**Working Conditions Regulation
Text amended up to 1-9-2016**

Regulation containing provisions implementing rules established in and by virtue of the Working Conditions Act and other legislation

The State Secretary of Social Affairs and Employment

Having regard to Articles 7, paragraph four, under b, 9, paragraphs four and six, 10, paragraph five, 41, paragraph one, and 42, paragraph two, of the Working Conditions Act, Article 6 of the Disabled Workers Employment Act and Article 11 of the General EC Higher Education Qualifications Recognition Act;

Furthermore, having regard to Articles 2.7, paragraphs two and three, 2.8, 2.15, paragraphs one and three, 2.24, paragraph one, 4.7, paragraphs one, three and five, 4.8, paragraphs two to five, 4.9, paragraph seven, 4.10, paragraphs two and three, 4.14, paragraph five, 4.16, paragraph one, 4.42, paragraph five, 4.50, paragraph two, 4.54, paragraphs three and five, 4.60, paragraphs four and five, 4.65, paragraph one, under a and b, 4.66, under a and b, 4.67, paragraphs one and five, 4.68, paragraph one, 4.70, paragraphs three and five, 4.71, paragraph one, 4.72, paragraph one, 4.73, 5.12, 6.17, paragraph three, 7.19, paragraphs eight, nine and eleven, 7.29, paragraphs six and seven, 7.32, paragraph two and paragraphs four to seven, 8.4, paragraph two, of the Working Conditions Decree;

Having considered the advice of the Social and Economic Council of 28 July 1995, reference 95/35, and 28 March 1996, reference 96/31.

Decrees:

**Chapter 1. General Provisions**

**Section 1.1. Definitions**

**Article 1.1. General definitions**

The following definitions apply in this Regulation:

a. Decree: the Working Conditions Decree;

b. the minister: the Minister of Social Affairs and Employment.

**Section 1.1a. Certification**

**Article 1.1a. Annual report**

Annual reports drawn up by certifying bodies as defined in Article 1.5e, paragraph one, of the Decree shall cover at least the following aspects:

a. certificates that have been issued, withdrawn, suspended or refused by the body;

b. changes to accreditations, rules and procedures affecting the body's area of activity;

c. changes to the distribution of tasks affecting the body's area of activity;

d. changes to the make-up of management;

e. changes to the statutes or internal procedures;

f. work contracted out to third parties;

g. structural bottlenecks in the body's area of activity that have arisen in practice;

h. consultation and cooperation with other certifying bodies that has taken place in the area of activity;

i. complaints received by the body and how they have been dealt with;

j. objections to and appeals against the body's decisions, and how they have been dealt with;

k. a financial report on the activities for which the body has been designated.

**Article 1.1b. Reimbursement of extra costs of certification and payment method**

**1.** To the extent that extra costs are incurred in relation to the issue of a certificate, within the meaning of these regulations, as a result of an application, action or omission of the applicant for the certificate, these costs shall be charged on to the applicant.

**2.** The costs associated with the issue of a certificate shall be settled with the application, in accordance with the instructions of the institution.

**Section 1.2. General provisions on training courses**

**Article 1.2. Generalities**

Articles 1.3 to 1.8 apply to all rules established in this Regulation that relate to training courses.

**Article 1.3. Material**

Training shall be provided on the basis of clear written training material of sufficient didactic quality supplied to trainees.

**Article 1.4. Tutors**

Tutors shall demonstrably have broad theoretical, practical and didactic knowledge or expertise in the subjects which they address during training.

**Article 1.5. Facilities**

**1.** Training establishments shall have adequate training facilities.

**2.** Training establishments shall offer the training course at least twice a year and conduct it at least once a year.

**3.** Training establishments shall keep a written record of the responsibilities and powers of all individuals involved in training.

**4.** Training establishments shall take adequate steps to protect the safety of trainees to the greatest possible extent.

**Article 1.6. Testing of final attainment levels**

**1.** Final attainment levels shall be tested by means of an examination.

**2.** Training establishments shall administer examinations on the basis of a proper written set of examination procedures.

**Article 1.7. Diploma**

Training establishments shall issue trainees who have passed the examination with a written certificate bearing their name and signed by two members of the examining committee or the head of the training establishment.

**Article 1.7a. Foreign certificates and qualifications of competence**

[Repealed on 01-10-2012]

**Article 1.8. Administration**

The training institute must carry a proper administration that includes the personal details of the student and the date on which the written documentation, as referred to in Article 1.7, has been issued and the period during which the examination papers and their elaboration will be kept.

**Section 1.3. Recognition of EC Vocational Qualifications and the temporary and incidental provision of services**

**Article 1.9. Definitions**

The following definitions apply in this section:

a. *Act:* Recognition of EC Vocational Qualifications Act;

b. *vocational qualifications:* vocational qualifications as referred to in Article 1 of the Act;

c. *relevant country:* the relevant country as referred to in Article 1 of the Act;

d. *service provider:* service provider as referred to in Article 21 of the Act;

e. *adaptation period:* adaptation period as referred to in Article 1 of the Act;

f. *competence test:* competence test as referred to in Article 1 of the Act.

**Article 1.9a. Recognition of EC Vocational Qualifications**

**1.** The application for a certificate of competence as referred to in Article 1.5h of the Decree is submitted to the minister or – if the minister has designated a certifying body as referred to in Article 1.5a of the Decree – to this certifying body, with submission of the following documents:

a. satisfactorily completed and signed application form;

b. a clearly legible copy of the applicant’s identification document;

c. a clearly legible copy of a certificate or an attestation of competence attained in a relevant country invoked by the applicant;

d. insofar as applicable, a document attained by the applicant from the relevant country, which states that the required number of years of professional experience have been completed;

e. if the application and the documents referred to under c and d are in a language other than Dutch, English, French of German, a translation of these documents in one of these languages, if possible by a sworn translator.

**2.** The minister or, if the minister has designated a certifying body as referred to in Article 1.5a of the Decree, the certifying body will decide whether the applicant has the vocational qualification level as referred to in Article 6 of the Act.

**3.** With due observance of Article 11 of the Act, the minister or, if the minister has designated a certifying body as referred to in Article 1.5a of the Decree, this institution will inform the applicant whether he is required to successfully complete a compensating measure.

**4.** The compensating measure, as referred to in the third paragraph, consists of a competence test or an adaptation period, such at the applicant’s discretion.

**5.** The costs associated with processing an application as meant in the first paragraph and the implementation of a compensating measure as meant in paragraph four will be passed on to the applicant. These costs must be settled upon filing the application, such in accordance with the instructions of the certifying body.

**Article 1.9b. Notification requirement and documents to be submitted in the event of the temporary or incidental provision of services**

**1.** Prior to the first provision of services, the service provider who exercises a profession as referred to in Article 3.5h, third paragraph, 4.8, second paragraph, 4.9, second paragraph, 4.54d, fifth and seventh paragraph, 6.16, third and sixth paragraph, and 7.32, first paragraph, of the Decree, must notify the minister or, if the minister has designated a certifying body as referred to in Article 1.5a of the Decree, this certifying body and submit the following documents:

a. a written statement that specifies which regulated profession the service provider intends to exercise in the Netherlands, including the details of his insurance cover or similar protection against financial risks of professional liability;

b. proof of nationality or, if applicable, documentary evidence that shows that the service provider has obtained the right of residence in the relevant country;

c. proof of vocational qualifications;

d. proof that the service provider is authorised to exercise the profession in question in a relevant country other than the Netherlands;

e. a document that is not older than three months and which shows that no measure has been taken against the applicant that is based on a judicial, disciplinary or administrative law decision made abroad, based on which the applicant’s rights to exercise the profession in question in the relevant country have been completely or partially suspended on a temporary or permanent basis;

f. if the applicant holds a certificate issued in a country other than the relevant country of residence, a written statement which shows that the certificate has been recognised by the competent authorities in the relevant country of residence; and

g. If the exercise of the profession, or the applicant’s training that will result in (access to) the exercise of the profession, is not regulated in the relevant country where the applicant takes up residence, a written statement that shows that the applicant has exercised the profession in question in the relevant country of residence for at least two years during the ten years prior to the provision of services in the Netherlands.

**2.** The service provider must provide the statement referred to in the first paragraph, under a, once a year if he intends to provide services in the Netherlands during the year in question. In doing so, the service provider must resubmit the documents referred to in the first paragraph if any change has occurred with regard to these documents.

**3.** The documents, referred to in the first paragraph, under a, c, d, e, f and g, must have been drawn up in the Dutch, English, French or German language, or translated into these languages, if possible by a sworn translator. Copies of these documents must be authenticated.

**Article 1.9c. Verification of vocational qualifications in the event of temporary and incidental provision of services for professions concerning public health or safety**

**1.** Prior to the first provision of services, the minister or, if the minister has designated a certifying body as referred to in Article 1.5a of the Decree, this certifying body, will verify the service provider’s vocational qualifications as referred to Article 1.9b, in accordance with Article 27 of the Act.

**2.** In addition to the documents referred to in Article 1.9b, first paragraph, the service provider must furnish the minister or, if the minister has designated a certifying body as referred to in Article 1.5a of the Decree, this certifying body, with the following documents on request, such in accordance with the provisions set out in Article 1.9b, third paragraph:

a. the training programme for the profession in question, subdivided into theoretical and practical subjects, stating the duration of the training in these subjects, which must originate from the institution where the service provider attained the certificate;

b. list of marks and assessments of study results, work experience periods or traineeships of the service provider; and

c. documentary evidence of possible professional experience and additional training.

**3.** The minister or, if the minister has designated a certifying body as referred to in Article 1.5a of the Decree, this certifying body, must decide within the periods set out in Article 28 of the Act.

**4.** If essential differences are discovered as referred to in Article 27, third paragraph, of the Act, the minister or, if the minister has designated a certifying body as referred to in Article 1.5a of the Decree, this certifying body will offer the service provider the opportunity to demonstrate by means of a compensating measure referred to in Article 1.9d that he has the lacking knowledge and skills.

**5.** The minister or, if the minister has designated a certifying body as referred to in Article 1.5a of the Decree, this certifying body will send the service provide a written statement in the form of proof of examination if, based on the verification, the vocational qualifications are sufficient for temporary and incidental provision of services in the Netherlands.

**Article 1.9d. Compensating measure in the event of temporary or incidental provision of services**

**1.** The minister or, if the minister has designated a certifying body as referred to in Article 1.5a of the Decree, this certifying body will, as soon as possible, give the service provider referred to in Article 1.9b the opportunity to implement the compensating measure referred to in Article 1.9c, fourth paragraph. Article 1.9a, fifth paragraph, applies accordingly.

**2.** After the compensating measure has been implemented, the minister or, if the minister has designated a certifying body as referred to in Article 1.5a of the Decree, this certifying body will send proof of examination to the service provider if the results of the compensating measure are satisfactory for temporary and incidental provision of services in the Netherlands.

**3.** If the results of the competence test are unsatisfactory, the service provider will be entitled to sit another competence test.

**Article 1.9da. Period of validity of certificate of competence and proof of examination**

**1.** A certificate of competence issued pursuant to Article 1.5h of the Decree or proof of examination issued pursuant to Article 1.9c or 1.9d for temporary and incidental service provision will be valid for a period that is the same as the period of validity of a personal certificate that is required under Article 20 of the Act referred to in Article 1.1 of the Decree for the exercise of the same profession.

**2.** The period of validity of the certificate of competence referred to in the first paragraph and of the proof of examination respectively may be terminated or limited following verifications that have been performed within the context of supervision.

**Article 1.9e. Registration**

The minister or, if the minister has designated a certifying body as referred to in Article 1.5a of the Decree, this certifying body, will register the applications for recognition of vocational qualifications, the verifications referred to in Article 27 of the Act and the handling of the applications and verifications, in a suitable and orderly manner.

**Section 1.4. Notification of occupational diseases**

**Article 1.10. Data on accidents at work**

[Repealed on 01-01-2007]

**Article 1.11. Data on occupational diseases**

**1.** For the purposes of this Article, an occupational disease is understood to mean a disease or condition that arose as a result of excessive pressure at work or in the individual's working conditions.

**2.** Notification of an occupational disease, as referred to in Article 9, paragraph three, of the Act, shall contain at least the following information, presented in such a way that the identity of the individual concerned cannot be deduced:

a. the diagnosis;

b. the employee's gender and his or her year of birth;

c. the nature and extent of the pressure at work or in working conditions;

d. the nature of the work being done when the occupational disease arose;

e. the employee's profession at the time of exposure, and

f. the employer's economic activity at the time of exposure.

**3.** The information referred to in paragraph two shall be provided in accordance with the instructions of the body referred to in Article 9, paragraph three, of the Act.

