



INSTITUTE OF SAFETY PROFESSIONALS OF NIGERIA (ISPON)

ESTABLISHED BY INSTITUTE OF SAFETY PROFESSIONALS OF

NIGERIA ACT 2014 (ACT NO.2)

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ISPON REGULATIONS I: GENERAL PROVISIONS FOR SAFETY MANAGEMENT IN NIGERIA 2024

ISPON Regulations I: General Provisions for Safety Management in Nigeria 2024

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REGULATIONS I: GENERAL PROVISIONS FOR SAFETY MANAGEMENT IN NIGERIA

COMMENCEMENT

In exercise of the powers conferred upon the Institute by section 3 of Institute of Safety Professionals of Nigeria Act 2014 (Act No.2) and all other powers enabling the Institute, the following regulations have been made.

Part I: Preliminary

Citation

These Regulations may be cited as "ISPON Regulations I: General Provisions for Safety Management in Nigeria 2024" or simply as "ISPON Regulations I:2024".

Interpretation

a). Unless the context indicates otherwise, any word to which a meaning has been assigned in the Institute of Safety Professionals of Nigeria Act 2014 (hereinafter in these Regulations referred to as "ISPON Act 2014" or "the Act") shall have that meaning.

b). In these Regulations unless otherwise stated;

"ISPON Act 2014" means Institute of Safety Professionals of Nigeria Act 2014 (Act No.2); the Act that established the Institute of Safety Professionals of Nigeria to regulate safety management profession and set standards of practice in Nigeria.

"Governing Board" means the Governing Board, also called the "Board" of the Institute of Safety Professionals of Nigeria, as established by Section 5 of ISPON Act 2014.

"Safety professional" as defined in section 16 of ISPON Act 2014.

"Designated Safety Officer" means a Safety Professional who is assigned by the employer to directly oversee the safety responsibility over an operation or a task. The designated safety officer is accountable for the safety of the job, while the overall responsibilities for safety management lies on the employer.

"Safety practitioner" means an individual who is trained and certified competent by the Institute of Safety Professionals of Nigeria to practice safety, whose job description is to ensure safety at work by using his knowledge, skills and experience to support his or her employer; a person who is involved in the day-to-day implementation of safety policies and procedures, typically ensuring compliance with relevant local, national and international standards while working under the guidance of a safety professional. Such a person must be assigned safety roles below the rank of a safety supervisor, and must be assigned under direct supervision of a safety professional. See further information in the **Meaning and Scope of Safety Practice in Nigeria** as published by the Institute.

"Safety management" means the professional practice that focuses on the design, construction, implementation and maintenance of systems, processes or procedures to identify, evaluate and control risks, and the implementation of all other approaches to ensure overall safety at any given time; the identification, evaluation, and mitigation of risks to ensure a safe environment for employees, customers, and any other persons; the application of the hazard and effect management process to manage hazard and risk.

"HSE" means health, safety and environment; also refers to policies, regulations, and procedures put in place to protect the health and safety of employees and the environment.

"Policy" means a statement of corporate intent, and commitment to a set of principles, rules, or guidelines formulated by an organisation to achieve specific goals; statement of commitment by an organisation to achieve certain operational requirements, legal requirements, and other requirements defined by relevant standards.

"Safety policy" means a formal document or statement issued by an organisation that outlines its commitment to maintaining a safe working environment; a statement that provides the framework for how the organisation intends to manage health and safety risks and ensure the well-being of its employees, other persons and protection of assets.

"Other relevant policies" means all other policies that the organisation should put in place to ensure safety and maintain compliance; these may be advised by ISPON or a safety professional, having consideration for the operations of the organisation.

"Compliance audit" means a systematic review and evaluation of an organisation's adherence to regulatory guidelines, industry standards, internal policies, and other legal requirements. The purpose of a compliance audit is to verify and ensure that the organisation is operating within applicable legal and regulatory framework.

"Health" means the total wellbeing of a person; refers to physiological and psychological wellbeing of a person.

"Environment" means the place of work; everything around an operation.

