

LABOUR INSPECTION (ORGANISATION) LAW, 5714-1954

PART ONE: THE INSPECTION SERVICE

Establishment and functions of Inspection Service.

1. There shall be established a Labour Inspection Service (hereinafter: "the Service"), the function of which shall be -

- (1) to supervise compliance with every enactment, with the implementation of which, the Minister of Labour and Social Affairs is charged and the supervision of compliance with which the Minister, by notice published in *Reshumot*, has entrusted to the Service;
- (2) to supervise labour safety (hereafter: "safety"), vocational hygiene (hereafter: "hygiene") and welfare in places where persons work or are to work for purposes of any business or occupation, and to guide employees and employers in these matters.
- (3) to carry out any other function which the Minister of Labour and Social Affairs may assign to it in the field of safety, hygiene, welfare and work arrangements.

Personnel of the Service.

2. (a) The personnel of the Service shall consist of Labour Inspectors, who shall be appointed by the Minister of Labour and Social Affairs, generally or for particular branches of activity or particular functions.
- (b) The Minister of Labour and Social Affairs shall appoint from among the Labour Inspectors a Chief Labour Inspector (hereinafter: "Chief Inspector") and Assistant Labour Inspector and Regional Labour Inspectors (hereinafter: "Regional Labour Inspectors"). A Chief Labour Inspector may delegate any of his powers under any law to an Assistant Chief Labour Inspector or a Regional Labour Inspector.

Powers of Labour Inspector.

3. In addition to any power vested in him by any enactment, a Labour Inspector shall, for the purpose of carrying out his functions, be competent -

- (1) to enter at any time any place in which he has reason to believe that persons are, or are to be employed, or that work is done for purposes of any business or occupation (hereinafter: in this chapter "workplace");
- (2) to inspect in a workplace the work routine and the arrangements for safety, hygiene and welfare and, *inter alia*, the installations, machinery, equipment and work processes;
- (3) to clarify the causes and circumstances of work accidents;
- (4) to examine, whether alone or before another person as to any matter pertaining to the functions of the Service, any person found in a workplace, and any person of whom he has reason to believe works or has worked in a workplace; but a person shall not be required to give an answer or evidence likely to incriminate him, the Labour Inspector may make a record of the answers and statements of the person examined, and the record shall be treated like a statement prepared under section 2 of the Criminal Procedure (Evidence) Ordinance, and sections 3 and 4 of that Ordinance shall apply thereto;
- (5) to inspect and copy any register, certificate, report or other document the keeping, execution or submission of which is obligatory under an enactment with the implementation of which the Minister of Labour is charged;
- (6) to take a sample of any product, intermediate product or raw material after giving notice to the occupier of the workplace, and to photograph any material, installation, machine, structure or work process;
- (7) with the approval of a Regional labour Inspector to direct the occupier of the workplace to carry out any such examination of any product, intermediate product or raw material as he may direct and to communicate to him the results of the examination within a period prescribed by him;
- (8) to have himself accompanied by a police officer if he has reason to anticipate interference with the exercise of his functions.

Copy of reports.

4. A Labour Inspector shall not, except with the sanction of the Chief Labour Inspector, surrender a copy of a report drawn up by him or of parts of such a report.

Assistance by experts.

5. Where a Labour Inspector is of the opinion that the welfare or health of persons working in a workplace is in danger owing to the work or the process thereof or the condition or manner of use of the machinery, installations or equipment or from any other cause, he may bring a technical expert to that place and cause him to carry out before him such tests as he himself is authorised to carry out.

Safety orders.

6. (a) Where a Regional Inspector, whether through any act of his own or on the strength of a report of a Labour Inspector, is satisfied that the nature, structure or position of any machine, equipment, installation or material used or intended to be used in a workplace, or a process or particular act or omission in a workplace, endangers the welfare or health of a person, he may, by order, do one of the following:

(1) prohibit the use of any machine, installation, equipment or material or of any part thereof, as set out in the order, or prohibit such use until the cause of the danger has been removed and a confirmation to such effect has been given by a Labour Inspector.

(2) require the occupier of the workplace to take within the time specified in the order, such measures as are set out in the order for the purpose of removing the danger.

