



1.1 Analyse Key International and National Occupational Health and Safety Legislation Relevant to Organisational Operations

Learning outcome: By the end of this session, learners should be able to analyse key international and national occupational health and safety legislation relevant to organisational operations. Learners will examine the structure and purpose of legislation, the influence of international conventions, the role of regulatory authorities, and the relationship between primary and secondary legislation.

Learning Objectives

After completing this topic, learners will be able to:

1

Explain the purpose and structure of occupational health and safety legislation.

2

Analyse the influence of international conventions and directives on national legislation.

3

Evaluate the roles and enforcement powers of regulatory authorities.

4

Distinguish between primary and secondary legislation and their application within organisations.



Introduction

Occupational Health and Safety (OHS) legislation provides the legal framework for protecting workers, contractors, visitors, and the public from workplace hazards. It establishes minimum standards that organisations must meet and defines the legal responsibilities of employers, employees, regulators, and other duty holders.

While legislation differs between countries, many national laws are influenced by internationally recognised conventions and standards. Organisations operating across multiple jurisdictions must therefore understand both international expectations and national legal requirements to ensure compliance and effective governance.



1. Structure and Purpose of National Health and Safety Legislation

Occupational health and safety legislation aims to:

Protect workers and others affected by work activities.

Prevent workplace injuries and occupational diseases.

Promote safe systems of work.

Define legal duties and responsibilities.

Support enforcement and accountability.

Most national legal systems include:

Primary Legislation

Primary legislation (Acts or Statutes) establishes the main legal duties and principles.

Examples include:

- Health and Safety at Work Act (UK)
- Occupational Safety and Health Act (USA)
- Occupational Safety and Health legislation in Australia, Singapore, UAE and other jurisdictions.

Primary legislation defines broad legal responsibilities.

Secondary Legislation

Secondary legislation provides detailed legal requirements for implementing primary legislation.

Examples include regulations covering:

- Manual handling
- Working at height
- Hazardous substances
- Personal protective equipment
- Fire safety
- Machinery safety

Secondary legislation explains how legal duties should be fulfilled.

1. Influence of International Conventions and Directives

Although legislation varies between countries, international organisations promote common occupational health and safety principles.

Important international instruments include:

International Labour Organization (ILO)

The ILO develops international conventions and recommendations promoting:

- Safe and healthy working conditions.
- Worker rights.
- Occupational health.
- Labour standards.

Examples include:

- Convention No. 155 – Occupational Safety and Health.
- Convention No. 187 – Promotional Framework for Occupational Safety and Health.