"Safety" means freedom from harm; operating within acceptable risk.

"Safety inspection" means systematic examination of a workplace, equipment, or processes, etc to identify potential hazards and ensure compliance with safety standards and regulations. The main goal of a safety inspection is to prevent accidents, injuries, and illnesses by proactively identifying and addressing unsafe conditions and practices.

"Safety critical responsibility" requires application of technical safety knowledge, skills, training and experience to manage high risk operations or tasks.

"Safety practice" means the design, application or implementation of safety policies, procedures, protocols, rules, regulations etc for the purpose of ensuring safety of life, asset or the environment; the application of knowledge, skills or experience to enhance safety management or implement safety policies and objectives in an

organisation; taking actions or doing such things relating to the day-to-day implementation of safety policies in an organisation; a set of coordinated activities or series of actions carried out to actualize specific objectives in any field of safety management; working as a safety officer in any field or division of safety management in an organisation.

"Hazard" means any source of potential damage, harm, or adverse health effects; anything that can cause injury, illness, or harm to people or damage to property and the environment.

"Unsafe act" means any behaviour, action, or decision that deviates from established safety procedures, protocols, or standards, and increases the risk of accidents, injuries, or harm; any action taken, or inaction, omission, failure to act, etc which can result in harm, damage, injuries, or has potential to cause accident.

"Safety competent" means to possesses the ability to apply knowledge, skills, training, and experience necessary to effectively identify, assess, and manage safety risks in a specific context or environment, as certified by ISPON. Being safety competent means having the ability to recognize potential hazards, implement appropriate safety measures, and take proactive steps to prevent accidents, injuries, or incidents from occurring in a given condition or situation.

"Recognized hazard" means a known or identifiable source of potential harm or danger in the workplace that has been identified by employers, employees, safety professionals, or regulatory authorities; A hazard that is known to pose a significant risk to the health and safety of individuals in a specified environment or under a given condition.

"Unsafe condition" means any condition or situation that poses risk of injury, illness, or harm to individuals, or which can cause accident. It could include condition of environment, equipment, or infrastructure, etc.

"Safety violation" occurs when an individual or organisation fails to comply with established safety regulations, standards, policies, procedures, or requirements whether due to ignorance, negligence, or wilful disregard for safety requirements.

"Loss prevention" means the strategies, policies, procedures, and measures put in place and implemented by an organisation to identify and evaluate risks, and prevent various types of losses, including harm to personnel, financial losses, theft, damage to property or other losses.

"Loss control" means the strategies, policies, procedures, and measures put in place and implemented by an organisation to identify and manage losses, including harm to personnel, financial losses, theft, damage to property or other losses and other adverse outcomes that can result from accidents, incidents, or unforeseen events.

"PPE" means any protective clothing, gear, or equipment worn or used to protect individuals from hazards and risks in the workplace or other environments where they may be exposed to harm. PPE must be provided by the employer, and must be suitable and adequate to protect against the hazards and risks.

"Emergency" means an unexpected and often dangerous event that requires immediate action to prevent an escalation or reduce harm, injury, loss of life, or damage to property.

"Risk" means the overall effect of a hazard, measured in terms of the likelihood of adverse occurrence and severity of the impact.

"Significant risk" means a risk having, or likely to have substantial and demonstrable adverse impacts.

"Other Persons" means other persons who may be affected by the work being done, even though they are not directly part of the work. Examples could include passersby at construction sites, persons engaged in commercial activities near or around an operation, residents, etc.

"Control measures" means any or combination of the five hazard control methods which include elimination, substitution, engineering, administrative or PPE.

"ALARP" means as low as reasonably practicable, describing a risk reduction level at which, objectively assessed, the time, trouble, difficulty and cost of further reduction measures become unreasonably disproportionate to the additional risk reduction obtained.

"Work-related injury or illness" means any injury or illness that a person suffered due to exposure to work or work conditions, or any such existing condition which is made worse as a result of work.