(b) Where the danger is not immediate, a Regional Labour Inspector shall not make an order under this section unless he has given the occupier of the workplace a suitable opportunity to be heard.

(c) An order under this section shall be signed by a Regional Labour Inspector and be sent by registered post or delivered into the hands of the occupier of the workplace or posted up conspicuously at the workplace. An error in indicating the name of the occupier shall not impair the legality of an order delivered or posted up as aforesaid.

(d) A Chief Labour Inspector may confer on a particular Labour Inspector, in writing, the powers vested in a Regional Labour Inspector by this section.

Effect of safety order.

7. (a) An order under section 6 shall remain in force so long as it has not been canceled by a Regional Labour Inspector or by the Chief Labour Inspector or by a Regional Court, within the meaning of the labour Courts Law, 5729-1969 (hereinafter referred to as a Regional Labour Court) upon application submitted by the occupier of the workplace.

(b) Where an order under section 6 prohibits the use of any machine, installation, equipment or material until the cause of the danger has been removed, and the occupier of the workplace has notified that such cause has been removed, a Labour Inspector shall examine the position within two days from the time when the notification was received by a Regional Labour Inspector or by the Labour Inspector who made the order being empowered under section 6(d).

Carrying into effect of safety order.

8. (a) Where an order under section 6 has been made, a Labour Inspector may, with the assistance of the police, use force to the extent required for carrying the order into effect.

(b) Where an order under section 6 has not been complied with, the occupier of the workplace in respect of which it has been made is liable to imprisonment for a term of one year or to a fine of not exceeding 9,600 new Shekalim or to both such penalties, and to an additional fine not exceeding 970 new Shekalim for every day on which the offence continues.

(c) The making or carrying into effect of an order under section 6 does not relieve one from criminal or civil responsibility under any other law.

Improvement order.

8A. (a) Where a Regional Labour Inspector, or a Labour Inspector empowered by him for the purposes of this section, is satisfied that any such provision of an enactment as relates to the safety, health, hygiene or welfare of persons working in a particular workplace, or being therein for the purposes of their business or occupation, is not complied with therein, he may be order (hereinafter referred to as an "improvement order") require the occupier of the workplace to take steps specified in the order so as to comply with that provision within a period, not less than fourteen days, prescribed in the order. The provisions of section 6(c) shall apply also to an improvement order. Where a Minister other than the Minister of Labour and Social Affairs is charged with the implementation of the enactment, the Inspector shall serve a copy of the order upon that Minister or a person appointed by him for that purpose.

(b) The occupier of the workplace shall notify the Regional Labour Inspector, in writing, of the implementation of the improvement order within seven days after the expiration of the period prescribed therein for its implementation.

Appeal.

8B. The occupier of a workplace may, within seven days from the day on which an improvement order is delivered to him in one of the ways indicated in section 6(c), appeal against it to the Regional Labour Court in the area of which the workplace is situated, and if he does so, he may apply to such court to direct a postponement of the implementation of the whole or part of the order.

Penalties and administrative fine.

8C. (a) A person who, being required to comply with an improvement order, does not do so shall be liable –

- (1) to imprisonment for a term of six months or a fine not to exceed 9600 new Shekalim;
- (2) to an additional fine not to exceed 970 new Shekalim per day in respect of every day on which the order is not complied with.

(b) Where a Regional Labour Inspector is satisfied, either by non-receipt of notification as required by section 8A(b) or in any other manner, that an improvement order has not been fully implemented, he may so declare by certificate under his hand, indicating the number of days elapsed from the expiration of the time prescribed for the implementation of the order until the date of the certification, and may impose an administrative fine of one tenth of the amount that may be imposed under subsection (a)(2). A Regional Labour Inspector may again issue certificates and impose fines as aforesaid until the order is fully implemented, and a certificate so issued shall indicate the number of days elapsed since the date of the preceding certificate. A certificate shall be served in the manner prescribed by the Minister of Labour and Social Affairs by regulations.

(c) An administrative fine under subsection (b) shall be paid within fifteen days from the date of service of the certificate. Where it is not paid in time, it shall have interest, or linkage differentials and interest, as the case may be, added to it as provided in section 97 of the Value Added Tax Law, 5736-1975.

