

Tanzania

Factories (Occupational Health Services) Rules, 1986

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Factories (Occupational Health Services) Rules, 1986
 Contents

Rule 1. – Citation 1

Rule 2. – Definition 1

 Paragraph (a) 1

 Paragraph (b) 1

 Paragraph (c) 1

Rule 3. – Functions 1

 Paragraph (a) 1

 Paragraph (b) 1

 Paragraph (c) 1

 Paragraph (d) 1

 Paragraph (e) 1

 Paragraph (f) 2

 Paragraph (g) 2

 Paragraph (h) 2

 Paragraph (i) 2

 Paragraph (j) 2

Rule 4. – Provision for occupational health services 2

 Subrule (1) 2

 Subrule (2) 2

 Subrule (3) 2

 Subrule (4) 2

 Subrule (5) 2

Rule 5. – Organising occupational health services 2

Rule 6. – Medical examination for workers 2

 Subrule (1) 2

 Subrule (2) 2

 Subrule (3) 2

Rule 7. – Participation of workers in occupational health services 2

Rule 8. – Record-keeping and statistics and concealment of confidential information 3

 Subrule (1) 3

 Subrule (2) 3

 Subrule (3) 3

Rule 9. – Information from personnel 3

Rule 10. – Improvement notices 3

Rule 11. – Prohibition notices 3
Schedule 4

Tanzania

Factories (Occupational Health Services) Rules, 1986

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[Note: This legislation has been thoroughly revised and consolidated under the supervision of the Attorney General's Office, in compliance with the Laws Revision Act No. 7 of 1994, the Revised Laws and Annual Revision Act (Chapter 356 (R.L.)), and the Interpretation of Laws and General Clauses Act No. 30 of 1972. This version is up-to-date as at 31st July 2002.]

[Section 55; G.N. No. 2 of 1986]

1. Citation

These Rules may be cited as the Factories (Occupational Health Services) Rules.

2. Definition

For the purpose of these Rules, the term "**occupational health services**" means services entrusted with essentially preventive functions and responsible for advising the employer, the workers and their representatives on—

- (a) the requirements for a safe and healthy working environment;
- (b) the adaptation of work to the capabilities of individual workers in the light of their state of physical and mental health;
- (c) the requirements for the establishment and maintenance of a working environment which will facilitate optimal physical and mental health in relation to work.

3. Functions

Without prejudice to the responsibility of each employer for the health and safety of his employees, and with due regard to the obligation of the workers to co-operate with their employer on matters of occupational health and safety. Occupational health services shall have the following functions:

- (a) surveillance of the factors in the working environment which may affect workers' health, including the design of machinery, other equipment and the work place, the design of workplace, the design of work methods, and including the workplace, the design of work methods, and including workplace visits;
- (b) providing the workers with necessary information and training about health hazards arising from work and working environment, and guiding the workers as to how they will avoid those hazards;
- (c) examining the health of the worker before his employment in order to be sure that he is healthy and will be fit for the work (pre-employment medical examination);
- (d) examining periodically the health of the worker in occupations where the worker is exposed to special occupational health hazards as provided in the Schedule (periodic medical examination);
- (e) examining periodically the health of the workers in other occupations than those mentioned in the Schedule to these Rules if there are special reasons to suspect the work will cause health hazards to the worker;

- (f) organising the curative health service for workers and if necessary for their families under conditions mentioned in Rule 4;
- (g) guidance of the handicapped worker due to occupational accident or disease, and if necessary to take him to medical or rehabilitative treatment;
- (h) surveillance of the hygiene of sanitary installations and all other facilities for the welfare of the workers of the undertaking;
- (i) compilation and periodic review of statistics concerning health conditions in the undertaking;
- (j) organising and providing for first-aid and emergency treatment.

4. Provision for occupational health services

- (1) The establishment shall make provisions for occupational health services on the premises for workers under the conditions and functions mentioned in Rule
- (2) If the number of its workers exceeds four hundred but less than seven hundred, in one single place, the establishment shall employ an experienced trained nurse who shall undertake the medical attention and provide a Medical Doctor to attend and treat them at a place chosen by the establishment for this purpose. The establishment shall also supply them, free of charge, with medical specialities required for that treatment.
- (3) If the number of workers exceeds seven hundred, the establishment shall in addition provide them free of charge with all necessary treatment they need including treatment by specialists, surgical operation, hospitalisation and medicines.
- (4) If, in the two cases provided for in the two preceding paragraphs, the worker is treated in a Government or equivalent hospital, the establishment shall have to refund to the hospital the cost of treatment, medicines and hospitalisation as may be required by the hospital in question.
- (5) In fixing the cost of treatment, medicines and hospitalisation provided in the preceding paragraph and in the above cases, the regulations and conditions shall be laid down by an order of the Ministry of Health.