**Section 1.5. Exemption**

**Article 1.12. Exemption for volunteers**

[Repealed on 01-01-2007]

**Section 1.6. Tax incentives for health and safety investments**

**Article 1.16. Designation of assets**

[Repealed on 01-01-2005]

**Article 1.17. Equivalence of assets**

[Repealed on 01-01-2005]

**Article 1.18**

[Repealed on 01-01-2005]

**Chapter 2. Additional provisions on risk assessment and evaluation, experts, and health and safety services**

**Section 2.1. Detailed provisions for risk assessment and evaluation**

**Article 2.0. Safety management system**

The safety management system referred to in Article 2.5a, paragraph two, of the Decree shall contain at least the elements referred to in annex I of this Regulation.

**Article 2.0a. Risk assessment and evaluation procedures**

**1.** The procedures for the systematic identification of undesirable events and assessment of the risks of major accidents, referred to in Article 2.5b, paragraph one, under a, of the Decree, relate to:

a. systematic investigation of the risks of a major accident affecting an establishment during its design, construction, use and maintenance, together with any alterations carried out;

b. the criteria used to determine the methods by which the investigation referred to under a is performed;

c. the method used to assess risks of major accidents.

**2.** The methods of investigation referred to in paragraph one, under b, shall be appropriate for the phases referred to in paragraph one, under a.

**3.** The method referred to in paragraph one, under c, is suitable to determine what measures need to be taken to prevent major accidents or to restrict their consequences.

**Article 2.0b. Description of scenarios**

**1.** The description of scenarios referred to in Article 2.5b, paragraph one, under b, of the Decree relates to parts of establishments that present the greatest risk of a major accident. These parts of establishments shall be identified on the basis of a documented method.

**2.** The description of scenarios referred to in paragraph one shall at least take account of which of the following incidents could trigger these scenarios: corrosion, erosion, external loading, impact, excess pressure, under pressure, low temperature, high temperature, vibration, human error during use, alteration or maintenance.

**3.** In the case of each scenario, a statement shall be made as to its probability, its effect, and the measures that have been taken to prevent the scenario occurring.

**4.** Furthermore, a summary shall be drawn up for each scenario, bearing in mind the measures already taken, showing:

a. the residual chance of a major accident occurring;

b. the severity of the consequences that the accident would cause if it were to occur;

c. what further measures are technically possible in order to further reduce the chance of a major accident to a specified level;

d. an indication of the costs that would be incurred if the measures referred to under c were taken.

**Article 2.0c. Internal emergency plan**

The internal emergency plan referred to in Article 2.5c of the Decree shall contain at least the information and descriptions referred to in annex II of this Regulation.

**Section 2.2. Tasks of experts and health and safety services**

**Article 2.1. Risk assessment and evaluation**

**1.** The following activities shall be carried out by the expert or the company doctor referred to in Article 2.14a, paragraph one, of the Decree or by the health and safety service in the execution of the tasks referred to in Article 14, paragraph one, under a, of the Act:

a. examining the risk assessment and evaluation referred to in Article 5 of the Act in order to ascertain whether it is complete and reliable;

b. ascertaining whether the latest views on working conditions are taken into account in the risk assessment and evaluation referred to under a;

c. giving advice to the employer on the basis of the risk assessment and evaluation referred to under a. This advice shall also pertain to the manner - proposed in the plan of action referred to in Article 5, third paragraph, of the Act - in which the shortcomings that have been identified can be remedied and the priorities and order in which the measures are taken.

**2.** The following activities shall be carried out by the expert or the company doctor referred to in Article 2.14a, paragraph one, of the Decree or by the health and safety service in the execution of the tasks referred to in Article 2.14b, paragraphs two and three, of the Decree:

a. ascertaining whether the model referred to in Article 14, twelfth paragraph, under b, sub 1°, of the Act or the instrument referred to in Article 14, twelfth paragraph, under b, sub 2°, of the Act, is complete and reliable;

b. ascertaining whether the latest views on working conditions in the relevant sector are taken into account in the model or instrument referred to under a;

c. ascertaining whether the model or instrument referred to under a contains adequate indications for the preparation of a plan of action referred to in Article 5, third paragraph, of the Act.

**3.** The Labour Foundation in The Hague shall be designated as the institution where an instrument as referred to in Article 14, twelfth paragraph, under b, sub 2°, of the Act can be reported.

**4.** The Labour Foundation shall provide for the posting of a reported instrument as referred to in Article 14, twelfth paragraph, under b, sub 2°, of the Act on the website at www.rie.nl.

**Article 2.2. Support for employees on sick leave**

In carrying out the tasks referred to in Article 14, paragraph one, under b of the Act, the company doctor referred to in Article 2.14a, paragraph two, of the Decree, or the health and safety service, shall support the employer in providing adequate support for employees who are unable to work due to sickness with a view to ensuring that they resume work when it is safe for them to do so. Before carrying out this task, the company doctor or the health and safety service shall set down:

a. how this task is to be carried out and what procedures are to be followed;

b. how data on employee absence is to be handled;

c. how individual privacy is to be respected.

**Article 2.3. Occupational health medical examination**

The company doctor referred to in Article 2.14a, paragraph two, of the Decree or the health and safety service shall, in the execution of the tasks referred to in Article 14, paragraph one, under c, under 1° of the Act, set down:

a. how this task is to be carried out and what procedures are to be followed;

b. how the periodicity and content of the occupational health medical examination are provided for;

c. how agreements are made with businesses on the manner in which employees may exercise the right to an occupational health medical examination;

d. on which indications occupational health medical examinations may be performed in groups;

e. how data arising from occupational health medical examinations is to be handled;

f. how individual privacy is to be respected.

**Article 2.4. Medical for new employees**

The company doctor referred to in Article 2.14a, paragraph two, of the Decree or the health and safety service shall, in the execution of the tasks referred to in Article 14, paragraph one, under c, under 2° of the Act, set down:

a. how the medical for new employees is to be carried out and what procedures are to be followed;

b. how data arising from the medical for new employees is to be handled;

c. how individual privacy is to be respected.

**Article 2.5. Working conditions consultation hours**

[Repealed on 01-01-2007]

**Article 2.6. Reporting data**

**1.** The health and safety service shall immediately inform the minister or the certifying body referred to in Article 2.7, if the minister has designated a certifying body, of any change to its organisational form.

**2.** If there is any change to the data referred to in Articles 2.12, first paragraph, under a or b, or 2.13, first paragraph, under a, the health and safety service or the employer will inform the minister or the certifying institution referred to in the first paragraph, if the minister has designated a certifying institution, of such change as soon as possible.

**Section 2.3. Certification**

**Article 2.7. Designation of certifying institution**

In order to be designated a certifying body as referred to in Article 2.14, first and second paragraph, of the Decree, the body must meet the requirements laid down in the Area specific document for designation and supervision (WDA&T) of certifying bodies belonging to the Certification Scheme for the provision of services by Health and Safety Services, document: WDA&T-Arbodiensten, as included in Annex IIa to the regulation.

**Article 2.8. Requirements set on the health and safety service**

A health and safety service certificate as referred to in Article 2.14, first and second paragraph, of the Decree shall be issued by the minister or, if the minister has designated a body as referred to in Article 2.7, by this body if the requirements are met as laid down in the Area specific certification scheme for the Provision of Services by Health and Safety Services: document: WSCS-Arbodiensten, as included in Annex IIb to the regulation.

**Article 2.9. Complaints procedure**

[Repealed on 01-07-2012]

**Article 2.10. Performing a verification**

[Repealed on 01-07-2012]

**Article 2.11. Issue of a health and safety service certificate**

[Repealed on 01-04-2013]

**Article 2.12. Provision of information by external health and safety services applying for certification**

[Repealed on 01-04-2013]

**Article 2.12a**

[Repealed on 01-11-1999]

**Article 2.12b**

[Repealed on 01-11-1999]

**Article 2.13. Provision of information by internal health and safety services applying for certification**

[Repealed on 01-04-2013]

**Article 2.14. Requirements for a designation as certifying body in the working conditions experts area**

It is possible for an institution to be designated as a certifying body as referred to in Article 2.14, first paragraph, of the Decree, if the applying institution meets the criteria set out in the Area specific document for the Designation and Supervision of the certifying bodies charged with personal certification for Employment Experts, Organisational Experts, Occupational Hygienists and Senior Safety Experts, document: WDAT-ARBO, as included in Annex IIc to the regulation.

**Article 2.15. Occupational hygiene competence certification**

Certificates of competence in occupational hygiene as referred to in Article 2.7, paragraph two, of the Decree are issued by the certifying body to applicants meeting the requirements laid down in the Area specific certification scheme for the personal certificate of Occupational Hygienist, document: WSCS-AH, as included in Annex IId to the regulation.

**Article 2.16. Safety experts competence certification**

Certificates of competence in safety as referred to in Article 2.7, paragraph two, of the Decree are issued by the certifying body to applicants meeting the requirements laid down in the Area specific certification scheme for the personal certificate of Senior Safety Expert, document: WSCS-HVK, as included in Annex IIe to the regulation.

**Article 2.17. Occupational and organisational competence certification**

Certificates of competence in occupational and organisational science as referred to in Article 2.7, paragraph two, of the Decree are issued by the certifying body to applicants meeting the requirements laid down in the Area specific certification scheme for the personal certificate of Senior Safety Expert, document: WSCS-AO, as included in Annex IIf to the regulation.

**Article 2.18. Provision of information on certificates of competence in occupational and industrial medicine, labour hygiene, safety studies, ergonomics and organisational science**

[Repealed on 03-12-2004]

**Section 2.4. EC declaration**

**Article 2.19. Application**

[Repealed on 01-01-2009]

**Article 2.20. Requirements**

[Repealed on 01-01-2009]

**Article 2.21. Issue**

[Repealed on 01-01-2009]

**Article 2.22. Competence test and adaptation period**

[Repealed on 01-01-2009]

**Section 2.5. Exemption**

**Article 2.23. Exemption from assistance by health and safety service for sickness absence**

[Repealed on 01-07-2005]

**Article 2.24. Exemption from assistance by health and safety service for risk assessment and evaluation**

[Repealed on 01-07-2005]

**Article 2.25**

[Repealed on 01-11-1999]

**Article 2.26**

[Repealed on 01-11-1999]

**Chapter 3. Extracting industries through drilling**

**Section 3.1. Construction process**

**Article 3.1. Model notification**

[Repealed on 01-07-2012]

**Section 3.2. Extracting industries through drilling**

**Article 3.2. Definitions**

The following definitions apply in this section:

a. risk analysis: systematic investigation of risks to safety and health on the basis of which an assessment of these risks is produced as described in Article 5 of the Act;

b. acceptance criteria: the limits within which risks are acceptable;

c. performance benchmarks: clear and measurable parameters relating to those performances of a process installation or components thereof, of equipment and management systems, that make a direct contribution to meeting health and safety objectives;

d. mine working: a working as defined in Article 1, under n, of the Mining Act;

e. mine installation: an installation as defined in Article 1.1, paragraph three, under f, of the Decree;

f. health and safety protection system: a system as defined in Article 2.42e of the Decree;

g. health and safety document: a document as defined in Article 2.42f of the Decree.

**Article 3.2a. Determination of risks and limits**

**1.** A qualitative (and where possible quantitative) assessment of the risks associated with the risk analysis referred to in Article 3.2, under a, shall be carried out.

**2.** Where possible, a quantitative determination of the limits associated with the acceptance criteria referred to in Article 3.2, under b, shall be carried out. Where this is not possible, a qualitative determination of these limits shall be carried out.

**Article 3.3. Health and safety protection system**

The health and safety protection system shall be based on a process-focused internationally recognised standard for the management of safety, health, quality or environmental factors.

**Article 3.4. Documentation of the health and safety protection system**

**1.** The health and safety protection system shall be documented in writing.

**2.** The description of the health and safety protection system shall indicate the content of the separate parts of this system and how they fit together.

**Article 3.5. Review of the health and safety protection system**

**1.** The health and safety protection system shall be regularly reviewed on the basis of internationally recognised standards for the review of protection systems.

**2.** Reviews shall be designed such, and conducted at such intervals, as to allow the suitability of the health and safety protection system to be assessed every three years.

**Article 3.6. Health and safety document**

**1.** A health and safety document shall be produced for the following categories of mine workings:

a. every land-based mine working;

b. every permanent mine installation;

c. every mine installation that can be transported in its entirety, and

d. every other transportable installation used to drill mineshafts or to carry out activities in or on existing mineshafts;

**2.** The safety and health document referred to in paragraph one shall be present at the mine workings referred to in paragraph one.