"Employer" means someone or an entity that has entered into a contract of employment formally or informally to employ other person as a worker either for himself or for the service of other person.

"LMISPN" means Life member, Institute of Safety Professionals of Nigeria; an honorary membership status granted to past Presidents of the Institute or any other deserving safety professional.

"FISPN" means Fellow, Institute of Safety Professionals of Nigeria; the distinct title used by Fellow members of the Institute of Safety Professionals of Nigeria; the highest professional membership grade in the Institute.

"MISPN" means Member, Institute of Safety Professionals of Nigeria; the full professional membership status of the Institute.

"AISPN" means Associate, Institute of Safety Professionals of Nigeria; a membership category for a safety professional in training; AISPN is not a full professional status but the member should already have experience to provide safety support up to supervisory levels.

"GISPN" means Graduate, Institute of Safety Professionals of Nigeria; membership grade granted to aspiring safety professionals; this is an entry membership grade for fresh graduates and those who do not have adequate field experience in safety practice.

"Student member" is granted to a student member of Institute of Safety Professionals of Nigeria; granted to a student who is pursuing a course in an approved discipline leading to the award of a bachelor degree or higher national diploma in an approved institution.

"Honourary Fellow" means Honouray Fellow member of Institute of Safety Professionals of Nigeria, granted to individual in recognition of their contributions towards advancement of safety management profession in Nigeria; a non-professional membership grade and it is not valid for professional practice.

"Abatement action" means to take action or apply necessary controls to eliminate or mitigate an identified risk; the action required to close out a violation.

"First Violation" means that the violation occurs for the first time.

"Repeat Violation" means that the same violation occurs at another time after last close out of abatement action.

"Wilful Violation" means that the same violation occurs the second consecutive time, or is repeated consecutively without close out of the previous abatement action; a violation which is proven beyond reasonable doubts to have occurred due to deliberate action of the organisation or individual.

PART II: Powers of ISPON to Provide Safety Regulations, Standards and Guidelines, etc and to Enforce Compliance.

1. Section 2(b) of ISPON Act 2014 provides that, in collaboration with relevant government agencies, ISPON should set standards of practice and determine the knowledge and skills to be acquired by persons seeking to register and practice as safety professionals and improve on such standards from time to time. This provision empowers ISPON to set standards of practice and specify qualifications for practice in safety management.

2. Sections 2(c) and 3(e) of the Act empower the Institute to do all such things as may be necessary to promote the advancement of safety profession in both the public and private sectors of the economy. This will also include but not limited to providing policies, guidelines, codes of practice, performing compliance audits and inspections, and enforcing compliance with the Institute's provisions.

3. Section 3(a) empowers ISPON to conduct examinations and award certificates and diplomas as well as advise employers on matters relating to qualifications for the practice of safety management in Nigeria. Pursuant to this provision, persons seeking to be employed for a role in safety management or already working in any field of safety management must satisfy requirements set out by the Institute. These requirements include but are not limited to specific training, certification, academic qualifications and relevant work experience.

4. Section 3(i) provides that in collaboration with relevant agencies of government, ISPON should regulate the practice of safety management in Nigeria. Pursuant to this provision, it is the duty of ISPON to collaborate with relevant government agencies to

ensure compliance with regulations made by the Institute, policies, guidelines, and other regulatory requirements. Further, it empowers ISPON to regulate all persons and organisations practicing safety management in Nigeria, whether or not such persons or individuals have been registered. Thus, for anyone, including corporate entities, to practice safety management in Nigeria, the requirements set out by ISPON in terms of training, skills, experience, and technical knowledge, etc must be satisfied.

PART III: Specialisations in Safety Management

The following Specialisations are hereby approved for professional practice in safety management in Nigeria. Any individual practicing or body corporate practicing in any of these specialisations must do so having the approval, training, certification and accreditation, or whatever may be required from the Institute.

