Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

11 November 2008 [shall come into force on 15 November 2008];

22 September 2009 [shall come into force on 1 January 2010];

18 December 2012 [shall come into force on 1 January 2013].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 99

Adopted 8 February 2005

**Regulation Regarding the Types of Commercial Activities in which an Employer Involves a Competent Authority**

*Issued pursuant to*

*Section 9, Paragraph five of the Labour Protection Law*

1. The Regulation prescribes the types of commercial activities in which an employer involves a competent authority, the procedures for involving a competent authority, as well as the cases where an employer is allowed not to involve a competent authority in carrying out commercial activities.

2. An employer shall involve a competent authority in the establishment and maintenance of a labour protection system if he or she carries out any of the types of commercial activities specified in Annex 1 of this Regulation in accordance with the NACE general classification of commercial activities.

3. On the basis of an agreement with an employer, the competent authority shall establish and maintain a labour protection system at an undertaking by performing at least the following activities:

3.1. it shall evaluate work environment risks at the undertaking;

3.2. it shall determine the compliance of the undertaking with the laws and regulations regarding labour protection, as well as the requirements of laws and regulations concerning labour protection (for example, fire safety, safety of chemical substances and chemical products, safety of hazardous equipment);

3.3. it shall draw up a plan of labour protection measures in order to avert detected work environment risks or reduce them to a permissible level, as well shall ensure compliance of the undertaking with the requirements of the laws and regulations regarding labour protection.

4. In order to accomplish its tasks, the competent authority is entitled to request and receive the following information from an employer:

4.1. general information characterising an undertaking (the number of employees, mode of operations, the number and a description of its buildings (branch-offices) in which the competent authority will have to perform the tasks specified in the contract);

4.2. a characterisation of the current situation (for example, the number of workplaces, the work process, the equipment and technologies utilised in the work);

4.3. changes planned to the work environment;

4.4. labour protection measures at the undertaking and at workplaces, as well as work environment risk factors which cause or may cause risk to the safety and health of employees;

4.5. any other information about the undertaking which is required for the competent authorities in order to perform their duties (for example, statements and opinions regarding accidents at work, materials from the investigation of accidents at work, warnings, decisions and instructions of the State Labour Inspectorate).

5. An employer is allowed to not involve a competent authority if the undertaking has not more than five employees.

[*18 December 2012*]

5.1 If there are from 6 to 10 employees in an undertaking, the employer is allowed to not involve a competent authority, provided that he or she ensures fulfilment of the following requirements:

5.1 1. a labour protection system has been established and is operating at the undertaking;

5.1 2. internal supervision of the work environment and risk assessment at the undertaking is performed by a labour protection specialist whose knowledge conforms to one of the following requirements:

5.1 2.1. he or she has acquired higher vocational education in labour protection;

5.1 2.2. he or she has acquired higher education in natural sciences, engineering, the field of health protection or in law and he or she has work experience of at least five years in the relevant profession or labour protection, and also he or she has acquired the labour protection basic knowledge education programme in the amount of 160 hours or its acquisition has been commenced until 30 June 2013;

5.1 2.3. he or she has acquired the labour protection basic knowledge education programme and the specialised knowledge education programme in the field of labour protection in relation to the relevant type of commercial activities.

[*18 December 2012 / See Paragraph 9.1*]

5.2 If there are 11 or more employees in an undertaking, the employer is allowed to not involve a competent authority, provided that he or she ensures the fulfilment of the following requirements:

5.2 1. a labour protection system has been established and is operating at the undertaking;

5.2 2. internal supervision of the work environment and risk assessment at the undertaking is performed by a labour protection specialist who has received higher vocational education in labour protection.

[*18 December 2012*]

6. [22 September 2009]

7. [22 September 2009]

8. Observance of this Regulation shall be controlled by the State Labour Inspectorate.

9. [18 December 2012]

9.1 Paragraph 5.1 2.3 of this Regulation shall come into force on 1 July 2013.

[*18 December 2012*]

10. The Regulation shall come into force on 1 January 2006.

**Informative Reference to European Union Directive**

The Regulation contains legal norms arising from Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of employees at work.

Prime Minister A. Kalvītis

Minister for Welfare D. Staķe

**Annex 1**

Cabinet Regulation No. 99

8 February 2005

**Types of commercial activities in accordance with the NACE general classification of economic activities in which an employer must involve a competent authority in the establishment and maintenance of a labour protection system**

[*22 September 209*]

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| No. | Chapter | Group | Description of the work |
| 1. | 01 | All | Crop and animal production, hunting and related service activities |
| 2. | 02 | 02.1 | Silviculture and other forestry activities |
| 3. | 02 | 02.2 | Logging |
| 4. | 03 | 03.1 | Fishing |
| 5. | 08 | All | Other mining and quarrying |
| 6. | 10 | All | Manufacture of food products |
| 7. | 11 | 11.0 | Manufacture of beverages |
| 8. | 12 | 12.0 | Manufacture of tobacco products |
| 9. | 13 | All | Manufacture of textiles |
| 10. | 14 | All | Manufacture of wearing apparel |
| 11. | 16 | All | Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials |
| 12. | 17 | All | Manufacture paper and paper products |
| 13. | 18 | All | Publishing, printing and reproduction of recorded media |
| 14. | 20 | All | Manufacture of chemicals and chemical products |
| 15. | 22 | All | Manufacture of rubber and plastic products |
| 16. | 23 | All | Manufacture of non-metallic mineral products |
| 17. | 24 | All | Manufacture of basic metals |
| 18. | 25 | All | Manufacture of fabricated metal products, except machinery and equipment |
| 19. | 27 | All | Manufacture of electrical equipment |
| 20. | 29 | All | Manufacture of motor vehicles, trailers and semi-trailers |
| 21. | 30 | 30.1 | Building of ships and boats |
| 22. | 30 | 30.2 | Manufacture of railway locomotives and rolling stock |
| 23. | 31 | 31.0 | Manufacture of furniture |
| 24. | 32 | All | Other manufacturing |
| 25. | 35 | All | Electricity, gas, steam and air conditioning supply |
| 26. | 36 | 36.0 | Water collection, treatment and supply |
| 27. | 37 | 37.0 | Sewerage |
| 28. | 38 | All | Waste collection, treatment and disposal activities; materials recovery |
| 29. | 41 | All | Construction of buildings |
| 30. | 42 | All | Civil engineering |
| 31. | 43 | All | Specialized construction activities |
| 32. | 49 | All | Land transport and transport via pipelines |
| 33. | 50 | All | Water transport |
| 34. | 51 | All | Air transport |
| 35. | 52 | All | Warehousing and support activities for transportation |
| 36. | 53 | All | Postal and courier activities |
| 37. | 86 | 86.1 | Hospital activities |
| 38. | 87 | All | Residential care activities |
| 39. | 96 | 96.01 | Washing and dry-cleaning of textile and fur products |

**Annex 2**

Cabinet Regulation No. 99

8 February 2005

[22 September 2009]