5. Organising occupational health services

Occupational health services may be organised as a service for a single undertaking or as service common to a number of undertakings or as institutions independent of the undertaking, as appropriate.

6. Medical examination for workers

- (1) The establishment shall make a pre-employment medical examination for each worker before or just after his work, to assess the capabilities of the worker.
- (2) The establishment shall make a periodical medical examination to the workers who are subject to any one of the professional diseases in order to keep their capacity and continuous health fitness.
- (3) The said examinations shall be done by the health system recognised by the government under the standing particulars mentioned in the Schedule attached hereto. The establishment shall bear the costs.

7. Participation of workers in occupational health services

The workers shall not refuse to participate in the medical examinations, and if it is found out in the medical examination that the worker may get harm to his health due to a special sensitivity, a frailty, or another special reason, he is not to be used for the proposed work. The worker shall use the means of protection provided by the establishment and undertake it carefully, and he shall also execute instructions designed for the protection of his health and safety against accidents of work, and shall not commit any

action, or negligence with the intention of preventing the execution of instructions, the misuse, or causing damage to the means designed for the protection of his fellow workers' health and safety.

8. Record-keeping and statistics and concealment of confidential information

- (1) The establishment shall keep the necessary records concerning the workers health and the development of ill health.
- (2) Each establishment shall notify the Ministry of Labour every six months from the date of January with two copies of statistics showing diseases and lesions arising out of work on condition that the time of sending it shall not exceed the fifteenth day of the next months after the end of the sixth mentioned months.
- (3) Each establishment which is subject to provisions of this paragraph shall also notify the Ministry of Labour of any severe accident that occurs in the establishment within twenty four hours from its occurrence whatever the number of workers may be, and the models of statistics mentioned and the information, shall be determined by an order of the Ministry of Labour.

9. Information from personnel

The employer, the supervising authority and the representative of workers have the right to get necessary information from the personnel of occupational health services to improve the working conditions, and the personnel of occupational health services is not allowed to give confidential health information without the permission of that whom the confidential information concerns.

10. Improvement notices

If an Inspector is of the opinion that there is a contravention of the Act, he may serve on that person or Company an improvement notice requiring remedial action to be taken within the period which may be specified in the notice.

11. Prohibition notices

Where an Inspector is of the opinion that there is, or it is likely to be a risk of serious injury in any work activity he may serve a prohibition notice, requiring the activity to cease until the cause of risk is remedied and failure to do so shall result in the daily fine as stipulated in the Factories Act.

Schedule

Works and duties which may cause a special hazard to workers' health, and time or period of medical examination

Hazards and duties		Interval of medical examination
I.-Physical Hazards		
1.	Vibration:	
	Working with pneumatically operated tools, power saws and other vibrating tools and machines.	Pre-employment medical examination in continuous works periodical medical examination once a year.
2.	Noise:	
	Working in shipbuilding, paper manufacture, with metal products, in mining and quarrying, in textile industry, saw milling, food processing, and in similar works.	
	(a)	Noise level 85 100 dB(A). Periodical medical examination once in three years.
	(b)	Noise level over 100 dB(A). Periodical medical examination once a year.
3.	Variations of pressure:	
	(a)	Diving and other works in over-pressure. Pre-employment medical examination within two days from starting work. Periodical medical examination four times a year.