(d) The imposition of an administrative fine under subsection (b) shall be appealable, within fifteen days after service of the certificate, to the Regional Labour Court in the area of which the workplace is situated.

(e) Where the administrative fine has been paid and has not been appealed against or the appeal has been dismissed, the offence under subsection (a) shall be deemed to have been redressed.

(f) The decision of the Regional Labour Court in an appeal shall, for the purposes of an appeal therefrom, be treated as a judgment of such court in a criminal proceeding.

(g) The Taxes (Collection) Ordinance shall apply to the collection of an administrative fine under this section, and it may also be collected by way of a civil action.

(h) The provisions of this section shall not derogate from the criminal responsibility of the occupier of the workplace under the other provisions of this Law and under any other law.

Safety scheme.

8D. (a) The occupier of a workplace of a class designated by the Minister of Labour and Social Affairs by regulations shall, within a period prescribed by the Minister in regulations, prepare a safety scheme for the workplace and shall update it whenever necessary by reason of changes in the workplace.

(b) A safety scheme shall include provisions as to the following matters and further safety matters prescribed by regulations:

- (1) procedures as to safety, hygiene and occupational health at the workplace, and the holders of functions thereat in these fields;
- (2) emergency procedures for special risk situations and for cases of work accidents.

(c) The Minister of Labour and Social Affairs may enact by regulations provisions as to the preparation, particulars and updating of a safety scheme and as to bringing it to the notice of those working at the workplace. Provisions as aforesaid concerning hygiene or occupational health require consultation with the Minister of Health.

(d) The occupier of a workplace shall deliver to a Regional Labour Inspector, at his written request, a copy of the updated safety scheme within the time prescribed in the request.

(e) Where a Labour Inspector finds a defect in a safety scheme, he may request the preparation of an amended or new safety scheme, and the provisions of this section shall apply *mutatis mutandis*.

(f) A person who does not comply with a request under subsection (d) or (e) shall be treated in like manner as a person who does not comply with an improvement order, and the provisions of section 8C shall apply *mutatis mutandis*.

(g) Regulations under this section shall be made after consultation with the employees' organisation representing the greatest number of employees in the State and with an employers' organisation which in the opinion of the Minister is representative and concerned in the matter, and with the approval of the Knesset Labour and Social Affairs Committee.

(h) The provisions of this section shall not apply in respect of a workplace mainly concerned with the production, filling, storage, conveyance, transportation and marketing of gas (such a workplace hereafter referred to as a "gasworks").

Information and safety training.

8E. The Minister of Labour and Social Affairs may, with the approval of the Knesset Labour and Social Affairs committee, enact by regulations provisions as to the duty of the occupier of a workplace to provide those working thereat with information and training required to prevent work accidents and occupational diseases. Regulations as aforesaid may be general or according to classes of workplaces, branches of employment, trades or regions.

Application to lifts not situated in undertaking.

8F. For the purposes of sections 3, 4, and 6 to 8C, premises which are not part of an undertaking and in which a lift is used shall be deemed to be a workplace, and the person who uses or actually occupied the premises shall be deemed to be the occupier of the workplace.

PART TWO: DELEGATES, COMMITTEES AND SAFETY OFFICERS

Definitions.

9. For the purpose of this Part –

"Undertaking" means a place to which the whole or a part of the Work Safety Ordinance (New Version), 5730-1970, applies;

"The employer" means the occupier of an undertaking;

"safety delegate" means a delegate for matters of safety or hygiene under section 19 or 20.

Establishment of safety committees.

10. (a) In an undertaking in which not less than 25 employees are employed, there shall be a safety committee consisting of representatives of the employees and representatives of the employer in equal numbers; in an undertaking in which the number of employees is less than 25, the employees and the employer may establish a safety committee by agreement. However, the Minister of Labour and Social Affairs may, with the approval of the Knesset Labour and Social Affairs Committee, enact by regulations provisions as to the duty of establishing a safety committee even in an undertaking in which the number of employees is less than twenty-five, provided that the number of the members of the safety committee in such an undertaking shall not exceed four; regulations as aforesaid may be according to classes of undertakings, branches of employment, trades or regions.

