

Based on the Article 13 paragraph 2 and 3 of the Law on Protection and Health at Work ("Official Gazette of Montenegro", No. 34/14), Ministry of Labour and Social Welfare adopted the

RULEBOOK ON THE USE OF TOOLS AND EQUIPMENT OF PERSONAL PROTECTION AT WORK*

Article 1

This regulation defines the minimum requirements that an employer has to fulfil for ensuring the protection measures while using the tools and equipment for personal protection at work.

Article 2

Tools and equipment for personal protection at work shall be all tools and equipment, as well as all the auxiliaries and additives, which the employee carries, keeps, or in any other way uses on work, in order to protect him against one or more simultaneously generated hazards and / or harms i.e. which eliminate or reduce the risk to safety and health at work.

Article 3

Means and equipment for personal protection at work, in terms of this Rulebook, are not considered the following:

- regular work clothes or uniform, which is not specifically designed to protect the health and safety of employees;
- Vehicles and equipment used by employees in the services for first aid and rescue;
- The means and equipment for personal protection of persons in the service of the Army of Montenegro, police and employees of other state bodies and state administration if prescribed by special regulations;
- The means and equipment for personal protection intended for employees in the road transport;
- Sports equipment;
- Tools and equipment for self-defence and deterrence; and
- Portable devices and apparatus for detecting and reporting hazards and interference.

Article 4

Means and equipment for personal protection at work shall be used by an employee in the workplace or during the performance of jobs and activities, on which in hazard and / or harm or risks to safety and health at work can not be eliminated or sufficiently reduced by providing protective measures.

Article 5

Dangers and harms or risks to safety and health at work referred to in the Article 4 of this Rulebook, an incomplete list of resources and equipment for personal protection at work and incomplete list of means and equipment for personal protection to jobs that require their use are provided in the appendices, which form an integral part of these Rule, i.e. the following:

- Specimen risk survey table giving risks to safety and health at work which require the use of means and equipment for personal protection at work (Annex 1);
- Non-exhaustive guide list of items of personal protective equipment (Annex 2); and
- Non-exhaustive guide list of activities and sectors of activity that may require the provision of personal protective equipment (Annex 3).

Article 6

The employer shall provide an employee with the means and equipment for personal safety at work, which should:

- be manufactured in accordance with the regulations governing general product safety;
 - be intentionally made to eliminate or reduce risk in the workplace and, as such, should not increase existing or create new risks for the protection and health of the employee;
 - correspond to existing conditions at the workplace;
 - meet specific ergonomic requirements in the workplace and the health condition of the employee;
- and
- be designed so that employees can properly and in a simple way use those even after adjustments, repairs, additional preparation, etc.

When an employee, due to a danger and harmfulness to which he is exposed, should at the same time use various means and equipment for personal safety at work, the employer should ensure that those are mutually adaptable and effectively protect the employee from the dangers and hazards in the work that he is exposed to.

Article 7

An employer has to determine the means and equipment for personal protection at work and conditions of their use suitable for the conditions in the workplace, taking into account the type and frequency of exposure to hazards and harms, the level of risk, characteristics of the workplace and the effectiveness of the protection of the employee with the means and equipment for personal safety at work in relation to the conditions and time of using.

Article 8

Upon giving the means and equipment for personal protection at work to an employee for his usage, the employer should respect the principle on which the means and equipment for personal protection at work are intended for their personal use.

When the means and equipment for personal protection at work are used by employees more than one, such a use must not endanger their health and hygiene.

Article 9

The employer must issue the employee for his usage only the tools and equipment for personal safety at work that are in good working order.

The employer should be required to provide a satisfactory hygienic condition of means and equipment for personal protection at work by their preservation, maintenance, repair and replacement.

Article 10

Before the start of the use of means and equipment for personal safety at work, the employer should in due course of time get an employee acquainted with the risks, and the employee should use the means and equipment for personal protection at work given to him for usage.

The employer should ensure the employee use of means and equipment for personal protection at work in accordance with their purpose and instructions that should be understood by the employee, except in exceptional and specific cases.

Article 11

Before the selection of means and equipment for personal safety at work, which he plans to provide the employee with for his usage, an employer must make an assessment of whether the means and equipment meet the requirements set forth within the provisions of the Article 5 of this Rulebook.

The assessment shall include the following:

- Analysis and assessment of risks that can not be eliminated or reduced by other measures;
- Features that should be the characteristics of the means and equipment for personal protection at work to effectively resolve or reduce the risks from item 1 of this paragraph, as well as the risks that may arise from the usage of such equipment; and
- A comparison of the characteristics of the means and equipment for personal protection at work that may be acquired, which meet the requirements of the item 2 of this paragraph.

Article 12

Employers are obliged to adjust the work and operations with the provisions of this Rulebook within one year from the date of their entry into force.

Article 13

As at the date of this Rulebook becoming effective, the effectiveness of the Rulebook on personal safety at work kits and personal protective equipment ("Official Gazette of SFRY", No. 35/69) shall repeal.

Article 14

This Rulebook shall enter into force on the eighth day of its publication in the "Official Gazette of Montenegro".

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Podgorica, July 21, 2015

* This Rulebook has been transposed into the Council Directive 89/656/EEC dated 30 November 1989 on the minimum requirements for the use of means and equipment for personal protection at work.

MINISTER,

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