**Article 3.7. Safety and health document for activities**

**1.** Unless this is already specified in the provisions when producing the safety and health document, referred to in Article 3.6, a safety and health document shall be produced for the following specific activities:

a. drilling a mineshaft;

b. carrying out activities in or on an existing mineshaft, and

c. the simultaneous performance of activities on a mine working or on or close to a mine installation, where the simultaneous performance of these activities forms a danger to safety and health.

**2.** The safety and health document referred to in paragraph one shall be present at the location where the activities in question are being carried out.

**Article 3.8. Parts of the safety and health document for mine workings**

**1.** The safety and health document referred to in Article 3.6, under a and b, shall comprise the following parts:

a. the pre-design report;

b. the detailed design, start-up and use report;

c. the addendum on use;

d. the addendum on major alterations, and

e. the addendum on closure and removal.

**2.** The safety and health document referred to in Article 3.6, under c and d, shall comprise the following parts:

a. the detailed design, start-up and use report;

b. the addendum on use, and

c. the addendum on major alterations.

**Article 3.9. Content of the safety and health document for mine workings**

The safety and health document referred to in Article 3.6 shall comprise:

a. a clear and accurate description of the mine working and the activities carried out on the mine working, including information on provisions made in the design of the mine working to exclude or minimise risks;

b. in addition to the information referred to under a, the information referred to in annex IV to this Regulation;

c. the information referred to in annex V to this Regulation dealing with the fire-fighting plan;

d. the information referred to under c shall be based on the statement referred to in Article 2.42f, paragraph one, under a, of the Decree;

e. a statement of acceptance criteria;

f. a list of all risks that have been identified and analysed, including a summary of the investigations that have been carried out in this context for the land-based mine or the permanent mine installation as referred to in annex VI to this Regulation, or for the mine installation that can be transported in its entirety or other transportable installation used to drill mineshafts or to carry out activities in or on existing mineshafts as referred to in annex VII to this Regulation;

g. information on the sources used to identify, analyse and evaluate the risks, including a description of how these sources were found to be suitable and reliable;

h. an assessment of how effective and suitable the health and safety protection system is for the mine working, including the results and any changes or additions found to be necessary to the system;

i. a summary in lay terms of the investigation referred to in annexes VI and VII to this Regulation carried out in preparation of the health and safety document;

j. a statement of the measures found necessary in order to minimise risks, including a summary of all the investigations carried out in this context;

k. a statement of performance benchmarks;

l. the limits within which the equipment and management systems used at the mine working can operate normally;

m. a plan of action with a timetable for implementing the measures referred to under j;

n. an examination of reported risks on the basis of the acceptance criteria;

o. an examination of the performance of a process installation or components thereof, equipment and management systems on the basis of the performance benchmarks, and

p. a written declaration that the risks at least fall within the acceptance criteria and performance benchmarks that have been established in advance.

**Article 3.10. Content of the safety and health document for activities**

**1.** The safety and health document referred to in Article 3.7 shall comprise:

a. a diagram showing the combinations referred to in paragraph two;

b. a statement of acceptance criteria;

c. an assessment and evaluation of the dangers and associated risks that are specific to the location and activities covered by the safety and health document;

d. information on the sources used to identify, analyse and evaluate the risks, including a description of how these sources were found to be suitable and reliable;

e. an evaluation of all management systems that help minimise the risks;

f. a statement of the measures found necessary in order to minimise risks, including a summary of all the investigations carried out in this context;

g. a statement of performance benchmarks;

h. an examination of reported risks on the basis of the acceptance criteria, and

i. an examination of the performance of a process installation or components thereof, equipment and management systems on the basis of the performance benchmarks.

**2.** The measures needed to manage risks, as set out in the safety and health document referred to in paragraph one, shall be aligned to the safety and health document referred to in Article 3.6 if the activities are to be performed using a combination of:

a. a permanent mine installation as referred to in Article 3.6, paragraph one, under b, and a mine installation that can be transported in its entirety as referred to in Article 3.6, paragraph one, under c;

b. another transportable installation used to drill mineshafts or to carry out activities in or on existing mineshafts as referred to in Article 3.6, paragraph one, under d, and a permanent mine installation as referred to in Article 3.6, paragraph one, under b;

c. a mine installation that can be transported in its entirety as referred to in Article 3.6, paragraph one, under c and another transportable installation used to drill mineshafts or to carry out activities in or on existing mineshafts as referred to in Article 3.6, paragraph one, under d, or

d. a land-based mine as referred to in Article 3.6, paragraph one, under a and another transportable installation used to drill mineshafts or to carry out activities in or on existing mineshafts as referred to in Article 3.6, paragraph one, under d.

**Article 3.11. Submission of the pre-design report**

**1.** The pre-design report referred to in Article 3.8, paragraph one, under a, shall be sent in duplicate to a designated supervisor prior to the application for an environmental licence, as referred to in the first sentence and under e of Article 2.1, first paragraph, opening sentence and under e, of the General Provisions of Environmental Law Act and for a licence as referred to in Article 40 of the Mining Act.

**2.** The detailed design, start-up and use report referred to in Article 3.8, paragraphs one and two, shall be sent in duplicate to a designated supervisor eight weeks before a mine working starts operation.

**3.** The addendum on use referred to in Article 3.8, paragraphs one and two, shall be sent in duplicate to a designated supervisor. The first such addendum shall be sent five years after submission of the detailed design, start-up and use report and subsequent addenda shall be sent at five-year intervals.

**4.** The addendum on closure and removal referred to in Article 3.8, paragraph one, shall be sent in duplicate to a designated supervisor eight weeks before a mine working is closed or a permanent mine installation is removed.

**5.** The information referred to in Article 3.9, under c, shall be sent in duplicate to a designated supervisor on request.

**Article 3.12. Submission of safety and health document for activities**

**1.** The safety and health document for the particular activities referred to in Article 3.7, paragraph one, under a and b, shall be sent in duplicate to a designated supervisor four weeks prior to the start of the activities.

**2.** This safety and health document shall be accompanied by the schedule of work referred to in Article 74 of the Mining Decree if the following activities are planned:

a. drilling a mineshaft;

b. carrying out activities in an existing mineshaft.

**Article 3.13. Compliance with the health and safety document**

**1.** Employers with responsibility for mine workings referred to in Article 3.6, paragraph one, shall ascertain whether the health and safety document (with the exception of the pre-design report referred to in Article 3.8, paragraph one, under a) is being followed.

**2.** Employers with responsibility for mine workings referred to in Article 3.6, paragraph one, shall perform regular and systematic assessments of compliance with and the suitability of the health and safety document.

**3.** Employers with responsibility for the workplace shall revise the health and safety document if the results of the assessment referred to in paragraph two indicate that this is necessary. The revised parts of the health and safety document shall be sent in duplicate to a designated supervisor before the amended health and safety document is implemented.

**Article 3.14. Emergency plan**

**1.** The emergency plan referred to in Article 3.37v of the Decree shall always contain the information referred to in annex VIII to this Regulation.

**2.** The emergency plan shall be kept at the mine working referred to in Article 3.6, paragraph one.

**Chapter 4. Safety of tank ships and hazardous substances**

**Section 4.1. Safety on or in tankers**

**Article 4.1. Definitions**

The following definitions apply with regard to this section:

a. combustible fluids: fluids with a flash point not exceeding 100°C;

b. K0, K1 and K2 fluids: combustible fluids with a flash point of less than or equal to 55°C, including combustible gases, whether or not in liquid form, if they are not included under KT fluids;

c. K3 fluids: combustible fluids that are not KT fluids, with a flash point of over 55°C;

d. KT fluids: combustible fluids, including combustible gases, whether or not in liquid form, that can present a danger of intoxication, stupefaction or choking;

e. T fluids: non-combustible fluids, including gases, whether or not in liquid form, that can present a danger of intoxication, stupefaction or choking;

f. K1 area: an area in a ship in which K0, K1 or K2 fluids and not KT fluids or residues thereof may be present other than in packaging;

g. K3 area: an area in a ship in which no combustible fluids other than K3 fluids or residues thereof may be present other than in packaging;

h. KT area: an area in a ship in which KT fluids or residues thereof may be present other than in packaging;

i. T area: an area in a ship in which T fluids and not KT fluids or residues thereof may be present other than in packaging;

j. K1 ship: a ship on which one or more of the cargo tanks is a K1 area or was a K1 area prior to being cleaned;

k. K3 ship: a ship in whose cargo tanks no combustible fuels other than K3 fluids, and no T fluids or residues thereof, may be present other than in packaging;

l. KT ship: a ship on which one or more of the cargo tanks is a KT area or was a KT area prior to being cleaned;

m. T ship: a ship other than a K1 or KT ship on which one or more of the cargo tanks is a T area or was a T area prior to being cleaned;

n. fire: fire, the formation of sparks, naked flames or any surface with a temperature that is equal to or higher than the minimum ignition temperature of the fluids or gases held in the cargo tanks or the residues thereof that may be present in those tanks;

o. working with fire: activities in which fire is used or may arise;

p. cold working: activities in which fire is not used or cannot arise;

q. cleaning: all activities aimed at or associated with the cleaning, degasification or drying of a K1, KT, K3 or T area;

r. loading zone: the cargo tanks and all tanks or other areas directly adjacent to these tanks which serve to separate the cargo tanks from other areas of the ship;

s. gas expert: an expert as defined in Article 3.5h, paragraph three, of the Decree who complies with the requirements of Article 4.14;

t. safety and health declaration: a declaration made by a gas expert following suitable investigation as defined in Article 3.5h, paragraph three, of the Decree in accordance with one of the models set out in annex IX to this Regulation.

**Article 4.2. Scope**

This section applies to the activities performed on K1, K3, KT or T ships referred to in Article 3.5h, paragraph one, of the Decree.

**Article 4.3. Safety measures**

If a concentration of dangerous gases is produced during or as a result of the activities referred to in Article 3.5h, paragraph one, of the Decree, and these cannot be dissipated or removed quickly enough due to insufficient air movement, measures shall be taken to limit these concentrations. If this is not satisfactory, the tank caps shall be closed and the activities in question stopped.

**Article 4.4. Cleaning**

**1.** Before employees enter an area that is to be cleaned, it is determined that this can be done without danger to safety and health.

**2.** Areas to be cleaned may not be entered so long as, as a result of activities in an adjacent area, the temperature of the bulkheads may be significantly higher than the ambient temperature.

**3.** In addition, areas that are to be cleaned may not be entered while an explosive substance is present in an adjacent area that is not sealed.

**4.** During the cleaning process, no activities other than those connected to the cleaning process may be carried out on deck or in the loading zone, unless these activities take place during an enclosed cleaning process and relate solely to loading or unloading. Cleaning and loading and unloading activities:

a. shall be carried out completely separately from one another;

b. shall not affect each other, and

c. shall be constantly monitored.

**Article 4.5. Investigation**

During the cleaning process, investigations shall be carried out as often as necessary to ascertain whether the release of fluids, gases or vapours is leading to a danger of fire, explosion, stupefaction, choking or intoxication.

**Article 4.6. Prevention of hazards**

**1.** The purpose of cleaning K1, K3 and KT areas is to keep the concentration of gases and vapours below the lowest explosion threshold or to safely bring it below that threshold. If a potentially explosive gaseous compound is created during the cleaning process, this condition must be kept as short as possible. If inert gas is used during the cleaning process, this shall be done in such a way that an explosive mixture cannot be created.

**2.** K1, K3, KT and T areas shall be cleaned in such a way that no danger of stupefaction, choking or intoxication can reasonably be expected inside or outside the areas in question. If inert gas is used during the cleaning process, this shall be done in such a way that an explosive mixture cannot be created.

**Article 4.7. Safety requirements**

**1.** K1, K3 and KT areas on board K1, K3 and KT ships may only be cleaned if no fire is present within 25 metres of the loading zone, and no fire can reasonably be expected to arise within that zone.

**2.** K1, K3 and KT areas on board K1, K3 and KT ships may only be cleaned if no danger of sparking or ignition as a result of electrostatic charge is present within 25 metres of the loading zone.

**3.** K1, K3 and KT areas on board K1, K3 and KT ships may only be cleaned if no smoking is permitted within 25 metres of the loading zone.

**4.** K1, K3 and KT areas on board K1, K3 and KT ships may only be cleaned if no unauthorised individuals are permitted within 25 metres of the loading zone.

**5.** The cargo tanks in the entire loading zone of K1, K3 and KT ships may not be opened until the requirements laid down in paragraphs one to four are met.

**6.** The cargo tanks in the entire loading zone of T ships may not be opened until the requirements laid down in paragraph four are met.

**Article 4.8. Safety and health declaration**

Articles 4.4, paragraph four, and 4.7, do not apply to K3 areas outside the loading zone on K1, KT and T ships if a safety and health declaration has been issued for these ships as defined in Article 4.1, under t.