(b) Where one side or both sides has or have not designated all or some of its or their representatives on the safety committee, a Regional Labour Inspector may request it of the, in writing, to designate its or their representatives within the time prescribed by him and shall thereupon send a copy of the request to the employees' organisation representing the greatest number of employees in the state and/or the employers' organisation which in the opinion of the Minister is concerned in the matter, as the case may be. If the request is not complied with, the Inspector may, at his discretion, appoint members to the safety committee, from among the employees of the undertaking or otherwise, who shall serve until representatives are designated in their stead. The Minister of Labour and Social Affairs may prescribe by regulations rates of loss-of-working-time allowance and expenses to be paid by the employer to a person who, not being an employee of the undertaking, has been appointed a member of the safety committee as aforesaid.

(c) Where one side has not designated all or some of its representative on the safety committee, such fact shall not affect the committee's capacity to act or the validity of its decision.

Formation of safety committee.

11. (a) The representatives of the employees on a safety committee shall be employees of the undertaking elected or appointed by the employees therein or by the employees' committee, as shall be prescribed by regulations.
- (b) The representatives of the employer on a safety committee shall be appointed by him, and shall as far as possible include foremen and persons responsible on behalf of the employer for matters of safety.
- (c) The period of tenure of the members of the safety committee and the qualifications to be taken into account in their election or appointment shall be prescribed by regulations.

Notice concerning safety committee.

12. (a) Where a safety committee has been established, the secretary of the committee shall as soon as possible give notice of such fact, by registered letter to a Regional Labour Inspector, indicating the names of the members of the committee, the chairman and the secretary; the secretary shall in like manner notify a Regional Labour Inspector of any change which has occurred in the particulars contained in the notice of the establishment of the committee.
- (b) Copies of notices under this section shall be sent by the secretary of the safety committee to the Institute established under section 26.

Work procedure of safety committee.

13. (a) A safety committee shall elect from among its members, by majority vote, the chairman of the committee. Failing such a majority, a safety committee shall have two chairmen, one from among the representatives of the employer on the committee and appointed by him on that behalf, the other from among the representatives of the employees on the committee and elected by such representatives; the chairmen of the committee shall preside over its meetings in a rotation prescribed by it, and either of them may convene the committee. The safety committee shall appoint the secretary of the committee.
- (b) In every vote in a safety committee, the representatives of each side shall, if voting unanimously, have a number of votes equal to the number of votes of the representatives of the other side.
- (c) A Labour Inspector and a representative of the Institute for Hygiene and Safety under Chapter Three may take part in the meetings of a safety committee, without voting rights, either on their own initiative or at the invitation of the committee or of one of its members.
- (d) The committee shall prescribe the procedure for its deliberations and work in so far as it is not prescribed by this Law or by regulations.

Duties and powers of safety committee.

14. (a) A safety committee shall be required and empowered -
 - (1) to clarify the causes and circumstances of work accidents in the undertaking and to recommend measures for their prevention;
 - (2) to keep itself informed of safety and hygienic conditions, to recommend improvements and to advise in the laying down of safety rules;
 - (3) to receive a report from the safety delegates and to check and coordinate their activities;
 - (4) to accompany a Labour Inspector at his visits to the undertaking.
- (b) Where an employer does not comply with the recommendations of a safety committee under paragraph (1) or (2) or subsection (a), the Regional Labour Inspector may direct him by order to do so after giving him an opportunity to be heard. An order as aforesaid shall be in force so long as it has not, on the application of the employer, been canceled by the Regional Labour Inspector, the Chief Labour Inspector or a Regional Labour Court.
- (c) A person who does not comply with an order under subsection (b) shall be treated in like manner as a person who does not comply with an improvement order, and the provisions of section 8C shall apply *mutatis mutandis*.

Contact between safety committee and Labour Inspector.

15. (a) A Labour Inspector shall send to the safety committee and the employees' committee in an undertaking a copy of every communication which he has sent to the employer in matters of safety and hygiene and which is likely to aid the committee in carrying out its functions.
- (b) The secretary of the safety committee shall send to a Regional Labour Inspector minutes of the meetings of the committee or a summary thereof.

Infringement of safety rules.