1. Public Safety
2. Process Safety
3. Oil and Gas Safety
4. Mining and Quarry Safety
5. Aviation Safety
6. Marine/Maritime and Water Resource
7. Road and Rail Ways Transport Safety
8. Agriculture, Farm and Agro-Allied Safety
9. Disaster and Emergency Safety
10. Fire and Explosion Safety
11. Plant and Equipment Safety
12. Environmental Safety and Sustainable Development
13. Occupational Safety and Health
14. Electricity and Energy Safety
15. Security and Weaponry Safety
16. Food and Drug Safety
17. Laboratory Safety
18. Educational Institutions and Learning Facilities
19. Medical and Biomedical Safety

- 20. Radiation, Radioactivity and Nuclear Safety
- 21. Project and Structural Safety
- 22. Height and Aerodynamics Safety
- 23. Domestic and Paediatric Safety
- 24. Occupational Hygiene
- 25. Engineering Safety
- 26. Construction and Building Safety
- 27. Sport Safety
- 28. Tourism and Hospitality Safety
- 29. Raw Materials and Product Safety
- 30. Communication and Information Technology Safety
- 31. Ocular and Optical Safety
- 32. Anthropogenic Safety

PART IV: Committee on Safety Ethics, Compliance and Enforcement

A. Establishment of the National Committee on Safety Ethics, Compliance and Enforcement (NC-SECE)

The National Committee on Safety Ethics, Compliance and Enforcement was established by the Governing Board in 2022 to strengthen the administration of the Institute in line with Institute of Safety Professionals of Nigeria Act 2014 ("the Act"). Establishment of this committee is in line with the objectives of the Institute as provided in section 2(c), and Functions and Powers of the Institute to regulate the practice of safety management in Nigeria, pursuant to section 3(i) of the Act.

Mission

The mission of the National Committee on Safety Ethics, Compliance and Enforcement is to ensure strict compliance with the provisions of Institute of Safety Professionals of Nigeria Act 2014 by enforcing safety regulations and standards, prosecuting offenders, and by providing public awareness, engaging stakeholders, guiding employers and providing support for safety professionals and practitioners.

B. Duties and Powers of National Committee on Safety Ethics, Compliance and Enforcement (NC-SECE)

The duties and powers of NC-SECE include:

1. To enforce compliance with the Institute of Safety Professionals of Nigeria Act 2014;
2. To enforce compliance with safety regulations, policies, standards, codes of practice, ethics and other provisions of ISPON regarding the practice of safety management in Nigeria;

3. To enforce decisions of the Safety Professionals Disciplinary Committee in line with Section 13 of Institute of Safety Professionals of Nigeria Act 2014, and other relevant committees established by the Governing Board;
4. To liaise with the legal team of the Institute and coordinate with relevant external enforcement authorities or agencies in enforcing the provisions of the Institute's Act, safety regulations, policies, standards, codes of practice, ethics and other provisions of ISPON regarding the practice of safety management in Nigeria.
5. Subject to the approval of the Board, establish State Committee on Safety Ethics, Compliance and Enforcement (SC-SECE) as sub-committee of the National Committee on Safety Ethics, Compliance and Enforcement (NC-SECE).
6. Engage safety professionals as Compliance Officers to enforce compliance across all states in Nigeria.
7. Provide safety awareness relevant for the purpose of driving safety compliance.
8. Provide support for safety professionals and protect them from victimisation or other forms of abuses in the industry.

C. Duties and Powers of State Committee on Safety Ethics, Compliance and Enforcement (SC-SECE)

1. The State Committee on Safety Ethics, Compliance and Enforcement shall provide support in executing the duties NC-SECE at the state level.
2. SC-SECE shall give periodic report of compliance activities within the state to the NC-SECE.
3. Shall make recommendations on compliance requirements, penalties, appeals, and similar matters.

PART V: Regulation of Hierarchies in Safety Management Profession

For the purpose of professional ethics and orderliness in the profession, the following regulations shall apply.