	(b)	Working as a pilot and other works under-pressure.	Pre-employment medical examination before the work starts.
			Periodical medical examination once a year.
4.	Ionising radiation:		
	Working in technical, medical, research, etc. institutes where workers may be exposed to ionising radiation.		Medical examinations according to special legislation.
5.	Radiation of radar, laser, and other electro-magnetic sources:		
	Working in an environment where person may be exposed to hazardous electro-magnetic radiation.		Pre-employment medical examination before the work starts.
			Periodical medical examination once a year.
II.–Chemical Hazards			
1.	Arsenic and its compounds:		
	Calcination of arsenic ore; working with pesticides, paints pigments; timber preserving; handling of arsenic compounds in glass factories and in enameling; working with process related arsenic hydrogen.		Periodical medical examination and once a year.
2.	Beryllium and its compounds:		
	Working with light fixtures, in steel; and ceramic industries, manufacturing and preparing electrical machinery apparatus, and in atomic energy industry.		Periodical medical examination once a year.
3	Mercury and its compounds:		
	(a)	Handling mercury in preparing measuring, laboratory and electrical apparatus; handling mercury in laboratories,	Periodical medical examination manufacturing and twice a year.

		manufacturing chloride by means of electrolyte method; and working with pesticides containing mercury.	
	(b)	Handling mercury in manufacturing glow bulbs; etching metals; handling mercury in amalgamation, manufacturing mercury compounds, handling mercury compounds in explosive industry.	Periodical medical examination once a year.
4.	Cadmium and its compounds:		
	(a)	Manufacturing cadmium and working in battery industry; melting, burning and welding with cadmium compounds; and other similar works.	Periodical medical examination twice a year.
	(b)	Handling cadmium compounds in manufacturing metal alloys, in atomic energy, battery, paint, pigment, rubber and plastic industry and in other similar works.	Periodical medical examination once a year.
5.	Cobalt and its compounds:		
		Calcination of cobalt ore, manufacturing and handling alloys for hard soldering, handling cobalt compounds in glass, paint, ceramic, etc. industry.	Periodical medical examination once a year.
6.	Wolfram and its compounds:		
		Calcination of tungstic ore; manufacturing and handling alloys for hard soldering.	Periodical medical examination once a year.
7.	Chromium and its compounds:		
		Manufacturing and handling chrome and chromic alloys; manufacturing pigments containing	Periodical medical examination once a year.

	chromium; chromium plating, tanning, timber preserving with chromic compounds, handling alkali chromates in photographic and printing industry; treatment of objects with chromic compounds in cut printing and lithographic printing; and other similar works.		
8.	Lead and its compounds:		
	(a)	Working with lead and lead alloy scrap; demolishing ships, manufacturing batteries and paints containing lead.	Periodical medical examination six times a year.
	(b)	Welding, demounting and repairing subjects painted; by paints containing lead; processing melted glass containing lead, and working near crystal glass furnace; spray painting by paint containing lead; industry processing of ethyl lead and tetramethyl lead; cleaning of petrol tanks.	Periodical medical examination four times a year.
	(c)	Works where lead baths are used for hardening and heating; handling lead compounds in plastic and rubber industry; manufacturing lead articles.	Periodical medical examination twice a year.
	(d)	Handling lead ore in mines and in manufacture of metals; work in repairing and maintaining batteries; duties of lead smith; works with lead-covered cables; lead glazing; works with lead in painting shops; shot and bullet manufacturing; and other similar works.	Periodical medical examination once a year.

9.	Manganese and its compounds:		
	Quarrying and calcination manganese ores; processing manganese for alloys; welding with rods containing manganese; manufacturing varnish, paints and pigments containing manganese and handling manganese in glass and ceramic industry; and other similar works.		Periodical medical examination once a year.
10.	Nickel and its compounds:		
	Handling nickel ore; nickelage and other similar works.		Periodical medical examination once a year.
11.	Halogens and their inorganic compounds:		
	Working with chlorine, bromine, iodine or fluorine, or in manufacturing and handling their toxic inorganic compounds; handling of aforementioned compounds besides other substances in cellulose and paper industry, in glass, textile and metal industry, in laboratories and other similar workplaces.		Only pre-employment medical examination.
12.	Hydrocyanic acid, cyanogens and nitriles:		
	Working in manufacture of hydrocyanic acid and cyanogen compounds and their handling in metal, plastic and fertilizer industry; working with photographic activities; working in manufacture and use of pesticides and in other similar works.		Only pre-employment medical examination.
13.	Hydrogen sulphide and carbon disulphide:		
	(a)	Handling carbon disulphide in synthetic fibre industry, and maintaining machinery in that industry.	Periodical medical examination four times a year.
	(b)	Manufacturing carbon disulphide and hydrogen sulphide and handling those compounds in wood processing industry and in laboratories; transporting and handling those	Periodical medical examination twice a year.