16. (a) A safety committee may recommend to the employer disciplinary measures against an employee who does not comply with safety rules, whether expressly laid down or customary, and an employer may adopt measures which have been recommended, including:
- (1) a deduction from the pay of the employee, not exceeding the amount of a week's pay;
 - (2) suspension of the employment of the employee for a period not exceeding two weeks;
 - (3) in special cases justifying this, transfer to another suitable task in which the measure of risk is less, or, if a transfer is impossible, dismissal.
- (b) An amount which an employer had deducted from the pay of an employee under subsection (a) shall be placed at the disposal of the safety committee, to be used for such advancement of safety conditions or improvements of hygiene or welfare in the undertaking as the employer is not bound by statute to effect.

Duties of employer towards safety committee.

17. (a) The employer -
- (1) shall facilitate the carrying out of the functions of the safety committee;

(2) shall not impair the terms of employment and status in the work of a member of a safety committee, and shall not dismiss him, on account of his activities as a member of the committee; where a difference of opinion arises between a member of the committee and an employer in connection with an act of an employer as aforesaid, the member of the committee may apply to the Minister of Labour and Social Affairs, who shall decide the matter after giving the parties an opportunity to be heard, and whose decision shall be final; the Minister of Labour and Social Affairs shall not entertain an application of a member of a safety committee who has not been dismissed as aforesaid if it was made upon the expiration of thirty days from the day of the dismissal.

(b) The Minister of Labour and Social Affairs may, with the approval of the Knesset Labour and Social Affairs Committee, enact by regulations provisions as to the modes of assistance given by the employer to a safety committee in carrying out its functions. Such regulations may be general or according to classes of undertaking, branches of employment, trades or regions.

Delegation of powers.

18. The Minister of Labour and Social Affairs may delegate powers vested in him by section 17(a) and notice of such a delegation shall be published in *Reshumot*.

Safety delegates in an undertaking in which a safety committee exists.

19. In an undertaking in which a safety committee exists, the representatives of the employees on the committee, and other employees appointed by it, shall be the delegates for matters of safety and hygiene in that undertaking.

Safety delegates in an undertaking in which no safety committee exists.

20. (a) In an undertaking in which no safety committee exists, the employees may elect from among themselves, or appoint, delegates for matters of safety and hygiene, of a number to be approved by a Regional Labour Inspector.

(b) The mode of election or appointment of delegates under subsection (a), their period of tenure and the qualifications to be taken into account in their election or appointment, shall be prescribed by regulations.

Notice concerning safety delegate and beginning of his tenure.

21. A person who has been elected or appointed safety delegate and has accepted the task shall notify him in writing to his employer, and if there is an employees' committee in the place it shall certify the notification; a copy of the notification shall be sent by the employer, by registered post, to a Regional Labour Inspector, and the tenure of the delegate shall begin on the date on which notification is given to the employee.

Duties and powers of safety delegate.

22. A safety delegate shall be required and empowered -

- (1) to keep himself informed of safety and hygienic conditions and to take action for their improvement;
- (2) to guide and advise the employees as to everything relating to the improvement of safety and hygiene;
- (3) to notify the employer or his representative in writing of defects in the sphere of safety and hygiene; a copy of the letter of notification shall be delivered by hand or by registered post to a Regional Labour Inspector;
- (4) to inspect any register, certificate, report or other document relating to safety and hygiene which is required to be kept, maintained or submitted under an enactment with the implementation of which the Minister of Labour and Social Affairs is charged;
- (5) to accompany a Labour Inspector at his visits to the undertaking.

Duties of employer.

23. The employer -

- (1) shall extend to a safety delegate the facilities appropriate to the carrying out of his functions and shall encourage him in his activities;
- (2) shall adopt suitable measures for remedying defects duly notified to him by a safety delegate or, if he does not do so, shall deliver to the safety delegate, within a reasonable time, a reasoned

notice in writing and send a copy of such notice, by registered letter, to a Regional Labour Inspector.

Protection of safety delegate.

24. The employer shall not impair the terms of employment and status in the work of a safety delegate, and shall not dismiss him, on account of his activities as a safety delegate; the provisions of section 17(a)(2) shall apply *mutatis mutandis* to differences of opinion between a safety delegate and an employer in connection with acts of an employer as aforesaid.