1. The Institute recognizes seniority in membership categories, such that the most senior professional membership category is FISPON, followed by MISPON, AISPON, GISPON and Student member.
2. Pursuant to (i) above, an organisation shall observe membership grades in the placement of safety professionals for roles in safety management. Consequently, a lower membership grade shall not be placed above a higher membership grade for job roles or employment in any field of safety management.
3. A person who is not a member of the Institute shall not be placed above a member of the Institute for job roles or employment in any field of safety management.

PART VI: Duties and Powers of Compliance Officers

The Compliance Officers include Safety Auditors, Inspectors and any other safety professional or government enforcement officers approved for that purpose by the Governing Board.

A. Duties and Powers of Safety Auditors

1. verify compliance with ISPON safety standards and audit requirements.
2. identify non-conformances in implementation of company's HSE-MS.
3. evaluate the adequacy and suitability of the loss prevention and loss control programmes of the organisation.
4. evaluate the adequacy and suitability of the fire prevention programme.
5. issue violation notices to employers and recommend penalties for offences.
6. recommend preventive and corrective actions for employers.
7. specify timelines to close out issues and observations.
8. make recommendations to the National Committee on Safety Ethics, Compliance and Enforcement for further investigations.
9. give order for immediate arrest of offenders where necessary.

B. Duties and Powers of Safety Inspectors

1. promote good safety culture at workplace.
2. pursuant to section 2c of ISPON Act, enter any facility to carry out inspection for safety compliance.
3. make recommendations to employers regarding workplace safety improvement.
4. make recommendations to the National Committee on Safety Ethics, Compliance and Enforcement for further investigations, and regarding improvement of safety standards and regulations.
5. assess employer's programmes and strategies on how to reduce on-the-job hazards and prevent injuries, illnesses, and deaths in the workplace.
6. enforce compliance with safety standards and regulations and other relevant provisions.
7. based on observations during an inspection, recommend the facility for compliance safety audit.
8. issue violation notices to employers and recommend penalties for offences.

PART VII: Duties and Responsibilities of Employers and Employees

A. General Information

1. Pursuant to Section 16 of the Institute of Safety Professionals of Nigeria Act 2014, a Safety Professional is defined as "any person qualified in an engineering discipline, occupational health sciences, environmental sciences or other scientists or specialists in a related discipline with an acceptable

qualification who has acquired knowledge in the practice of safety management and whose name is in the register of the Institute."

2. Pursuant to section 3 (a) which empowers the Institute to advise employers on matters relating to qualifications for the practice of safety management in Nigeria, the Institute further makes the following provisions to guide employers and workers as part of promoting the safety management profession. ISPON understands that specific duties of safety personnel may vary from organisations, therefore, it is the duty of the employer to ensure that persons working under them are safety competent and are able to deliver the responsibilities assigned to them.

B. Duties and Responsibilities of a Safety Professional

A Safety Professional shall:

1. If required by his/her employer, deliver or facilitate in-house training to promote knowledge and awareness in safety management. In-house training shall be used by the employer alone and shall not be acceptable as a professional qualification in safety management.
2. Having the necessary approval and accreditation from ISPON for such topics which they have been pre-qualified to instruct, deliver safety training for the purpose of professional certification.
3. Carry out Health, Safety and Environment (HSE) audits and inspections.
4. Investigate incidents.
5. Advise employers on issues relating to safety management.
6. Prepare, review or approve safety reports.
7. Carry out safety research and development.
8. Carry out safety consultancy.
9. Promote the objectives of the Institute and the advancement of safety practice in Nigeria.
10. Perform other functions in line with the General Policy Guidelines of ISPON.

C. Duties and Responsibilities of Workers/Employees

All workers are responsible for protecting their own health and safety at work.

To minimise the risks to health and safety:

1. Cooperate with employer in identifying hazards and managing risks at work.
2. Attend safety induction, training and following instructions as provided by the employer.

3. Seek clarifications, guidance and instruction from safety professional if in doubt of safety on the job.
4. Stop operation and report to the supervisor in the occurrence of a hazard which poses immediate significant risk to people, asset or environment.
5. Comply with all policies, procedures and instructions in relation to work, health and safety.
6. Properly wear and use all PPE required for the job.
7. Cooperate with ISPON Compliance Officers during audit and inspection.

