the activities of users at work in his undertaking that their daily work on display screen equipment is periodically interrupted by such breaks or changes of activities as reduce their workload at that equipment.

**Eyes and eyesight.**

6.(1) Where a person—

- (a) is already a user on the date of the coming into effect of these Regulations; or
- (b) is an employee who does not habitually use display screen equipment as a significant part of his normal work but is to become a user in the undertaking in which he is already employed,

his employer shall ensure that he is provided at his request with an appropriate eye and eyesight test, any such test to be carried out by a competent person.

(2) An eye and eyesight test provided in accordance with subregulation (1) shall—

- (a) in any case to which paragraph (a) of that subregulation applies, be carried out as soon as practicable after being requested by the user concerned; and
  - (b) in any case to which paragraph (b) of that subregulation applies, be carried out before the employee concerned becomes a user.
- (3) At regular intervals after an employee has been provided with an eye and eyesight test in accordance with subregulations (1) and (2), his employer shall, subject to subregulation (7), ensure that he is provided with a further eye and eyesight test of an appropriate nature, any such test to be carried out by a competent person.
- (4) Where a user experiences visual difficulties which may reasonably be considered to be caused by work on display screen equipment, his employer shall ensure that he is provided at his request with an appropriate eye and eyesight test, any such test to be carried out by a competent person as soon as practicable after being requested as aforesaid.
- (5) Where the results of an eye and eyesight test provided in accordance with this regulation show it to be necessary, an employee shall be entitled to an ophthalmological examination.
- (6) Every employer shall ensure that each user employed by him is provided with special corrective appliances appropriate for the work being done by the user concerned where—
- (a) normal corrective appliances cannot be used; and
  - (b) the result of an eye and eyesight test or ophthalmological examination, as the case may be, which the user has been given in accordance with this regulation shows such provision to be necessary.
- (7) Nothing in subregulation (3) or (5) shall require an employer to provide any employee with an eye and eyesight test or an ophthalmological examination, as the case may be, against that employee's will.

**Provision of training.**

- 7.(1) Where a person—
- (a) is already a user on the date of the coming into effect of these Regulations; or
  - (b) is an employee who does not habitually use display screen equipment as a significant part of his normal work but is to become a user in the undertaking in which he is already employed,

his employer shall ensure that he is provided with adequate health and safety training in the use of any workstation upon which he may be required to work.

(2) Every employer shall ensure that each user at work in his undertaking is provided with adequate health and safety training whenever the organisation of any workstation in that undertaking upon which he may be required to work is substantially modified.

**Provision of information.**

8.(1) Every employer shall ensure that operators and users at work in his undertaking are provided with adequate information about—

- (a) all aspects of health and safety relating to their workstations; and
- (b) such measures taken by him in compliance with his duties under regulations 3 and 4 as relate to them and their work.

(2) Every employer shall ensure that users at work in his undertaking are provided with adequate information about measures taken by him in compliance with his duties under regulations 5 and 7(2) as relate to them and their work.

(3) Every employer shall ensure that users employed by him are provided with adequate information about such measures taken by him in compliance with his duties under regulations 6 and 7(1) as relate to them and their work.

SCHEDULE.

Regulation 4

MINIMUM REQUIREMENTS FOR WORKSTATIONS WHICH ARE CONTAINED IN  
THE ANNEX TO COUNCIL DIRECTIVE 90/270/EEC ON THE MINIMUM SAFETY  
AND HEALTH REQUIREMENTS FOR WORK WITH DISPLAY SCREEN EQUIPMENT

**Extent to which employers shall ensure that workstations meet the requirements laid down in this Schedule.**

1. An employer shall ensure that a workstation meets the requirements laid down in this Schedule to the extent that—

- (a) those requirements relate to a component which is present in the workstation concerned;
- (b) those requirements have effect with a view to securing the health, safety and welfare of persons at work; and
- (c) the inherent characteristics of a given task make compliance with those requirements appropriate as respects the workstation concerned.

**Equipment.**

2. (a) **General comment.**

The use as such of the equipment shall not be a source of risk for operators or users.

(b) **Display screen.**

The characters on the screen shall be well-defined and clearly formed, of adequate size and with adequate spacing between the characters and lines.

The image on the screen shall be stable, with no flickering or other forms of instability.

The brightness and the contrast between the characters and the background shall be easily adjustable by the operator or user, and also be easily adjustable to ambient conditions.

The screen shall swivel and tilt easily and freely to suit the needs of the operator or user.

It shall be possible to use a separate base for the screen or an adjustable table.

The screen shall be free of reflective glare and reflections liable to cause discomfort to the operator or user.

**(c) Keyboard.**

The keyboard shall be tiltable and separate from the screen so as to allow the operator or user to find a comfortable working position avoiding fatigue in the arms or hands.

The space in front of the keyboard shall be sufficient to provide support for the hands and arms of the operator or user.

The keyboard shall have a matt surface to avoid reflective glare.

The arrangement of the keyboard and the characteristics of the keys shall be such as to facilitate the use of the keyboard.

The symbols on the keys shall be adequately contrasted and legible from the design working position.

**(d) Work desk or work surface.**

The work desk or work surface shall have a sufficiently large, low-reflection surface and allow a flexible arrangement of the screen, keyboard, documents, and related equipment.

The document holder shall be stable and adjustable and shall be positioned so as to minimise the need for uncomfortable head and eye movements.

There shall be adequate space for operators or users to find a comfortable position.

**(e) Work chair.**

The work chair shall be stable and allow the operator or user easy freedom of movement and a comfortable position.

The seat shall be adjustable in height.



The seat back shall be adjustable in both height and tilt.

A footrest shall be made available to any operator or user who wishes one.

**Environment.**

3. (a) **Space requirements.**

The workstation shall be dimensioned and designed so as to provide sufficient space for the operator or user to change position and vary movements.

(b) **Lighting.**

Any room lighting or task lighting provided shall ensure satisfactory lighting conditions and an appropriate contrast between the screen and the background environment, taking into account the type of work and the vision requirements of the operator or user.

Possible disturbing glare and reflections on the screen or other equipment shall be prevented by co-ordinating workplace and workstation layout with the positioning and technical characteristics of the artificial light sources.

(c) **Reflections and glare.**

Workstations shall be so designed that sources of light, such as windows and other openings, transparent or translucent walls, and brightly coloured fixtures or walls cause no direct glare and no distracting reflections on the screen.

Windows shall be fitted with a suitable system of adjustable covering to attenuate the daylight that falls on the workstation.

(d) **Noise.**

Noise emitted by equipment belonging to any workstation shall be taken into account when a workstation is being equipped, with a view in particular to ensuring that attention is not distracted and speech is not disturbed.

(e) **Heat.**

Equipment belonging to any workstations shall not produce excess heat which could cause discomfort to operators or users.

(f) **Radiation.**

All radiation with the exception of the visible part of the electromagnetic spectrum shall be reduced to negligible levels from the point of view of the protection of operators' or users' health and safety.

(g) **Humidity.**

An adequate level of humidity shall be established and maintained.

**Interface between computer and operator/user.**

4. In designing, selecting, commissioning and modifying software, and in designing tasks using display screen equipment, the employer shall take into account the following principles—

- (a) software shall be suitable for the task;
- (b) software shall be easy to use and, where appropriate, adaptable to the level of knowledge or experience of the operator or user; no quantitative or qualitative checking facility may be used without the knowledge of the operator or user;
- (c) systems shall provide feedback to operators or users on the performance of those systems;
- (d) systems shall display information in a format and at a pace which are adapted to operators or users;
- (e) the principles of software ergonomics shall be applied in particular to human data processing.