**Article 4.9. Maintenance, alteration, restoration and scrapping**

**1.** K1, K3, KT and T ships may only undergo maintenance, alteration, restoration or scrapping after an investigation carried out in accordance with the rules laid down in Article 4.10 has taken place, and in connection with this investigation a full and correctly completed safety and health declaration has been handed to the employer who will carry out the maintenance, restoration, alteration or scrapping work.

**2.** Furthermore, maintenance, alteration, restoration and scrapping activities on K1, K3, KT and T ships may only take place if these activities and the areas where they are to be carried out are mentioned in the safety and health declaration referred to in paragraph one as being permitted.

**3.** A safety and health declaration as referred to in paragraph one shall be requested from a gas expert.

**4.** The request shall be accompanied by all information that is pertinent with a view to obtaining the safety and health declaration, and further relevant details shall be supplied on request.

**Article 4.10. Gas expert's investigation**

**1.** The gas expert shall begin the investigation referred to in Article 4.9 and record the outcome on the safety and health declaration that he or she is asked to produce.

**2.** The gas expert shall conduct this investigation in all areas which he or she thinks appropriate in view of the nature of the activities to be carried out. The gas expert shall occupy a well-equipped laboratory where necessary to conduct the investigation. He or she shall use suitable measuring devices and other equipment in good working order.

**3.** He or she shall ascertain whether the areas to be investigated:

a. are K1, KT, K3 or T areas;

b. are safe for people in the sense that:

1º. employees can enter these areas without using personal protective equipment, and

2º. there is no danger of stupefaction, choking, intoxication or injury, with the understanding that areas for which this is found not to be the case must be indicated as "not safe for people" on the safety and health declaration;

c. are safe in respect of fire in the sense that:

1º. residues of combustible fluids have been removed from them so that there is no danger of fire;

2º. any combustible gases or vapours that are still present never reach air concentrations above 20% of the lower explosion threshold;

3º. adjacent areas either meet the requirements set out in 1° and 2°, or are completely filled with water on which no K0, K1, K2 or KT fluids are floating, or are protected against fire and explosion in some other way,

 with the understanding that areas for which this is found not to be the case must be indicated as "not safe in terms of fire" on the safety and health declaration.

**4.** The gas expert issues a safety and health declaration if he or she has ascertained that:

a. the areas in which cold working is carried out are safe for people;

b. the areas in which work with fire has to be carried out are both safe for people and safe in terms of fire;

c. the condition of areas other than those referred to under a and b, and the means by which they are sealed, are such that the activities referred to in the declaration can be carried out without risk to the safety and health of the employees.

**5.** He or she only issues a safety and health declaration for the conduct of work with fire in a part of the loading zone of K1 and KT ships if an appropriate examination carried out at least six hours after the investigation referred to in paragraph four has demonstrated to him or her that the areas referred to in that paragraph still meet the requirements laid down in it.

**6.** By way of deviation from paragraph four, he or she only issues a safety and health declaration for the conduct of work with fire in the loading zone of K1 and KT ships if he or she has ascertained that:

a. the entire loading zone is safe for people as described in paragraph three, under b, and safe in terms of fire as described in paragraph three, under c, and

b. the condition of areas other than those referred to under a, and the means by which they are sealed, are such that the activities referred to in the safety and health declaration can be carried out safely, and if an appropriate examination carried out at least six hours after that investigation has demonstrated to him or her that there has been no change to the condition referred to under a and b.

**7.** Safety and health declarations do not apply to piping inside or outside the tank ship, and are valid only if they have been fully and accurately completed and the condition on the basis of which the declaration was issued has not changed.

**Article 4.11. Working with fire without a safety and health declaration**

Work with fire above or in a part of the loading zone of a K1 or KT ship that is not safe in terms of fire as described in Article 4.10, paragraph three, under c, and in respect of which, by way of deviation from Article 4.9, the required safety and health declaration has not been issued, is permitted only if:

a. the nature of the activities, the location(s) where these activities are to be carried out, and the period of time over which they are to be carried out, are clearly specified by the mechanic;

b. the locations where sparks or glowing metal parts may be produced by the activities are clearly specified by the mechanic;

c. the locations where temperatures may rise sharply as a result of the activities are clearly specified by the mechanic;

d. a declaration bearing the date is issued by a gas expert showing that residues of combustible fluids have been removed from the locations referred to under a to c so that there is no risk of fire;

e. a gas expert has issued a fully and correctly completed safety and health declaration showing that areas in which work needs to be carried out, and adjacent areas, are safe for people or have been rendered inert as described in Article 4.10, paragraph three, under b.

**Article 4.12. Working with fire without a safety and health declaration within 25 metres of the loading zone**

**1.** The presence of fire within 25 metres of the loading zone of a K1 or KT ship that is not safe in terms of fire as described in Article 4.10, paragraph three, under c, and in respect of which, by way of deviation from Article 4.9, the required safety and health declaration has not been issued, is permitted only if a gas expert has issued a declaration before the start of the activities showing that the loading zone is safe for people as described in Article 4.10, paragraph three, under b.

**2.** The presence of fire referred to in paragraph one is permitted if the declaration referred to in that paragraph shows that:

a. the combustible gases in the atmosphere of the loading zone never exceeds a concentration of 20% of the lowest explosion threshold, or

b. the condition of the atmosphere present in the loading zone is such that when rarefied with air no combustible or explosive mixture is produced.

**Article 4.13. Notification activities**

If the situations referred to in Articles 4.11 and 4.12 arise, this must be reported to the designated supervisor before the start of the activities.

**Article 4.14. Certification of specialist competence for gas experts**

Certificates of competence as a gas expert as referred to in Article 3.5h, paragraph four, of the Decree are issued by the minister, or by the certifying institution if the minister has designated a certifying institution, to applicants meeting the requirements laid down in version 1 of the SGT Regulations, ref. no. REG/SGT/20/001 drawn up by the Hobéon SKO Certification Foundation and dated 15 May 2009.

**Article 4.15. Provision of information when applying for a certificate**

[Repealed on 03-12-2004]

**Section 4.2. Safety when working with explosives**

**Article 4.16. Certification of competence for explosives engineers**

Certificates of competence as an explosives engineer as referred to in Article 4.8, paragraph two, of the Decree are issued by the minister, or by the certifying institution if the minister has designated a certifying institution, to applicants meeting the requirements as laid down in the certification scheme for the personal certificate of explosives engineer, as included in Annex X to the regulation.

**Article 4.17. Provision of information when applying for a certificate**

[Repealed on 03-12-2004]

**Section 4.2a. Safety when working with commercial fireworks**

**Article 4.17a. Definitions**

The following definitions apply in this section:

a. fireworks displays: commercial firework intended for use outdoors at an event or show;

b. pyrotechnic special effects: commercial firework intended for use during an event or show at close range, where the manufacturer or importer has stated that the firework is suitable for such use.

**2.** For the purposes of this section, fireworks for private use as defined in Article 1.1.1, paragraph one, of the Fireworks Decree, that are intended for use during an event or show or that are processed for use in an event or show are regarded as commercial fireworks.

**Article 4.17b. Certification of competence in the handling of commercial fireworks**

**1.** In order to be designated a certifying body as referred to in Article 4.9, second paragraph, of the Decree, the applying institution must meet the criteria laid down in the Area specific document for the Designation and Supervision of the certifying bodies belonging to the Certification Scheme for the personal certificate of Fireworks Expert, document code WDAT-VD as included in Annex XIIa to the regulation.

**2.** Certificates of competence in the handling of commercial fireworks as referred to in Article 4.9, second paragraph, of the Decree are issued by the certifying body referred to in the first paragraph to applicants meeting the requirements laid down in the Area specific certification scheme for the personal certificate of Fireworks Expert, document: WSCS-VD, as included in Annex XIIb to the regulation.

**Article 4.17c. Provision of information when applying for a certificate**

[Repealed on 03-12-2004]

**Article 4.17d. Details of work plan on commercial fireworks**

[Repealed on 01-07-2011]

**Section 4.2b. Detection of conventional explosives**

**Article 4.17e. Requirements for a designation as certifying body in the field of detecting conventional explosives**

It is possible for an institution to be designated as a certifying body as referred to in Article 4.10, second paragraph, of the Decree, if the applying institution meets the criteria set out in the Area specific document for the Designation and Supervision of the certifying bodies charged with system certification for Detection of Conventional Explosives, document: WDAT-OCE: 2012, version 1, as included in Annex XI to the regulation.

**Article 4.17f. Issue of a process certificate for the detection of conventional explosives**

A process certificate for the detection of conventional explosives as referred to in Article 4.10, second paragraph, of the Decree, is issued by the certifying body if the applicant meets the criteria laid down in the Area specific certification scheme for the system certificate for the detection of conventional explosives, document WSCS-OCE, as included in Annex XII to the regulation.

**Section 4.3. Assessment of risk of exposure to hazardous substances in combination**

**Article 4.18. Assessment of risk of exposure to hazardous substances in combination**

When assessing the risk of exposure to hazardous substances in combination in the individual inhalation area of the employee as referred to in Article 4.2 paragraph six of the Decree, in the case of the risk of exposure to substances that are known to have the same health consequences on the same organ system, Annex XIIc to the regulation will be applied.

**Section 4.4. Statutory limit values**

**Article 4.19. Dangerous substances**

**1.** The values listed in annex XIII to this Regulation are limit values as referred to in Article 4.3, paragraph one, in conjunction with Article 4.1, paragraph two, under a, of the Decree.

**2.**

The results of the assessment referred to in Article 4.2, paragraph one, of the Decree shall be tested against the limit value, where a limit value has been established in accordance with paragraph one and with Article 4.3, paragraph two, of the Decree. Testing is carried out according to a standardised method that is suitable for that purpose.

**Article 4.19a. Biological limit values**

The limit value for lead as referred to in Article 4.3, paragraph one, in conjunction with Article 4.1, paragraph two, under b, of the Decree is set at: 70 µg/100 ml of blood.

**Article 4.20. Carcinogenic and mutagenic substances**

**1.** The values listed in annex XIII to this Regulation are limit values as referred to in Article 4.16, paragraph one, of the Decree.

**2.** The results of the assessment referred to in Article 4.2, paragraph one, of the Decree are tested against the limit value for every substance, where a limit value has been established in accordance with paragraph one and with Article 4.16, paragraph two, of the Decree. Testing is carried out according to a standardised method that is suitable for that purpose.

**Section 4.4a. Further requirements relating to working with lead**

**Article 4.20a. Frequency of measurement and analysis of lead in the air**

**1.** Air concentrations of lead are measured every three months in the context of the assessment referred to in Article 4.2 of the Decree. Annual measurements are sufficient if there have been no changes to working methods and the circumstances of exposure, and

a. no single employee has blood lead levels, measured in accordance with Article 4.10b of the Decree, exceeding 60 µg/100 ml of blood, or

b. two consecutive previous measurements have shown that air concentrations of lead are below 100 µg/m³ of air or that the circumstances of exposure do not fluctuate noticeably.

**2.** Air concentrations of lead as referred to in paragraph one are measured using atomic absorption spectrometry or another method of analysis that produces equivalent results.

**Article 4.20b. Blood tests for lead**

**1.** Employees shall be given the opportunity to have their blood tested for lead content at least twice a year in the context of the assessment referred to in Article 4.2 of the Decree.

**2.** Such tests may be carried out only once a year if no single employee has blood lead levels exceeding 50 µg/100 ml of blood and two consecutive previous measurements have shown that air concentrations of lead are below 100 µg/m³ of air.

**3.** Blood lead levels as referred to in Article 4.10b, paragraph two, of the Decree are measured using atomic absorption spectrometry or another equivalent method.

**4.** The results of the measurement referred to in paragraph one shall be tested against the limit value referred to in Article 4.19a. Testing is carried out according to a standardised method that is suitable for that purpose.

**5.** The occupational health medical examination referred to in Article 4.10b, paragraph one, of the Decree shall be offered to employees at least once a year.

**Section 4.4b. Carcinogenic processes**

**Article 4.20c. Designation**

Processes during which the following mixtures of substances are released are designated as carcinogenic processes as referred to in Article 4.11, under c, under 2°, of the Decree:

a. diesel engine emissions;

b. a mixture of N-[3-hydroxy-2-(2-methylacryloylaminomethoxy)-propoxymethyl]-2-methylacrylamide and N-[2,3-bis-(2-methylacryloylaminomethoxy)propoxymethyl]-2-methylacrylamide and methacrylamide and 2-methyl-N-(2-methylacryloylaminomethoxymethyl)acrylamide and N-(2,3-dihydroxypropoxymethyl)-2-methylacrylamide, or;

c. C.I. Basic Violet 3 with 0.1% or more Michler's ketone.