D. Duties and Responsibilities of Employers

Pursuant to section 2, sections 3(a), 3(e) and 3(i) of the Institute of Safety Professionals of Nigeria Act 2014, and in line with the International Labour Organisation's framework and fundamental principles and rights at work, the Institute requires all employers in Nigeria to:

1. Comply with all regulations, guidelines, directives and other policies issued by Institute of Safety Professionals of Nigeria to promote the practice of safety management at the workplace in line with section 2 (c), 3 (e) and 3 (i) of Institute of Safety Professionals of Nigeria Act 2014.
2. Provide a workplace free from serious recognized hazards and comply with standards, policies, rules, regulations etc issued under the Institute of Safety Professionals of Nigeria Act 2014, Factories Act 2004 and other applicable safety regulations in Nigeria.
3. Examine workplace conditions to make sure they comply with these regulations and other applicable provisions of Institute of Safety Professionals of Nigeria Act 2014, Factories Act 2004 and other relevant safety regulations Nigeria.
4. Make sure employees have safe tools and equipment for work, and ensure the safe use of the tools and equipment at all times.
5. Use relevant colour codes, posters, labels or signs etc to warn employees and other persons, of recognized or potential hazards.
6. Establish or update safe operating procedures and communicate the same to employees using most appropriate means, so that employees can safely carry out their jobs.
7. Ensure that employees are safety competent, and that they have obtained relevant safety training and certifications approved by ISPON.
8. Assign designated safety officers to all safety critical operations.
9. Pursuant to section 2 (a) and section 3 (a) of Institute of Safety Professionals of Nigeria Act 2014, demand relevant certificate of ISPON training where the worker is performing any role in safety management. Where the worker is to be employed for any role in safety management, ISPON membership certificate shall be required.
10. Prepare and maintain up-to-date safety records (work-related injuries and illnesses, dangerous occurrences etc), and make same available to ISPON immediately upon request.
11. Provide records of employees where required by ISPON, for the purpose of investigations, audits or other exercises to verify safety compliance.

12. Provide names of safety personnel and their qualifications to ISPON Compliance Officers immediately upon request.
13. Not discriminate against an employee who exercises their rights in line with ILO's framework of fundamental principles and rights at work, taking note that "a safe and healthy working environment is a fundamental principle and right at work".
14. Give unrestricted access to their facility for ISPON Compliance Officers to investigate, audit, inspect or carry out other compliance activities, and guide ISPON Compliance Officers safely within the facility.
15. Post violation notices, recommendations or penalties conspicuously at or near the work area involved as may be prescribed by the ISPON Compliance Officer, and leave such posting in place until the issue has been corrected, and verified by ISPON Compliance Officer.
16. Correct cited violations by the deadline set in the Violation Form and submit Request for Closure for ISPON to verify and close out the violations.

PART VIII: Guidelines for Employers on Employment and Engagement of Workers for Safety Practice

1. it shall be the duty of employer to ensure that a person who is engaged in safety practice has requisite qualifications, and that such person has been trained and certified by ISPON.
2. a person engaged as designated safety officer by the employer shall be full staff of the employer and shall be registered member of ISPON, of at least Associate Member grade (AISPON). An employer may not have more than one designated safety officer for the same operation. Where more than one safety officers are assigned to the same operation, one of them, who shall be the most competent by experience and membership grade, shall be assigned the role of designated safety officer, who shall manage the activities of the others.
3. a person who performs the roles of safety supervisor shall possess at least, ISPON HSE Level 3 and ISPON membership of at least, Associate grade (AISPON). For the roles of safety managers, the person shall possess at least ISPON Advanced HSE and ISPON membership of Member grade (MISPON).

