



**THE REPUBLIC OF KENYA**

LAWS OF KENYA

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**THE OCCUPATIONAL SAFETY AND HEALTH (REGISTRATION  
OF WORKPLACE PREMISES) REGULATIONS**

NO. 51 OF 2022

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Kenya

Occupational Safety and Health Act

## Occupational Safety and Health (Registration of Workplace Premises) Regulations

Legal Notice 51 of 2022

Legislation as at 29 March 2022

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Occupational Safety and Health (Registration of Workplace Premises) Regulations (Legal Notice 51 of 2022)

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# **OCCUPATIONAL SAFETY AND HEALTH ACT**

## **OCCUPATIONAL SAFETY AND HEALTH (REGISTRATION OF WORKPLACE PREMISES) REGULATIONS**

### **LEGAL NOTICE 51 OF 2022**

**Commenced on 29 March 2022**

#### **1. Citation**

These Regulations may be cited as the Occupational Safety and Health (Registration of Workplace Premises) Regulations, 2022.

#### **2. Exemption**

The workplace premises listed in the Schedule shall not be exempt from the provisions of section 44 of the Act.

### **SCHEDULE**

#### **PART A: WORKS OF ENGINEERING CONSTRUCTION**

1. The construction of any railway line or siding.
2. The construction, structural alteration or repair (including re-pointing and repainting) or the demolition of any dock, harbour, inland navigation, tunnel, bridge, viaduct, waterworks, reservoir, pipe-line, aqueduct, sewer, sewerage works or gas-holder.
3. The construction, laying, structural alteration, inspection, maintenance, repair, demolition or removal of –
  - (a) any pipe-line for the conveyance of water, gas or any other thing;
  - (b) any drain, whether open or covered, except open drains situated in domestic premises; or
  - (c) any underground electrical cable and communication cable.
4. The inspection, repair or maintenance of any manhole, sump, inspection chamber, valve chamber, and any other similar confined structure providing access to pipe-lines or underground electrical cables and communication cables.
5. The construction of any road or car park.
6. The reclamation of any land.

#### **PART B: FACTORIES**

1. Any premises using an assembly-line manufacturing process in connection with the manufacturing, for the purposes of trade or gain, of any goods or products using mechanical power, including restaurants or kitchens.
2. Any premises used for the manufacturing, for the purposes of trade or gain, of fabricated metal products, machinery or equipment.
3. Any premises used for the manufacturing, for the purposes of trade or gain, of wood products using mechanical power.
4. Any premises used for the production of gas for commercial sale.
5. Any premises used for the manufacture of pharmaceutical products or its intermediates.

6. Any premises where the printing by letter press, offset, lithography, photogravure, rotogravure or other similar process, or the binding of such printed materials, is carried out.
7. Any premises where mechanical power is used in connection with the sorting, packing, handling or storing of articles.
8. Any premises used for the processing or manufacturing of flammable, corrosive or toxic substances, including petroleum, petroleum products, petrochemical or petrochemical products.
9. Any premises where the treatment, coating or electroplating of metal products involving the use of flammable, corrosive or toxic substances is carried out.
10. Any premises where the washing or filling of bottles, containers or vessels that contains or had contained flammable, corrosive or toxic substances is carried out.
11. Any premises used for the bulk storage of toxic or flammable liquid or liquefied gas in a container, including where the filling of fuel into vehicles for their propulsion is carried out as a commercial undertaking.
12. Any yard (including any dock, wharf, jetty, quay and the precincts thereof) where the construction, reconstruction, repair, refitting, finishing or breaking up of ships is carried out, including the waters adjacent to any such yard where the construction, reconstruction, repair, refitting, finishing or breaking up of ships is carried out by or on behalf of the occupier of that yard.
13. Any premises where the construction, reconstruction or repair of locomotives, aircraft, vehicles or other plant for use for transport purposes is carried on as ancillary to a transport undertaking or other industrial or commercial undertaking, not being any premises used for the purpose of housing locomotives, aircraft or vehicles where only cleaning, washing, running repairs or minor adjustments are carried out.
14. Any premises where building operations or any work of engineering construction are carried out.
15. Any premises where articles are made or prepared incidentally to the carrying on of any building operations or any work of engineering construction, not being premises in which such operations or work are being carried out.
16. Any premises where work is carried out for or in connection with the generating of electrical energy for supply by way of trade or for purposes of gain.
17. Any premises where mechanical power is used for the purposes of or in connection with a water supply.
18. Any sewage works where mechanical power is used and any pumping station used in connection therewith.

#### **PART C: WORKPLACES WITH PLANT, MACHINERY AND EQUIPMENT**

1. Scaffolds and any materials or components used to erect them.
2. All lifting equipment.
3. Forklifts.
4. Power presses.
5. Bar-benders.
6. Any equipment or piping intended for operation under pressure, including all statutory pressure vessels.
7. Any equipment or piping intended to contain corrosive, toxic or flammable substances.
8. Welding equipment, including any accessory, apparatus or fitting necessary to enable its use.
9. Materials or components used for the construction of support structures.
10. Explosive powered tools.
11. Equipment used for abrasive blasting, including any accessory, apparatus or fitting necessary to enable its use and operation.

**PART D: WORKPLACES WITH HAZARDOUS SUBSTANCES**

1. Corrosive substances.
2. Flammable substances.
3. Explosives.
4. Oxidising substances.
5. Pyrophoric substances.
6. Gases under pressure.
7. Organic peroxides.
8. Self-heating substances.
9. Self-reactive substances.
10. Substances which in contact with water, emit flammable gases.
11. Toxic substances.
12. Mutagens.
13. Carcinogens.
14. Teratogens.
15. Sensitizers.
16. Irritants.
17. Substances hazardous to aquatic environment.