**Section 4.5. Measurement methods for asbestos**

**Article 4.21. Generalities**

[Repealed on 01-07-2014]

**Article 4.22. Sampling**

[Repealed on 01-07-2014]

**Article 4.23. Materials to be used**

[Repealed on 01-07-2014]

**Article 4.24. Fibre count**

[Repealed on 01-07-2014]

**Article 4.25. Counting rules**

[Repealed on 01-07-2014]

**Article 4.26. Calculation**

[Repealed on 01-07-2014]

**Section 4.6. Provisions for the certification of work with asbestos**

**Article 4.27. Requirements for issuing certificates in the area of asbestos work**

Certificates can be issued if:

a. in case of the certificate referred to in Article 4.54a, fourth paragraph, of the Decree, the applicant meets the requirements laid down in the Area specific certification scheme for the Process Certificate for Asbestos Inventory, as included in Annex XIIIa to the regulation;

b. in case of the certificate referred to in Article 4.54d, first paragraph, of the Decree, the applicant meets the requirements laid down in the Area specific certification scheme for the Process Certificate for Asbestos Removal, as included in Annex XIIIb to the regulation;

c. in case of the certificate referred to in Article 4.54d, fifth paragraph, of the Decree, the applicant meets the requirements laid down in the Area specific certification scheme for the Personal Certificate for Expert Asbestos Removal Supervisor, as included in Annex XIIIc to the regulation;

d. in case of the certificate referred to in Article 4.54d, seventh paragraph, of the Decree, the applicant meets the requirements laid down in the Area specific certification scheme for the Personal Certificates for Expert Asbestos Remover level 1 and level 2 (DAV-1 and DAV-2), as included in Annex XIIIc to the regulation.

**Article 4.28. Requirements for designation and (continued) functioning as certifying body in the field of asbestos**

In order to be designated a certifying body:

a. in case of a certifying body as referred to in Article 4.54a, fourth paragraph, or Article 4.45d, first paragraph, of the Decree, the applying body must meet the criteria laid down in the Area specific document for Designation and Supervision of the certifying bodies for Asbestos Removal Companies and Asbestos Inventory Companies, as included in Annex XIIIe to the regulation;

b. in case of a certifying body as referred to in Article 4.54d, fifth or seventh paragraph, of the Decree, the applying body must meet the criteria laid down in the Area specific document for Designation and Supervision of the certifying bodies for Expert Asbestos Removal Supervisor and Expert Asbestos Remover, as included in Annex XIIIf to the regulation.

**Article 4.29. Provision of information**

The minister, the supervisors, the certifying bodies and the Accreditation Council Foundation, referred to in Article 1.5e, third paragraph, of the Decree, shall provide each other with information in the field of asbestos in accordance with the information protocol as included in Annex XIIIg to the regulation.

**Section 4.7. Special Asbestos regulations**

**Article 4.30. Exceptions for demolishing**

[Repealed on 01-03-2006]

**Section 4.8. Working with sandstone**

**Article 4.31. Issue of a sandstone business certificate**

[Repealed on 03-12-2004]

**Article 4.32. Provision of information when applying for a certificate**

[Repealed on 03-12-2004]

**Section 4.8a. Volatile organic substances**

**Article 4.32a. Adhesives and paints used indoors**

**1.** The following definitions apply in this section:

a. products: adhesives, paints, lacquers, stains, varnishes, fillers, oily or waxy products, impregnating agents and floor coatings that contain volatile organic substances as referred to in Article 4.62a of the Decree;

b. parts of residential or other buildings: all objects that are present in residential or other buildings and that cannot reasonably be removed from them because of their nature, shape, weight or dimensions. 'Parts of residential and other buildings' does not refer to objects undergoing manufacture, restoration or maintenance in the context of a production process, or repair or maintenance insofar as the manufacture, restoration or maintenance is carried out in a suitably equipped workshop.

**2.** The following activities carried out in residential or other buildings are regarded as activities as referred to in Article 4.62b of the Decree:

a. applying adhesive to coatings on floors, stairs, walls or ceilings of residential or other buildings, including preparation;

b. applying products in residential or other buildings or parts of residential or other buildings, including preparation.

**3.** Paragraph two, under b, does not apply to:

a. metal parts of buildings to which products may be applied under the circumstances described in annex XIV to this Regulation;

b. the preparation of walls and ceilings of residential or other buildings in places where these walls and ceilings are seriously contaminated by fire or smoke damage, or deposits caused by the smoking of tobacco products;

c. preparation in the sense of strengthening heavily porous or crumbling parts of residential or other buildings;

d. the use of paint or lacquer to repair damage to steel structures of new residential or other buildings;

e. repairing historic finishing or top layers using a technique that is identical or similar to the historic finishing technique, where the restoration work is aimed at restoring or maintaining architectural and historical coherence within a protected monument as defined in the 1988 Monuments Act;

f. applying traditional imitation paintwork, such as paintwork intended to resemble marble or wood grain, and applying gold paint for gilding. 'Applying' does not include preparation in this context;

g. applying a product to glass sealant in buildings constructed before 1 January 2001 in order to make the sealant suitable for taking water-based paint products.

**4.** Products used in the activities referred to in paragraph two, under a, may not contain more than 5 grams of volatile organic substance per kilogram of ready-to-use product.

**5.** Products used in the activities referred to in paragraph two, under b, may not contain more than 60 grams of volatile organic substance per litre of ready-to-use product, where they are to be used in painting walls.

**6.** Products used in the activities referred to in paragraph two, under b, may not contain more than 100 grams of volatile organic substance per litre of ready-to-use product, where they are to be used in activities other than painting walls. If the products referred to in the first sentence are epoxy-based products, benzyl alcohol is excluded in the determination of the weight of the volatile organic substances.

**Article 4.32aa. Temporary regulations for sports floor coatings**

[Repealed on 01-08-2015]

**Article 4.32ab. Temporary rules on MMA-based floor coatings**

[Repealed on 01-08-2015]

**Article 4.32b. Offset printing**

**1.** The following activities are regarded as activities as referred to in Article 4.62b of the Decree:

a. printing using an offset press;

b. daily cleaning of machines or machine parts, tools or materials used in offset printing;

c. cleaning of machines or machine parts, tools or materials used in offset printing other than daily cleaning.

**2.** The damping water used in the activities referred to in paragraph one, under a, may not contain more than 8% by volume of isopropyl alcohol or other mono-alcohols (for automatic dosing systems) or 10% by volume (for manual dosing systems and rotation offset presses taken into use before 1 January 1985).

**3.** Products used in the activities referred to in paragraph one, under b, may not contain more than 0.1% by volume of halogenated carbohydrates or mono-aromates with a vapour pressure of over 0.1 millibars at 20 °C and must have a flash point of at least 55 °C.

**4.** Products used in the activities referred to in paragraph one, under c, may not contain more than 0.1% by volume of halogenated carbohydrates or mono-aromates with a vapour pressure of over 0.1 millibars at 20 °C.

**Article 4.32c. Silk-screen printing**

**1.** The following activities are regarded as activities as referred to in Article 4.62b of the Decree:

a. cleaning of machines or machine parts, tools or materials used in silk-screen printing;

b. silk-screen printing of paper and cardboard intended for use indoors with a weight of over 135 grams per square metre.

**2.** Products used in the activities referred to in paragraph one, under a, may not contain more than 0.1% by volume of halogenated carbohydrates or mono-aromates with a vapour pressure of over 0.1 millibars at 20 °C and must have a flash point of at least 21 °C.

**3.** Products used in the activities referred to in paragraph one, under b, may not contain more than 150 grams of volatile organic substance per kilogram of ready-to-use product.

**Article 4.32d. Engraving of illustrations**

**1.** Cleaning floors in illustration engraving workshops is regarded as an activity as referred to in Article 4.62b of the Decree.

**2.** Products used in the activities referred to in paragraph one may not contain more than 0.1% by volume of halogenated carbohydrates or mono-aromates with a vapour pressure of over 0.1 millibars at 20 °C and must have a flash point of at least 55 °C.

**Article 4.32e. Engraving of packaging and flexoprinting**

The following definitions apply in this Article:

a. lacquering: applying a lacquer to a flexible material or applying an adhesive to a flexible material so that the material in question can subsequently be sealed;

b. laminating or applying cachets: joining two or more flexible materials to form a laminate.

**2.** The following activities are regarded as activities as referred to in Article 4.62b of the Decree:

a. printing, lacquering, laminating or applying cachets using a packaging engraving press, flexopress, lacquering, laminating or cachet machine not connected to a ventilation system;

b. cleaning machines or machine parts, tools or materials used in the activities referred to under a, unless these activities are carried out using an enclosed installation or an installation with a ventilation system;

c. laminating or applying cachets using a laminating or cachet machine not connected to an installation that recovers or destroys volatile organic substances;

d. printing or lacquering paper and cardboard using a flexopress or lacquering machine not connected to an installation that recovers or destroys volatile organic substances;

e. cleaning machines or machine parts, tools or materials used in the activities referred to under c and d, unless these activities are carried out using an enclosed installation or an installation with a ventilation system.

**3.** Products used in the activities referred to in paragraph two may not contain more than 50 grams of volatile organic substance per kilogram of ready-to-use product.

**4.** Paragraph three does not apply to products used in the activities referred to in paragraph two, under c, d and e, if specific requirements are imposed on the quality or durability of the manufactured product, provided that on an annual basis the weight of the volatile organic substances of the products used in the activities referred to in paragraph two, under c, d, and e, does not exceed 80% of the weight of the solid material applied.

**Article 4.32f. Repairing damage to vehicles**

**1.** 'Motor vehicle' is defined as follows for the purposes of this Article: a private car, delivery van, motorcycle, bus or camping-car as defined in Article 2, under b, c, d, e and g of the 1994 Motor Vehicle Tax Act, or a goods vehicle as defined in Article 1, paragraph one, under e, of the Road Haulage Act.

**2.** The following activities are regarded as activities as referred to in Article 4.62b of the Decree:

a. applying or using primer, surfacer, sealer or single- and double-layer coating systems or special or other products as referred to in annex XV of this Regulation in order to repair paint damage or restore paint layers on parts of motor vehicles;

b. cleaning tools used in the activities referred to under a or surfaces of parts of motor vehicles in the context of the repair or restoration activities referred to under a.

**3.** Paragraph two does not apply to activities aimed at repairing paint damage or restoring paint layers on parts of motor vehicles that were manufactured before 1970;

**4.** Products that are used in the activities referred to in paragraph two may not contain levels of volatile organic substances in their ready-to-sue or ready-to-spray form that exceed the levels laid down for these products in annex XV to this Regulation.

**Article 4.32g. Coating woodwork indoors**

**1.** 'Coating' is defined as follows for the purposes of this Article: a product that is applied to a surface in order to create a decorative, protective or other functional effect.

**2.** The following activities carried out indoors are regarded as activities as referred to in Article 4.62b of the Decree:

a. applying a coating to parts of newly manufactured external doors, casings, frames, inner leaves, gable-filling elements and other carpentry on gables, where they are made of wood or an equivalent or similar material, as part of the production process;

b. applying a coating to parts of newly manufactured internal stairs, where they are made of wood or an equivalent or similar material, as part of the production process.

**3.** Coatings used in the activities referred to in paragraph two, under a and b, may not contain more than 150 grams of volatile organic substance per litre of ready-to-use product.

**Article 4.32h. Equivalence of alternative products**

Products that are legally manufactured and offered for sale in another member state of the European Union, or legally manufactured in a state which is not a member of the European Union but is party to the European Economic Area Agreement, and that meet requirements offering a level of protection at least equivalent to the level which the national requirements aim to offer, are regarded as equivalent to the products referred to in Articles 4.32a, paragraphs four to six, 4.32b, paragraphs two to four, 4.32c, paragraphs two and three, 4.32d, paragraph two, 4.32e, paragraph three, 4.32f, paragraph four, and 4.32g, paragraph three.