PART IX: Special Provisions

1. Pursuant to section 2 and section 12 of Institute of Safety Professionals of Nigeria Act 2014, safety certifications and qualifications to be used for worker's competence development, or work, employment, etc in Nigeria shall be issued by ISPON, or where applicable, by organisations which are accredited by ISPON.
2. Employers may require safety professionals who work in their organisation to deliver in-house training for the purpose of promoting safety awareness or improving worker's competence in the organisation. In-house training shall not be acceptable as professional qualification in safety management. Competence development training and other professional certification courses in safety

management shall be delivered by ISPON or third-party who shall be an approved and accredited training provider in the required course or topic.

3. A person who desires to work as safety professional in Nigeria shall be financially up-to-date as a member of the Institute.
4. A person practicing safety, or holding any safety related positions, providing safety advisory roles, consultancy, training or other safety related functions shall obtain relevant certification and qualification specified by the Institute.
5. A person who holds a first degree in a discipline that is not approved by the Institute for the registration of safety professionals shall undergo mandatory qualification courses stipulated by the Institute to prequalify them for membership application.
6. A person who is not a graduate but wishes to practice safety in Nigeria shall be certified by the Institute, and such persons shall work under direct supervision of a registered safety professional of at least Associate membership grade (AISPON).
7. A person employed or seeking to be employed for any safety critical roles such as engineering related roles, manufacturing, construction, chemical and petrochemical processes, medical and biomedical, mining, drilling and exploration, field/site work, or other similar operations must have obtained at least, the ISPON General HSE training certificate if it is a graduate, or ISPON HSE Level 2 if it is a non-graduate.
8. Where such person in (7) above is a graduate and desires to work as supervisor, coordinator, team lead, foreman, or similar roles, he must obtain at least the HSE Level 3 training certificate issued by the Institute.
9. A safety professional or a person certified by the Institute may refuse to be mobilized for any work if he feels the hazards or risks have not been adequately controlled, or in general, if he feels the work is not safe for him to do.
10. A safety professional or a person certified by the Institute who is exposed to uncontrolled hazards, or who feels he is exposed to hazards that may cause significant health or bodily injuries shall have rights to refuse to work unless the concerns are satisfactorily resolved by the employer of the work.
11. All issues of safety concerns reported by a worker or other persons shall be objectively assessed by ISPON Compliance Officers in the jurisdiction.
12. The employer shall not directly or indirectly subject a safety professional or a person certified by the Institute to discrimination, bullying, or any form of punitive actions because he expresses concerns regarding the safety of operations that may affect him, his co-workers or other persons.
13. A worker shall not expose himself, his colleagues or other persons to hazards or risks related to operations which he is involved in, and shall take action immediately by applying available controls and immediately notifying the

employer if there is any uncontrolled hazard or risks that may affect him, his colleagues or other persons.

14. The employer shall prepare and maintain records of work-related safety incidents and work-related injuries or diseases in line with ISPON standards.
15. The employer shall submit an annual safety record to the State Committee on Safety Ethics, Compliance and Enforcement (SC-SECE) on or before March 31 of the following year. The record shall include information from January 1 to December 31 of the year under review. A copy of the record shall be kept by the employer and shall be presented for sighting during compliance visits.
16. An employer having five or less workers is exempted from submitting the safety records, nevertheless, they must also prepare and maintain the records for the purpose of references and investigations.
17. An employer having hazardous chemicals in the workplace must develop and implement a written hazard communication program and train employees on the hazards they are exposed to, including but not limited to proper precautions to safely work with the chemicals.
18. The employer shall have overall responsibility to identify safety hazards, objectively assess associated risks, apply suitable and adequate control measures to prevent injuries or reduce the severity, and put in place adequate recovery measures.
19. The employer shall communicate all recognized hazards to the workers and other persons who may be affected by the hazards, and shall provide support to the workers or other persons to ensure that they are safe in the facility. Where significant risks may exist, a written form of hazard communication, alongside with relevant signs and symbols shall be used as a minimum.
20. It is the duty of the employer to ensure that persons working under them are safety competent, and especially have job specific training.
21. The employer shall comply with provisions of the Factories Act 2004, and any other relevant safety laws applicable to their operations in Nigeria.
22. The employer shall have the overall duty to identify and control all hazards and risks associated with their operations, or such hazards and risks which may increase the dangers in their operations. All control measures shall be tested by the employer, or their consultants using appropriate methods to ascertain that risk control measures are adequate and reliable.
23. It shall be the duty of the employer to protect their workers from hazardous exposures, and protect other persons who may be significantly affected by the operations.
24. It shall be the duty of the employer to apply all necessary measures to reduce risks to a level as low as reasonably practicable (ALARP).