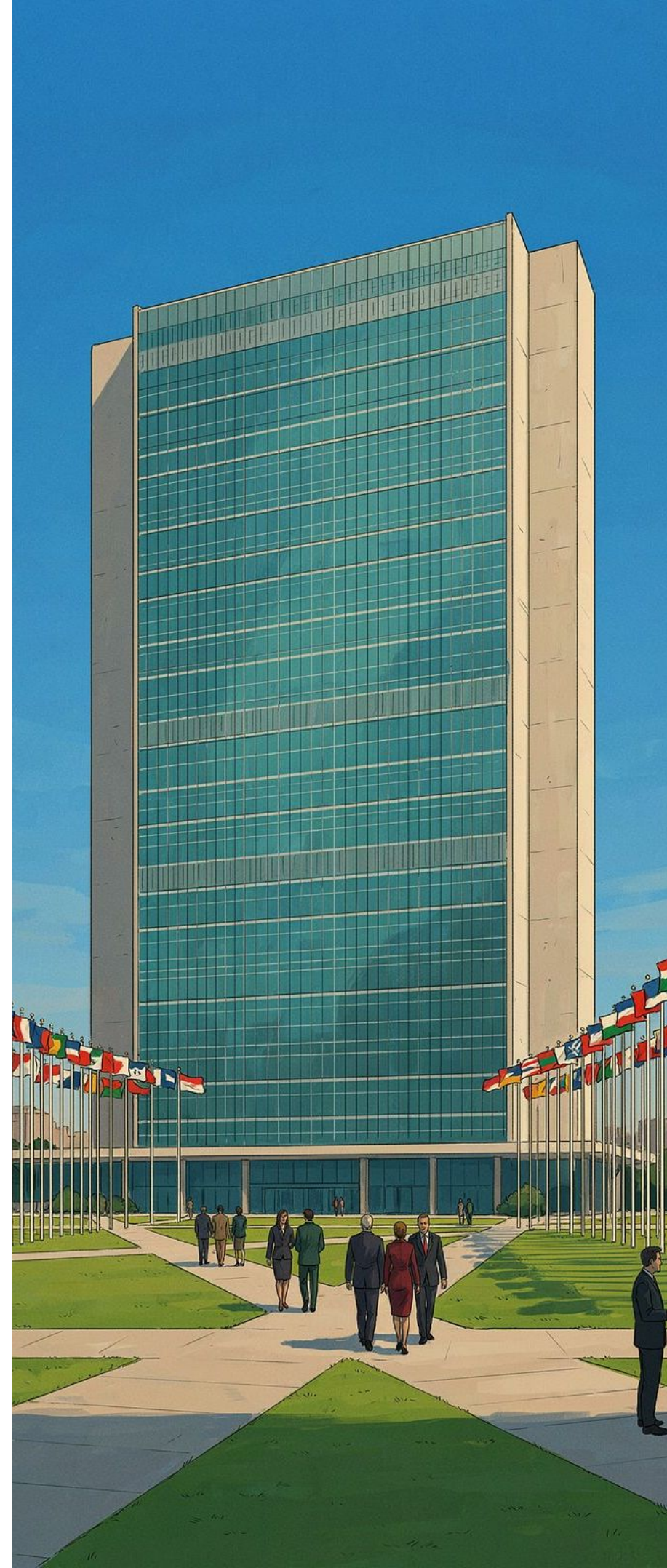
ISO 45001:2018

Although not legislation, ISO 45001 provides an internationally recognised framework for managing occupational health and safety and supports legal compliance.

Regional Directives

Some regions, such as the European Union, develop directives that member states incorporate into national legislation.

These help harmonise safety standards across multiple countries.



1. Regulatory Authority Roles and Enforcement Powers

Regulatory authorities ensure organisations comply with health and safety legislation.

Typical responsibilities include:

- Conducting inspections.
- Investigating accidents.
- Providing guidance.
- Issuing enforcement notices.
- Prosecuting serious breaches.
- Promoting legal compliance.

Examples include national labour inspectorates, occupational safety authorities, and environmental regulators.

Enforcement Powers

Regulators may:

- Conduct planned or unannounced inspections.
- Request documents.
- Interview personnel.
- Issue improvement notices.
- Issue prohibition notices where serious risks exist.
- Prosecute organisations or individuals.

Enforcement encourages organisations to maintain safe workplaces and comply with legal requirements.

1. Interaction Between Primary and Secondary Legislation

Primary and secondary legislation operate together.

Primary Legislation	Secondary Legislation
Establishes legal duties	Explains how duties are implemented
Broad principles	Detailed requirements
Approved by the legislature	Made under powers granted by primary legislation
Applies across many industries	Often addresses specific hazards or activities

Organisations must comply with both.



International Standards Supporting Compliance

Although not legally binding, several international standards support compliance with legislation:ISO 45001:2018 – Occupational Health and Safety Management Systems.

- ISO 31000:2018 – Risk Management.
- ISO 14001:2015 – Environmental Management Systems.
- ILO Occupational Safety and Health Conventions – International labour standards.

Practical Example

A multinational engineering company operates in the UK, India, and the UAE.

To ensure compliance, the organisation:

01	02	03
Identifies legal requirements in each country.	Implements an ISO 45001 management system.	Monitors changes in legislation.
04	05	
Trains managers on national legal duties.	Conducts regular compliance audits.	

Although legal requirements differ, the organisation maintains a consistent global OH&S management approach while complying with local legislation.

Critical Evaluation

International conventions and standards provide common principles for occupational health and safety, but legal compliance is ultimately determined by national legislation. Organisations operating across multiple jurisdictions must understand how international frameworks influence local legal requirements while recognising that enforcement powers, regulatory expectations, and statutory duties vary between countries. A robust OHSES management system integrates both international best practice and national legal compliance, enabling organisations to manage risks effectively, protect workers, and maintain organisational resilience.

Summary Table

Area	Purpose
Primary Legislation	Establishes legal duties and responsibilities
Secondary Legislation	Provides detailed legal requirements
International Conventions	Promote consistent global OHS principles
Regulatory Authorities	Monitor, enforce and promote legal compliance
ISO 45001	Supports systematic legal compliance through an OH&S management system

Reflective Questions

Why is it important for multinational organisations to understand both international and national occupational health and safety legislation?

How do international conventions influence national health and safety laws?

What are the differences between primary and secondary legislation?

How do regulatory authorities encourage organisations to comply with occupational health and safety legislation?

Key Takeaways

- Occupational health and safety legislation establishes the legal framework for protecting workers and others affected by work activities.
- International conventions, such as those developed by the ILO, influence many national occupational health and safety laws.
- Primary legislation establishes broad legal duties, while secondary legislation provides detailed requirements for implementation.
- Regulatory authorities play a key role in promoting compliance through inspections, guidance, enforcement notices, and prosecutions.
- Organisations operating internationally should combine recognised standards such as ISO 45001 with compliance to applicable national legislation to achieve effective OHSES governance and legal compliance.