**Section 4.9. [Repealed]**

**Article 4.33**

[Repealed on 19-04-2002]

**Article 4.34**

[Repealed on 19-04-2002]

**Article 4.35**

[Repealed on 19-04-2002]

**Article 4.36**

[Repealed on 19-04-2002]

**Article 4.37**

[Repealed on 19-04-2002]

**Article 4.38**

[Repealed on 19-04-2002]

**Article 4.39**

[Repealed on 19-04-2002]

**Article 4.40**

[Repealed on 19-04-2002]

**Article 4.41**

[Repealed on 19-04-2002]

**Article 4.41a**

[Repealed on 01-09-2000]

**Article 4.41b**

[Repealed on 01-09-2000]

**Article 4.42**

[Repealed on 01-11-1999]

**Article 4.43**

[Repealed on 01-11-1999]

**Article 4.44**

[Repealed on 01-11-1999]

**Article 4.45**

[Repealed on 01-11-1999]

**Article 4.46**

[Repealed on 01-11-1999]

**Article 4.47**

[Repealed on 01-11-1999]

**Article 4.48**

[Repealed on 01-11-1999]

**Article 4.49**

[Repealed on 01-11-1999]

**Article 4.50**

[Repealed on 01-11-1999]

**Chapter 5. Computer screen work**

**Article 5.1. Apparatus and furniture**

Apparatus and furniture used by individuals working with computer screens must always meet the following requirements:

a. the characters on the screen must be sufficiently sharp, clear in shape and sufficiently large, with a sufficient distance between the characters and the lines;

b. the image on the screen must be stable;

c. the brightness or contrast between the characters and the background must be easy for the user to adjust;

d. the screen must be easy to move, adjust and tilt;

e. the screen must be free from any shine and mirroring that would inconvenience the user;

f. the keyboard must be capable of being tilted and must be separate from the screen;

g. the user's arms and hands are not restricted when he or she is using the keyboard;

h. the keyboard must have a matte surface;

i. the layout of the keyboard and the shape of the keys must be designed to make the keyboard easy to use;

j. the symbols on the keys must contrast sufficiently against the background and can be adequately read from a normal working position;

k. the desk or workstation must allow the user to sit in a comfortable position, must have a low-reflection surface, must be sufficiently large and must allow the screen, keyboard, documents and accessories to be positioned flexibly;

l. if the user needs a document-holder, it must be stable and adjustable and positioned so as to minimise uncomfortable movements of the head and eyes;

m. the chair must be stable, height-adjustable, with a backrest. The user must be able to adjust the height and angle of the chair so as to achieve a comfortable working position with freedom of movement;

n. users shall be given footrests on request.

**Article 5.2. Computer screen workstation structure**

The environment in which computer screen work is carried out, and the structure of the workstation, must always meet the following requirements:

a. the lighting of the working area or computer screen workstation must provide sufficient light and a suitable contrast between the screen and the environment, taking account of the nature of the work and the user's visual requirements;

b. any glare or annoying reflections on the screen or apparatus caused by artificial light sources must be avoided;

c. windows and other apertures, walls and apparatus must not produce any direct glare or annoying reflections on the screen;

d. windows must be fitted with suitable adjustable blinds to reduce the intensity of the light falling on the computer screen workstation;

e. the noise produced by the apparatus does not interfere with concentration or speech;

f. the apparatus does not produce any heat disturbing to employees;

g. the humidity level is always sufficient.

**Article 5.3. Software**

Software used by individuals working with computer screens must always meet the following requirements:

a. it must be suitable for the task in question;

b. it must be easy to use and to adapt to a particular user's level of skill and experience;

c. it must not use any quantitative or qualitative control mechanisms without the user being aware of this fact;

d. systems provide the user with information on their operation;

e. systems display information in a manner and at a speed appropriate for the user;

f. ergonomic principles are applied when users are processing information.

**Chapter 6. Work under excess pressure**

**Section 6.1. Certification**

**Article 6.1. Requirements for a designation as certifying body in the diving work area**

**1.** The following may be designated as certifying bodies as defined in Article 6.14a, paragraph three, of the Decree: training institutions providing training to individuals wishing to qualify as professionals able to perform occupational health medical examinations as defined in Article 6.14a, paragraphs one and two, of the Decree, or who will be called on to perform such examinations and who meet the criteria set out in the document referred to in the second paragraph.

**2.** In order to be designated a certifying body as referred to in Article 6.16, third, sixth or seventh paragraph, of the Decree, the applying institution must meet the criteria laid down in the Area specific document for the designation and supervision of certifying bodies charged with the certification of persons in the area of Working under Overpressure, document: WDAT-WOD-P, as included in Annex XVI to the regulation.

**3.** The following institutions are designated as certifying bodies as referred to in Article 6.16, paragraphs three, six or seven, of the Decree:

a. institutions that, on the basis of a regulation established by the Minister for Security and Justice conduct examinations relating to training for dive team leaders, divers and diving medical officers with the fire services;

b. institutions that, on the basis of a regulation established by the Minister for Defence, provide training for dive team leaders, divers and diving medical officers with the Ministry of Defence and conduct the relevant examinations.

**Article 6.2. Providing information**

[Repealed on 01-07-2012]

**Article 6.3. Issue of the certificate for diving team leaders, diving work and diving medical officers**

[Repealed on 01-07-2012]

**Article 6.3a. Issue of the certificate for diving physicians**

[Repealed on 01-07-2012]

**Article 6.4. Reimbursement**

[Repealed on 01-07-2012]

**Section 6.2. Training**

**Article 6.5. Issue of a certificate for diving physicians, divers, not being a fire brigade diver, diving team leaders, not being a fire brigade diving team leader, and a diving medical supervisor**

**1.** A certificate as referred to in Article 6.14a, third paragraph, of the Decree, is issued by the certifying body if the applicant:

a. is registered as an occupational physician as referred to in Article 14, first paragraph, preamble of the Act;

b. passed the examination that is part of the training course, referred to in Article 6.1, first paragraph, and

c. meets the criteria set out in the Area specific certification scheme for the personal certificate for diving physicians, document: WSCS-WOD-A, as included in Annex XVIa to the regulation.

**2.** A certificate as referred to in Article 6.16, third paragraph, of the Decree, is issued by the certifying body if the applicant, not being a fire brigade diving team leader, meets the criteria set out in the Area specific certification scheme for the personal certificate of diving team leader, document: WSCS-WOD-L, as included in Annex XVIb to the regulation.

**3.** A certificate as referred to in Article 6.16, sixth paragraph, of the Decree, is issued by the certifying body if the applicant, not being a fire brigade diver, meets the criteria set out in the Area specific certification scheme for the personal certificate for diving work, document: WSCS-WOD-D, as included in Annex XVIc to the regulation.

**4.** A certificate as referred to in Article 6.16, seventh paragraph, of the Decree, is issued by the certifying body if the applicant meets the criteria set out in the Area specific certification scheme for the personal certificate of diving medical assistant, document: WSCS-WOD-B, as included in Annex XVId to the regulation.

**Article 6.6. Issue of the certificate for fire brigade divers and fire brigade diving team leaders**

**1.** A certificate as referred to in Article 6.16, third paragraph, of the Decree, is issued by the certifying body, as referred to in Article 6.1, third paragraph, if the applicant, being a fire brigade diving team leader, meets the criteria set out in the Area specific certification scheme for the personal certificate of fire brigade diving team leader, document: WSCS-WOD-F, as included in Annex XVIe to the regulation.

**2.** A certificate as referred to in Article 6.16, sixth paragraph, of the Decree, is issued by the certifying body, as referred to in Article 6.1, third paragraph, if the applicant, being a fire brigade diver, meets the criteria set out in the Area specific certification scheme for the personal certificate of fire brigade diver, document: WSCS-WOD-E, as included in Annex XVIf to the regulation.

**Section 6.3. Occupational health medical examination of divers**

**Article 6.7. Content of occupational health medical examination**

[Repealed on 01-07-2012]

**Section 6.4. Exemption**

**Article 6.8 Exemption from diving certification for trainees**

A valid NOB\*\* licence issued by the Dutch Underwater Sports Federation, or a licence regarded as equivalent by the minister, is accepted as a sports diving licence as referred to in Article 6.31, paragraph two, of the Decree.

**Chapter 7. Equipment**

**Section 7.1. Certification for hoisting cranes**

**Article 7.1. Definitions**

[Repealed on 01-09-2003]

**Article 7.2. Examinations and tests for categories of hoisting cranes**

[Repealed on 01-09-2003]

**Article 7.3. Certification of approval**

[Repealed on 01-09-2003]

**Section 7.2. Hoisting and lifting machines and hoisting and lifting tools on board ships**

**Article 7.4. Model test and examination certificates**

The models of the certificates referred to in Article 25, paragraph three, of the Occupational Safety and Health (Dock Work) Convention 1979 are specified as models for the certificates referred to in Article 7.29, paragraph nine, of the Decree

**Article 7.5. Model register**

The model register referred to in Article 25, paragraph two, of the Occupational Safety and Health (Dock Work) Convention 1979 is specified as the model for the register referred to in Article 7.29, paragraph ten, of the Decree.

**Section 7.3. Certification of hoisting crane and foundation machinery operators**

**Article 7.6. Tower crane, mobile crane, and mobile pile-driver categories**

Individuals operating a tower crane, mobile crane or mobile pile-driver as described under a to c must hold a certificate of competence as referred to in Article 7.32, paragraph one, under a, of the Decree:

a. tower crane: a lifting crane in the form of a tower with a maximum operating load moment of 10 tonnes-metre or more, or where the boom is attached at a height of 20 metres or more above the crane's support base;

b. mobile crane: a drivable lifting crane that is not track-bound and not a tower crane, with a maximum operating load moment of 10 tonnes-metre or more, with the exception of:

1º. a loading crane attached to a vehicle that is designed or used only for loading and unloading from the loading platform of the vehicle or a group of vehicles;

2º. an earth-moving machine that excavates earth and immediately thereafter lays pipelines in the uncovered earth, or places props for use in carrying out earth-moving activities;

c. mobile pile-driver: drivable or rollable machine used in the creation of foundations that is designed or intended to make, drive or remove piles or other elongated objects in or out of the ground, and to perform activities directly associated with such work, able to move loads with a maximum operating load moment of 10 tonnes-metre or more.

**2.** With regard to the certificates referred to in paragraph one, a distinction is drawn between

a. a certificate of competence for tower crane operators, divided into the following categories:

1°. mobile tower cranes;

2°. cranes with vertical boom travel;

3°. cranes with horizontal boom travel;

b. a certificate of competence for mobile crane operators, divided into the following categories:

1°. mobile cranes on caterpillar tracks;

2°. car truck cranes/cranes for use on rough ground/cranes for use on roads;

3°. earth-moving machines with a hoist function;

4°. self-loading cranes;

5° long-reach cranes with a hoist function.

c. a certificate of competence for mobile pile-driver operators, divided into the following categories:

1°. small foundation machine: a machine with a mass, including equipment and foundation element, of 30 tonnes or less, a total height of less than 10 metres and processing foundation elements that are shorter than 10 metres;

2°. large foundation machine: a machine with a mass, including equipment and foundation element, of 30 tonnes or more, a total height of 10 metres or more and processing foundation elements of 10 metres or longer.

**Article 7.7. Certification of competence**

**1.** In order to be designated a certifying body as referred to in Article 7.32, first paragraph, preamble and under a, of the Decree, the applying institution must meet the criteria laid down in the Area specific document for the Designation and Supervision of the certifying and testing institutions who certify persons in the context of vertical transport, document code WDAT-VT-Personen, as included in Annex XVII to the regulation.