Safety officer.

25. (a) The Minister of Labour and Social Affairs may, either generally by regulations or by special notice in writing, direct an employer to appoint a properly trained person to be the safety officer in the undertaking and to carry out the functions of a safety officer as his main task. A direction as aforesaid in respect of gasworks, within the meaning of section 8D(h), shall be issued after consultation with the Minister of Energy and Infrastructure.

(b) The Minister of Labour and Social Affairs shall not give special notice under subsection (a) unless it appears to him that the size of the undertaking, the work process and the measure of the risk justify this, and until he has consulted with the Board of the Institute established under section 26.

(c) The Minister of Labour and Social Affairs, may, by regulations, enact provisions as to the appointment and disqualification of a safety officer, his duties towards a Labour Inspector and a safety committee and the penalty to which he shall be liable for nonfulfillment of his duties.

PART THREE: THE INSTITUTE FOR SAFETY AND HYGIENE

The Institute for Safety and Hygiene.

26. (a) There is hereby established an Institute for Safety and Hygiene (hereafter: "the Institute"), the object of which is to promote conditions of labour safety and vocational hygiene.
- (b) The Institute is a body corporate and may enter into contracts, acquire, hold and transfer property and be a party to any legal or other proceeding.

Activities of the Institute.

27. The Institute -
- (1) shall conduct enlightenment activities;
 - (2) shall carry out and publish research;
 - (3) shall assist the election of safety delegates and the establishment of safety committees, guide and encourage them in their activity and, upon the application of a safety committee or of part of its members, send - whenever possible - a representative to the meetings of the committee;
 - (4) shall assist the Inspection Service in its activities;
 - (5) shall advise the Minister of Labour and Social Affairs on general matters relating to safety and hygiene;
 - (6) may award a certificate of distinction to persons who distinguish themselves in looking after safety and hygiene in an undertaking.

Board of the Institute.

28. (a) The supreme authority of the Institute is the Board of the Institute (hereinafter: "the Board"), the members of which shall be representatives of the employers and the employees in equal numbers, representatives of the Government and representatives of institutions which, in the opinion of the Minister of Labour and Social Affairs, are interested.
- (b) The members of the Board shall be appointed by the Minister of Labour and Social Affairs; provided that the representatives of the employees on the Board shall be appointed after consultation with the national employees' organisation representing the largest number of employees in the State and that the representatives of the employers shall be appointed after consultation with national organisations of employers which, in the opinion of the Minister, are representative and interested.
- (c) The Minister of Labour and Social Affairs shall, by regulations, enact provisions as to the period of tenure of the Board and the conditions of discontinuance of membership therein.
- (d) Notice of the composition of the Board of the Institute shall be published in *Reshumot*.

Committees.

29. The Board may, from among its members or otherwise, appoint permanent or temporary committees, define their functions and delegate powers to them.

Chairman of the Board.

30. The Minister of Labour and Social Affairs or, in his absence, a person appointed by him in that behalf shall be the chairman of the Board.

Procedure.

31. The Board shall prescribe the procedure for its deliberations and work in so far as it has not been prescribed by regulations.

Directorate of the Institute.

32. (a) The Institute shall be managed by a Directorate consisting of representatives of the Government on the Board, appointed to the Directorate by the Minister of Labour and Social Affairs, and representatives of the employees and the employers on the Board, of an equal number fixed by the Board, elected to the Directorate by the representatives of the employees and the employers on the Board, each category separately and by separate vote.
- (b) The representatives of the Government in the Directorate present at a meeting and voting unanimously shall have equal voting power with the other members of the Directorate present at the meeting and voting.

(c) The Directorate shall prescribe the procedure for these deliberations and work in so far as it has not been prescribed by regulations.

Budget of the Institute

33. (a) The Directorate shall prepare a draft annual budget of the Institute and shall submit it to the Board on such date as the Board shall prescribe.

(b) The Board shall consider the draft budget and forward it, with its observations and recommendations, for the approval of the Minister of Labour and Social Affairs.

(c) The Minister of Labour and Social Affairs may approve the budget as drafted, or with such alterations as he may think fit after discussion with the Directorate.