		compounds; handling carbon disulphide as solvent; working with lighting gas or salvage treatment; and other similar works.	
14.	Sulphur dioxide and sulphuric acid:		
	Manufacturing sulphur dioxide and sulphuric acid; their handling in wood processing industry, in other chemical industries; and in other similar works.		Only pre-employment medical examination.
15.	Nitric oxides, nitric acid and ammonia:		
	Working with nitric compounds like in manufacture and handling of nitric acid, nitrocellulose and azodye; nitration works; works which may cause nitric oxides like gas and electric welding, etching of metals; blasting works; running diesel engines indoors; and other similar works.		Periodical medical examination once in three years.
16.	Carbon monoxide:		
	Works where there is a possibility to incomplete combustion of carbon compounds.		Periodical medical examination once a year.
17.	Aliphatic, alicyclic and aromatic hydrocarbons:		
	(a)	Works with benzene or with other compounds with benzene more than 0.3%.	Periodical medical examination four times a year.
	(b)	Manufacturing hydrocarbons; works where aliphatic, aromatic and alicyclic hydrocarbons will be handled or contacted; other similar works.	Periodical medical examination once a year.
18.	Halogen derivatives of hydrocarbons:		
	(a)	Manufacturing and handling of halogen derivatives of hydrocarbons like carbon tetrachloride,	Periodical medical examination four times a year.

		chloroform, 1,2-diethylchloride and triethylchloride.	
	(b)	Other works with above mentioned chemical and using those chemicals as solvents, in cleaning articles or as pesticides.	Periodical medical examination twice a year.
19.	Phenol and its homologous compounds, and their halogen and nitro derivatives:		
	Working with phenol and cresol, and manufacturing their hydroxide, halogen and nitro derivatives; handling those compounds in disinfection, in dissolving, as impregnate or as pesticide; handling those compounds in plastic; paint and explosive industry; or in other similar works.		Periodical medical examination once a year.
20.	Aldehydes, ketones, alcohols and others:		
	Manufacturing and handling alcohol in laboratories in paint and synthetic varnish industry, and in other chemical industry; handling of those compounds as solvent or as cleaning material; manufacturing and handling of aldehydes like formaldehyde, acetaldehyde, acrolein, butanone in paint, plastic, glue, plywood and other similar industries.		Periodical medical examination once a year.
21.	Organic acids and esters:		
	Manufacturing organic acids and esters; handling those substances in chemical and textile industry; handling those substances as solvents and as pesticides; and in other similar works.		Periodical medical examination once a year.
22.	Nitroglycerine and nitroglycol:		
	Manufacturing nitroglycerine and nitroglycol; works in medical and explosive industry, or in other similar works.		Periodical medical examination four times a year.
23.	Nitro and amino derivatives of hydrocarbon:		
	Manufacturing nitro and amino compounds of aliphatic and aromatic hydrocarbons like amyl nitrite and trinitrotoluene and dinitrophenols and anilines; handling those compounds in plant,		Periodical medical examination twice a year.

	medical explosive and petrochemical industry; and handling those compounds as solvents and additives in an environment causing health hazards.		
24.	Organic phosphates:		
	Manufacturing, mixing and using regularly of pesticides being among the group of organic phosphates; other similar works in hazardous conditions.		Periodical medical examination twice a year.
25.	Plastics and synthetic resins and compounds and semi-finished products in their manufacture:		
	Working in plastic, paint, lacquer and glue industry; other works where semi-finishing products and raw materials of non-polymerous plastics will be handled; other similar works.		Periodical medical examination once a year.
26.	Mineral dusts:		
	(a)	Works where one is exposed to stone and other mineral dusts in mines, in asbestos, in tunnelling, and in asbestos factories; processing and handling with refinement and blasting sand; heat-insulating, and other similar works.	Pre-employment medical examination before the work. Periodical medical examination once a year (X-ray of mini-size of 10 x 10 cm).
	(b)	Other works where stone or mineral dusts are present such as works in glass porcelain, roof plate factories; in stonemasonry, in stone dressing and in foundries; and in other similar works.	Pre-employment medical examination before the work. Periodical medical examination once in three years.
27.	Organic dusts:		
	Works where one is handling raw cotton, tobacco and coffee other similar works.		Periodical medical examination once a year.