**2.** A certificate as referred to in Article 7.6 is issued by the minister or, if the minister has designated a certifying body as referred to in the first paragraph, the certifying body if the applicant meets the following requirements:

a. if it involves a certificate for the operation of a mobile tower crane of the category as referred to in Article 7.6, second paragraph, under a, sub 1°, the Area specific certification scheme ‘Mobile Tower Crane Operator’, document code WSCS-VT Machinist Mobiele Torenkraan, as included in Annex XVIIa to the regulation;

b. if it involves a certificate for the operation of a tower crane of the categories as referred to in Article 7.6, second paragraph, under a, sub 2° and 3°, the Area specific certification scheme ‘Tower Crane Operator’, document code WSCS-VT Machinist Torenkraan, as included in Annex XVIIb to the regulation or the Area specific certification scheme ‘Mobile Tower Crane Operator’, document code WSCS-VT Machinist Mobiele Torenkraan, as included in Annex XVIIa to the regulation;

c. if it involves a certificate for the operation of a mobile crane of the categories, as referred to in Article 7.6, second paragraph, under b, sub 1° and 2°, the Area specific certification scheme ‘Mobile Crane Operator’, document code WSCS-VT Machinist Mobiele Kraan, as included in Annex XVIIc to the regulation;

d. if it involves a certificate for the operation of a mobile crane, being an earthmoving machine with hoisting function, of the category as referred to in Article 7.6, second paragraph, under b, sub 3°, the Area specific certification scheme ‘Earth Moving Machine with Hoisting Function Operator’, document code WSCS-VT Machinist Grondverzetmachine met Hijsfunctie, as included as Annex XVIId to the regulation or the Area specific certification scheme ‘Mobile Crane Operator’, document code WSCS-VT Machinist Mobiele Kraan, as included in Annex XVIIc to the regulation;

e. if it involves a certificate for the operation of a mobile crane, being a self-loading crane with hoisting function, of the category as referred to in Article 7.6, second paragraph, under b, sub 4°, the Area specific certification scheme ‘Self-loading Crane Operator’, document code WSCS-VT Machinist Autolaadkraan, as included in Annex XVIIe to the regulation or the Area specific certification scheme ‘Mobile Crane Operator’, document code WSCS-VT Machinist Mobiele Kraan, as included in Annex XVIIc to the regulation;

f. if it involves a certificate for the operation of a mobile crane, being a long-reach crane with hoisting function, of the category as referred to in Article 7.6, second paragraph, under b, sub 5°, the Area specific certification scheme ‘Long-reach Crane with Hoisting Function Operator’, document code WSCS-VT Machinist Verreiker met Hijsfunctie, as included in Annex XVIIf to the regulation or the Area specific certification scheme ‘Mobile Crane Operator’, document code WSCS-VT Machinist Mobiele Kraan, as included in Annex XVIIc to the regulation;

g. if it involves a certificate for the operation of foundation machinery as referred to in Article 7.6, second paragraph, under c, sub 1°, of the Area specific certification scheme ‘Small Foundation Machine Operator’, document code WSCS-VT Machinist Kleine Funderingsmachine, as included in Annex XVIIg to the regulation or the Area specific certification scheme ‘Large Foundation Machine Operator’, document code WSCS-VT Machinist Grote Funderingsmachine, as included in Annex XVIIh to the regulation;

h. if it involves a certificate for the operation of foundation machinery as referred to in Article 7.6, second paragraph, under c, sub 2°, of the Area specific certification scheme ‘Large Foundation Machine Operator’, document code WSCS-VT Machinist Grote Funderingsmachine, as included in Annex XVIIh to the regulation.

**Article 7.8. Provision of information when applying for a certificate**

[Repealed on 03-12-2004]

**Article 7.9**

[Repealed on 01-11-1999]

**Article 7.10**

[Repealed on 01-11-1999]

**Article 7.11**

[Repealed on 01-11-1999]

**Article 7.12**

[Repealed on 01-11-1999]

**Article 7.13**

[Repealed on 01-11-1999]

**Article 7.14**

[Repealed on 01-11-1999]

**Article 7.15**

[Repealed on 01-11-1999]

**Article 7.16**

[Repealed on 01-11-1999]

**Article 7.17**

[Repealed on 01-11-1999]

**Article 7.18**

[Repealed on 01-11-1999]

**Article 7.19**

[Repealed on 01-11-1999]

**Article 7.20**

[Repealed on 01-11-1999]

**Chapter 8. Safety and Health Notices**

**Article 8.1. Requirements**

**1.** Safety or health notices as referred to in Article 8.4 of the Decree shall comply with the provisions of the second paragraph and Articles 8.2 to 8.29.

**2.** Safety or health notices shall, as the case may be, regularly be cleaned, maintained, verified and repaired or, if necessary, replaced, for the purpose of maintaining their intrinsic or functional qualities.

**Article 8.2. Permanent notices**

**1.** Notices which relate to a prohibition, a warning or an order, and notices which relate to the location and identification of rescue or recovery material shall be permanent and take the form of boards.

**2.** Notices which locate and identify fire-fighting material shall be permanent and take the form of boards or a safety colour.

**3.** Notices on containers and piping shall comply with Articles 8.4, third paragraph, 8.9 and 8.11 to 8.15.

**4.** Notices warning of the danger of people colliding with obstacles or falling shall be permanent and take the form of a safety colour or boards.

**5.** Traffic routes shall be permanently marked with a safety colour.

**Article 8.3. Occasional notices**

**1.** Notices warning of hazardous events, calling on individuals to take specific action, and urgent calls for the evacuation of people shall be given from time to time in the form of a light signal, an acoustic signal, or a verbal instruction.

**2.** Individuals performing activities involving a danger shall be directed from time to time by hand or arm signals or verbal instructions.

**Article 8.4. Free choice of notices**

**1.** A free choice is offered between the following notices, provided that they are equally effective:

a. light signals, acoustic signals and verbal instructions;

b. hand or arm signals and verbal instructions;

c. a safety colour or a board to warn people of the danger of tripping or falling as a result of a difference in height.

**2.** The following forms of notices can be used simultaneously:

a. light signals and acoustic signals;

b. light signals and verbal instructions;

c. hand or arm signals and verbal instructions.

**3.** The effectiveness of a notice may not be undermined by the presence of another notice or other factors that impede visibility or audibility, poor design, insufficient number, inappropriate location, poor condition or malfunction of the means used to give the notice.

**Article 8.5. Use of colours**

Where a notice is given in the form of a safety colour, the following conventions shall be followed:

a. red indicates:

1°. a prohibition;

2°. danger or alarm;

3°. identification and location of fire-fighting material and equipment;

b. yellow or amber indicates a warning;

c. blue indicates an order;

d. green indicates:

1°. a rescue or first-aid notice;

2°. a safe situation.

**Article 8.6. Back-up power**

Notices which need a source of energy shall be fitted with back-up power in the event that this source of energy fails, except if the danger of which it warns ceases to exist in the absence of that energy.

**Article 8.7. Testing light and acoustic signals**

**1.** Light and acoustic signals shall be tested to ensure that they are working properly before being taken into use. Such tests shall subsequently be repeated as often as necessary.

**2.** Light and acoustic signals indicate the start of an action when they are triggered and continue to operate as long as the action requires.

**3.** Light and acoustic signals shall be reset immediately after each use.

**Article 8.8. Protecting particular employees**

Adequate additional or alternative measures shall be taken in respect of employees with limited vision or hearing, either as a result of a medical condition or because they are wearing personal protective equipment.

**Article 8.9. General requirements for safety boards**

**1.** Pictograms on safety boards shall be as simple as possible and leave out superfluous details to help them be clearly understood.

**2.** Boards shall be made of the most robust and resistant material possible.

**3.** Boards shall be of suitable dimensions, colours and lighting so that they are highly visible and easy to understand.

**Article 8.10. Types of boards**

**1.** Prohibition boards shall be round in shape, bearing a black pictogram on a white background, a red edge and a line running at 45° to the horizontal line from left to right through the pictogram. The red colour must cover at least 35% of the surface of the board.

**2.** Warning boards shall be triangular in shape, bearing a black pictogram on a yellow background with a black edge. The yellow colour must cover at least 50% of the surface of the board.

**3.** Instruction boards shall be round in shape, bearing a white pictogram on a blue background. The blue colour must cover at least 50% of the surface of the board.

**4.** Rescue boards shall be square or rectangular in shape, bearing a white pictogram on a green background. The green colour must cover at least 50% of the surface of the board.

**5.** Boards relating to fire-fighting material shall be square or rectangular in shape, bearing a white pictogram on a red background. The red colour must cover at least 50% of the surface of the board.

**6.** The boards referred to in annex XVIII to this Regulation are used in the situations described in that annex.

**7.** The pictograms used may be slightly different from or more detailed than the pictograms for the boards referred to in annex XVIII to this Regulation. The meaning shall however be the same and any differences or adjustments must not distort the meaning.

**Article 8.11. Location of boards**

**1.** Boards shall, taking account of any obstacles, be placed at a suitable height and in a suitable location in respect of the field of vision, either at the entrance to an area where a general risk exists or in the immediate vicinity of a specific risk or object to which attention needs to be drawn. They shall be placed in a well-lit, easily accessible, and visible location.

**2.** Fluorescent colours, reflective materials or artificial light may be used in poor natural light conditions.

**3.** Boards shall be removed as soon as the situation which justifies their presence no longer exists.

**Article 8.12. Containers and piping holding hazardous substances**

**1.** Containers that are used during activities with or the storage of chemical substances or mixtures which, under the EC Regulation on classification, labelling and packaging of substances and mixtures, are classified as hazardous on the basis of the criteria for any physical hazard class or health hazard class, as well as piping which hold such substances and mixtures or through which such substances and mixtures are transported, shall be fitted with the relevant hazard pictograms in accordance with this Regulation.

**2.** The preceding paragraph shall not apply to containers which are used during activities of a short duration or the contents of which change often, provided that adequate alternative measures are taken, especially in the area of information or training, which guarantee the same level of protection.

**3.** The hazard pictograms referred to in the first paragraph may:

a. be replaced by warning boards as referred to in Article 8.10 showing the same pictogram or symbol, on the understanding that if Article 8.10 does not contain an equivalent warning board, the relevant hazard pictogram will be used as shown in Annex V to the EC regulation on classification, labelling and packaging of substances and mixtures;

b. show additional information such as the name or formula of the dangerous substance and with particular details of the hazards;

c. where containers are being transported to a worksite, bear additional or different boards that apply to the transport of dangerous substances by virtue of the Carriage of Dangerous Goods Act or the Aviation Act.

**Article 8.13. Fitting notices to containers and piping**

The notices referred to in Article 8.12 shall be fitted to the visible sides in the form of hard material, self-adhesive material or paint.

**Article 8.14. Location on piping**

The hazard symbols and names of hazards used on piping shall be displayed visibly and with sufficient frequency in the vicinity of the most dangerous under, such as valves and tapping points.

**Article 8.15. Notices relating to the storage of dangerous substances**

**1.** Notices providing information about places, premises or enclosed rooms that are used to store significant quantities of dangerous substances shall take the form of suitable warning boards as referred to in Article 8.10 or hazard symbols and names of hazards as referred to in Article 8.12 unless, taking Article 8.9, paragraph three, into account, the hazard symbols and names of hazards on individual packages or containers would be sufficient with regard to dimensions.

**2.** The boards, hazard symbols or names of hazards referred to in paragraph one are placed next to the storage area or on the door giving access to the storage area.

**3.** If Article 8.10 does not contain an equivalent warning board, the relevant hazard pictogram will be used as shown in Annex V to the EC regulation on classification, labelling and packaging of substances and mixtures.

**Article 8.16. Use of light signals**

The light emitted by a signal must produce a sufficient light contrast to the surrounding area that does not dazzle people but is sufficiently visible, taking the conditions of operation into account.

**Article 8.17. Uniformity**

**1.** The light surface emitted by a signal shall be uniform in colour or contain a pictogram on a specific background.

**2.** The uniform colour shall comply with Article 8.5.

**3.** Any pictograms that feature in signals shall comply with Article 8.10.

**Article 8.18. Specific light signals**

**1.** If a device is capable of emitting both a continuous signal and an intermittent signal, the intermittent signal shall be used to indicate that, as compared to situations in which a continuous signal would be emitted, the situation in this case presents a greater danger or that the desired or necessary intervention or action is more urgent.

**2.** Where an intermittent light signal is used instead of or to complete an acoustic signal, the code for the signal is identical.

**3.** Devices that emit light signals in situations of great danger must be monitored carefully to ensure that they are working properly, or must be fitted with a back-up lamp.

**4.** The duration and frequency of intermittent light signal flashes shall be such that:

a. the message sent by the signal is clearly understood, and

b. there can be no confusion between different light signals or between a continuous light signal and an intermittent light signal.

**Article 8.19. Requirements of acoustic signals**

**1.** Acoustic signals:

a. produce a level of sound that is clearly higher than the ambient noise level so that they are clearly audible without being excessively loud or painful to the ears;

b. are easily recognisable;

c. can easily be distinguished from other acoustic signals and other ambient sounds.

**2.** If a device is capable of emitting both a variable-frequency and a fixed-frequency acoustic signal, the variable frequency shall be used to indicate that, as compared to situations in which a fixed frequency would be emitted, the situation in this case presents a greater danger or that the desired or necessary intervention or action is more urgent.

**3.** Acoustic evacuation signals are continuous.

**Article 8.20. General requirements for verbal instructions**

**1.** Verbal instructions are given from a speaker or transmitter to one or more listeners and take the form of short texts, phrases or separate words, possibly in code.

**2.** Verbal messages shall be as brief, unambiguous and clear as possible.

**3.** The linguistic competence of the speaker and the comprehension ability of the listener(s) shall be sufficient to ensure unambiguous communication.

**4.** Verbal instructions shall be given directly via the human voice or indirectly via the human voice or synthesised speech, broadcast by ad-hoc means.

**5.** If verbal instructions are being used instead of or as a complement to hand or arm signals and no codes are used, the following words shall in particular be used:

a. 'start', to indicate the start of an instruction;

b. 'stop', to interrupt or end a movement;

c. 'end', to stop the activity;

d. 'lift', to lift a load;

e. 'lower', to lower a load;

f. 'forwards, back, right, left', in combination with the appropriate hand or arm signals, to guide the movement in the right direction;

g. 'danger', to force the operator to stop in an emergency;

h. 'quick', to accelerate a movement.