Revenue of the Institute.

34. The budget of the Institute shall be covered out of an allocation by the Treasury and an allocation by the organisations of employees and employers which have representatives on the Board. The Directorate may also accept contributions and revenue from the organisation of its well-wishers and from publications and other activities.

34A. A person required by section 15(b), 21 or 23 to send a document to a Regional Labour Inspector shall, at the request of the Institute, send it a copy thereof.

PART FOUR: MISCELLANEOUS

Secrecy.

35. An expert acting under section 5 or an employee of the Institute shall not disclose anything that comes to his knowledge by virtue of a function under this Law, except in execution of a duty imposed on him by Law.

Penalties.

36. (a) A person who -
- (1) hinders a Labour Inspector from exercising his powers; or
 - (2) refuses to answer a question of an inspector of Labour which he is under a duty to answer;
 - (3) contravenes the provisions of section 35 is liable to imprisonment for a term of six months or a fine not to exceed 9,600 new Shekalim or to both such penalties.
- (b) An employer who contravenes the provisions of section 16(b) or 23(2) or on insufficient grounds notifies a Regional Labour Inspector, under section 7(b), of the removal of a cause of danger, or who does not comply with a direction under section 25(a), is liable to a fine not to exceed 9,600 new Shekalim.
- (c) A person who does not send to a Regional Labour Inspector to the Institute a notification or document, or a copy of notification or document, which he is bound to send him under this Law is liable to a fine not to exceed 9,600 new Shekalim.
- (d) A person who does not comply with a direction of a Labour Inspector under section 3(7) or contravenes the provisions of section 8D(a) shall be liable to imprisonment for a term of six months or a fine not to exceed 9,600 new Shekalim.
- (e) Where an offence under this Law or regulations thereunder is committed by a body of persons, whether incorporated or unincorporated, every person who at the time of its commission was an active director, authorised representative or active partner of that body shall also be guilty thereof unless he proves that the offence was committed without his knowledge and that he adopted every appropriate means to ensure compliance with the provisions of this Law and the regulations thereunder.

Removal from office.

37. Where a safety delegate or member of a safety committee does not fulfill the duties imposed on him by this Law or misuses his powers or is negligent in fulfilling his duties, the Chief Labour Inspector may remove him from office; however, in the case of a safety delegate, the Chief Labour Inspector shall not do so without first consulting the employees' committee, if any, in the undertaking, and in the case of a member of a safety committee who is a representative of the employer, he shall not do so without first consulting the employer.

Free postal delivery.

38. Any notification or document under this Law, or any copy of such a notification or document, may be sent to a Regional Labour Inspector postage-free, by registered post, in an envelope marked "Labour Inspector".

Saving of appointments.

39. (a) A person appointed to be an Inspector under the Department of Labour Ordinance, 1943, is deemed to have been appointed Labour Inspector under this Law.
- (b) A person appointed or deemed to have been appointed Labour Inspector under this Law shall, for the purpose of any enactment with the implementation of which the Minister of Labour and Social Affairs is charged, be considered to have been appointed Inspector or Labour Inspector for the purpose of that enactment. The provisions of this subsection apply, *mutatis mutandis*, to a Chief Inspector.

Limitation of application.

40. the Minister of Labour and Social Affairs may, in consultation with the Minister of Defence, impose by regulations, restrictions on the application of this Law in respect of undertakings of the Minister of Defence.

Repeal.

41. There are hereby repealed -
- (1) Sections 4(2), 5(d) and 10 of the Department of Labour Ordinance, 1943;
 - (2) Sections 39 and 40 of the Factories Ordinance, 1946.

Saving of laws and duties.

42. (a) This Law shall add to, and not derogate from anything provided in any other enactment. The fulfillment of a duty under this Law shall not excuse from the fulfillment of a duty under another enactment.
- (b) Where a person has been convicted of an offence under this Law or has paid an administrative fine, such fact shall not release him from his duties under this Law and the regulations thereunder.

Regulations.

43. The Minister of Labour and Social Affairs is charged with the implementation of this Law and may, in consultation with the Board of the Institute, make regulations as to any matter relating to such implementation.