**Article 8.21. Language used**

The individuals concerned have a sufficient command of the language used to express and understand the message correctly, and to behave in accordance with health and safety depending on the message.

**Article 8.22. General requirements of hand and arm signals**

**1.** Hand or arm signals shall be precise and simple, consisting of a broad gesture.

**2.** Where both arms are used at the same time, the gesture shall be symmetrical and transmit only one signal.

**Article 8.23. Signallers**

**1.** Signallers shall use hand and arm signals to give directions and instructions to the person receiving the signals.

**2.** Signallers shall concentrate exclusively on giving the directions and instructions and the safety of employees in the vicinity.

**3.** Signallers shall have a clear view of the entire guidance operation without being impeded by their actions.

**4.** If the conditions specified in paragraph three cannot be met, one or more additional signallers shall be used.

**Article 8.24. Recipients of signals**

Individuals who are receiving signals shall stop carrying out any transport manoeuvre that they are carrying out in order to ask for fresh instructions if they are unable to perform the orders received with the necessary safety guarantees.

**Article 8.25. Identification of signallers**

Recipients of signals must be able to easily identify signallers.

**Article 8.26. Avoiding unclear signals**

The hand and arm signals shown in annex XIX to this Regulation are used in the situations described in that annex provided that they do not detract from the use of other applicable codes, particularly in certain sectors of industry, to describe the same actions.

**Article 8.27. Notices of obstacles and hazardous places**

**1.** Notices that warn individuals of the risk of colliding with obstacles, of falling objects or people, take the form of yellow and black or red and white strips marked inside the buildings of the business or facility to which employees have access in the course of their work.

**2.** The yellow and black or red and white stripes are displayed at an angle of approximately 45° and are of approximately the same dimensions.

**Article 8.28. Size of notices as appropriate for the obstacle or hazardous place**

The dimensions of the notice shall take account of the size of the obstacle or hazardous place of which it is warning.

**Article 8.29. Requirements for the marking of roadways**

**1.** Roadways on a worksite that are used by vehicles shall be clearly marked by solid lines of a clearly visible colour where this is necessary to protect employees.

**2.** These lines shall be marked taking account of the gap that needs to be left for safety between the vehicles that can use the roadways and any object that may be present in the vicinity between pedestrians and vehicles.

**Chapter 8a. Violations and measures**

**Article 8.29a. Violations**

Violations with respect to which an administrative fine might be imposed are actions that contravene the rules laid down in the Articles specified below, or failure to act which is itself a contravention thereof: Articles 3.4, 3.5, 3.11, 3.12, 3.13, 3.14, 4.3 to 4.7, 4.9, 4.11 to 4.13, 4.15, 4.18, 4.19, paragraph two, 4.20, paragraph two, 4.20a, 4.20b, paragraphs one, three, four and five, 4.22 to 4.26, 5.1 to 5.3, 8.1, paragraph two, 8.2, 8.3, 8.4, paragraph three, 8.5 to 8.11, 8.12, paragraphs one and two, and 8.13 to 8.29.

**Article 8.29b**

The penalty standard amount, as referred to in Article 9.10a, fifth paragraph, of the Decree is € 4500.

**Article 8.29c. Similar violations**

Similar violations as referred to in Article 9.10c of the Decree are considered to be the actions or omissions that are contrary to the regulations set out in the Articles that have invariably been listed in the separate subsections:

a. of the Working Conditions Act: the Articles 14, seventh paragraph, 14a, fourth paragraph;

b. of the Working Conditions Decree:

1°. Article 1.36, first and second paragraph;

2°. Article 1.42, first to fourth paragraph;

3°. Article 1.46, third paragraph, under a to d;

4°. Article 1.46, fourth paragraph, under a and b;

5°. Article 1.46, sixth and seventh paragraph;

6°. Article 1.46, ninth and tenth paragraph;

7°. Article 2.42h, second to fourth paragraph;

8°. Article 3.2, first to third paragraph;

9°. Article 3.3, first and second paragraph;

10°. Article 3.4, first and second paragraph;

11°. Article 3.5, third, fourth and seventh paragraph;

12°. Article 3.5c, first to third paragraph;

13°. Article 3.5d, first to third paragraph;

14°. Article 3.5g, first and second paragraph;

15°. Articles 3.6, 3.7, first and second paragraph;

16°. Article 3.7, third to sixth paragraph;

17°. Article 3.13, first to fourth paragraph and eighth to tenth paragraph;

18°. Article 3.13, fifth to seventh paragraph;

19°. Article 3.16, first and fifth paragraph;

20°. Article 3.29, first and fourth paragraph;

21°. Article 3.37, first and second paragraph;

22°. Articles 3.37k, first and second paragraph, 3.37n, first paragraph, 3.37r, first to fourth paragraph, 3.37t, first, second and fourth paragraph, and 3.37u;

23°. Articles 3.37m, 3.37p, first and second paragraph, 3.37s, second and third paragraph, 3.37v, first to third paragraph, and 3.37w, second paragraph, under a;

24°. Articles 3.37n, second paragraph, and 3.37w, first, third and fourth paragraph;

25°. Articles 3.37q, first and third paragraph, 3.37s, fourth paragraph, and 3.37w, second paragraph, under b to e;

26°. Article 3.37s, first, fifth and sixth paragraph;

27°. Article 4.1c, first paragraph, under d and e;

28°. Article 4.1c, first paragraph, under f and g;

29°. Article 4.1d, first paragraph, under a and b;

30°. Article 4.1d, third paragraph, under a to d;

31°. Article 4.2, second to seventh paragraph;

32°. Article 4.3, third and fourth paragraph;

33°. Article 4.7, second and third paragraph, under a;

34°. Article 4.8, first to third paragraph;

35°. Articles 4.8, fourth paragraph, 4.9, third paragraph, and 4.10, third paragraph;

36°. Articles 4.10a, first and second paragraph, and 4.10b, first paragraph;

37°. Article 4.16, third and fourth paragraph;

38°. Article 4.19, under d and e;

39°. Articles 4.45a and 4.45b, first and second paragraph;

40°. Article 4.47, fifth and sixth paragraph;

41°. Articles 4.47, first paragraph, and 4.47a, eighth paragraph;

42°. Article 4.47c, first and second paragraph;

43°. Article 4.50, first to fourth paragraph;

44°. Article 4.51a, first and third paragraph;

45°. Article 4.51a, second and fourth paragraph;

46°. Articles 4.54a, fifth and sixth paragraph, and 4.54d, third and ninth paragraph;

47°. Article 4.54d, first, fifth and seventh paragraph;

48°. Article 4.58, first and second paragraph;

49°. Article 4.59, first and second paragraph;

50°. Article 4.60, first and third paragraph;

51°. Article 4.61a, first and third paragraph;

52°. Article 4.85, first and second paragraph;

53°. Article 4.87a, second and third paragraph;

54°. Article 4.89, sixth and seventh paragraph;

55°. Article 4.90, third and fourth paragraph;

56°. Article 4.91, first to third paragraph and tenth paragraph;

57°. Article 4.94, first, third and fifth paragraph;

58°. Article 4.99, first and second paragraph;

59°. Article 4,105, first to third paragraph;

60°. Articles 4.108, first and second paragraph, and 4.109;

61°. Articles 5.2 and 5.3, under a;

62°. Article 5.5, first and second paragraph;

63°. Article 5.11, first to third paragraph;

64°. Article 6.1, first and second paragraph;

65°. Article 6.7, first and fourth paragraph;

66°. Article 6.8, first, third and eleventh paragraph;

67°. Article 6.10, first to third paragraph;

68°. Article 6.11b, first, second and sixth paragraph;

69°. Article 6.11c, second and third paragraph;

70°. Article 6.11e, first, second and fourth paragraph;

71°. Article 6.12f, first and second paragraph;

72°. Article 6.14a, first and second paragraph;

73°. Article 6.15, first paragraph, under c, and second paragraph;

74°. Articles 6.15a, second paragraph, and 6.16, eighth paragraph;

75°. Article 6.16, third, sixth and seventh paragraph;

76°. Article 6.17, first and second paragraph;

77°. Article 6.18, first to third paragraph;

78°. Article 6.20, first to third paragraph;

79°. Article 6.20b, first and second paragraph;

80°. Article 7.4a, first to fourth paragraph;

81°. Article 7.5, second and third paragraph;

82°. Article 7.6, first and second paragraph;

83°. Article 7.7, second to seventh paragraph;

84°. Article 7.13, first and second paragraph;

85°. Article 7.13, fifth and sixth paragraph;

86°. Article 7.14, first paragraph, and 7.15, first paragraph;

87°. Article 7.17a, first, second, fourth and fifth paragraph;

88°. Article 7.17c, fourth to sixth paragraph;

89°. Article 7.18, sixth to eighth paragraph;

90°. Article 7.18a, third and thirteenth paragraph;

91°. Article 7.18b, first to third paragraph;

92°. Article 7.21, first and second paragraph;

93°. Article 7.23, third to fifth paragraph;

94°. Article 7.23, eighth to tenth paragraph;

95°. Article 7.23a, first to third paragraph;

96°. Article 7.23b, third and fifth paragraph;

97°. Article 7.23b, sixth and seventh paragraph;

98°. Article 7.23c, first paragraph, under a to e, and second paragraph;

99°. Article 7.26, first and second paragraph;

100°. Article 7.29, second to fourth paragraph;

101°. Article 7.29, fifth and sixth paragraph;

102°. Article 7.29, seventh and eighth paragraph;

103°. Article 8.1, second to fourth and seventh paragraph;

104°. Article 8.3, first and second paragraph; and

105°. Article 8.3, third and fourth paragraph;

c. of the Working Conditions Regulation:

1°. Article 3.5, first and second paragraph;

2°. Article 3.11, first to fifth paragraph;

3°. Article 3.12, first and second paragraph;

4°. Article 4.4, first to third paragraph;

5°. Article 4.6, first and second paragraph;

6°. Article 4.7, first to third paragraph;

7°. Article 4.9, first and second paragraph;

8°. Article 4.15, first paragraph, under a to d, second and third paragraph;

9°. Articles 4.19, second paragraph, and 4.20, second paragraph; and

10°. Article 8.2, first and second paragraph.

**Chapter 9. Transitional and final provisions**

**Article 9.1. Temporary rules on area of work with or on commercial fireworks**

**1.** The area of work in which consumer fireworks, professional fireworks or pyrotechnic articles for theatrical use as referred to in Article 4.9 of the Decree are ignited shall be designated as an area as referred to in Article 1.5b, fifth paragraph, of the Decree.

**2.** The costs to be incurred by the minister in connection with the handling of an application for designation as referred to in Article 1.5b, first paragraph, of the Decree in the area referred to in the first paragraph shall be borne by the applying body.

**3.** This Article shall be repealed on 1 January 2017.

**Article 9.2. Temporary rules on certification of fireworks experts**

**1.** It is possible for an applying body to be designated as a certifying body as referred to in Article 4.9, second paragraph, of the Decree, during a period of twelve months, counting from the date of entry into force of this regulation, without the applying body complying with paragraph 4.1 of the Area specific document for Designation and Supervision of certifying bodies belonging to the certification scheme for the personal certificate of Fireworks Expert, document code WDAT-VD as included in Annex XIIa to the regulation.

**2.** This Article shall be repealed on 1 January 2017.

**Article 9.2a**

Certificates of competence in occupational hygiene awarded by the SKO Certification and Accreditation Foundation for the Certification of Competence issued between 1 November 1999 and 3 November 2006 are regarded as certificates of competence in occupational hygiene as referred to in Article 2.15.

**Article 9.2b. Transitional arrangement for certification of diving physicians**

The requirement included in Article 6.5, first paragraph, under a, shall not apply if the applicant already worked as a diving physician before 1 January 2003 and, during the period of one year before the first issue of the diving physician certificate to him, examined at least 10 persons charged with performing diving work.

**Article 9.2c. Transitional provisions on certification of competence in the handling of commercial fireworks**

[Repealed on 03-12-2004]

**Article 9.2d. Transitional provisions on certification of diving team leaders**

[Repealed on 01-01-2007]

**Article 9.2e. Transitional provisions on certification of diving physicians**

[Repealed on 01-01-2007]

**Article 9.2f. Transitional provisions on certification of work with asbestos**

[Repealed on 01-02-2012]

**Article 9.3. Repeal of old regulations based on the Act**

[Repealed on 01-07-2005]

**Article 9.4**

[Repealed on 01-11-1999]

**Article 9.5. Official title**

This Regulation is referred to as: the Working Conditions Regulation.

This Regulation will be published in the Government Gazette along with the explanatory notes and annexes.

The Hague, 12 March 1997