PART X: Requirements for Safety Practice

Pursuant to Section 2(b) of Institute of Safety Professionals of Nigeria Act 2014, a person or an organisation must meet the following requirements if they must practice in the safety management profession in Nigeria.

A. Requirements for an Individual to Practice in the Safety Management Profession.

A person who wishes to practice as a safety professional or as a safety practitioner must meet the following requirements:

1. If the person is a graduate and wishes to practice as a safety practitioner, the minimum safety certification shall be ISPON HSE Level 3.
2. If the person in (i) above carries out safety critical responsibilities, the person must also obtain other relevant safety qualification or certification specific to the job role as prescribed by ISPON.
3. If the person is not a graduate and wishes to practice as a safety practitioner, the minimum safety certification shall be ISPON HSE Level 2. Where the person also carries out safety critical responsibilities, relevant job specific safety qualification or certification as prescribed by a safety professional must be obtained.
4. A person who wishes to practice as a safety professional must be a registered member of Institute of Safety Professional of Nigeria.
5. A person who practices as a safety practitioner shall practice under the supervision of a safety professional of at least an Associate grade (AISPON) for general routine works, and a minimum of full member category (MISPON) if the job role is a safety critical role.
6. Only a safety professional can review, approve or sign safety reports. All safety reports must carry the membership number of the safety professional in charge.
7. A person who is not a safety professional shall not be qualified to practice as a safety consultant, and shall not address himself or present himself as a safety consultant.
8. A person who wishes to take up a role as a manager in safety management, or similar roles shall be a safety professional of at least, MISPON category.

B. Requirements for Organisations to Practice Safety in Nigeria

1. An organisation that wishes to provide services in safety management shall be a registered member of the Institute as a "Consulting Member", and shall obtain relevant accreditation from the Institute for the services they wish to provide.
2. An organisation that provides safety training must have their courses reviewed and accredited by the Institute. A course or training that is not approved or accredited by the Institute shall be considered invalid in the industry, and holders of the course certificate may be subject to appropriate penalties.
3. An organisation that provides safety consultancy, or similar services must meet the requirements prescribed by the Accreditation Services.

4. An organisation that provides services other than safety services shall be required to register as an Affiliate Member of the Institute. The Affiliate membership shall not be valid for safety services in Nigeria.

PART XI: Requirements for Hazard and Risk Management

Summary of Requirements

1. The employer shall provide to all persons involved in the operation, a safety data sheet for the chemical intended to be used for an operation prior to the commencement of the operation.
2. The employer shall correctly label and safely store chemicals or dangerous materials under their care, bearing in mind all the requirements specified by the manufacturer.
3. A worker shall immediately notify the employer if there is any chemical hazard or dangerous material that may pose significant risks to him or other persons.
4. The employer shall make adequate provisions for first aid and emergency management, assessed by a safety professional when working with hazardous chemicals or dangerous materials.

PART XII: Reporting Safety Concerns

1. Any individual or corporate entity in Nigeria shall be free to report safety concerns which they observe at the workplace or other places. Where the organisation responsible to take actions fails to immediately address the concerns, the concerned individual or corporate entity shall be at liberty to contact ISPON for advice.
2. A person or corporate entity who wishes to report a safety concern may request ISPON to treat him as anonymous if there is further concern about disclosing their identity. In all cases, the identity of a person or corporate entity filing safety concern shall remain confidential if/when relating with the employer, unless where such person wishes to be disclosed.

PART XIII: Offences, Penalties and Appeals

Pursuant to Section 2(c) of the Institute of Safety Professionals of Nigeria Act 2014, the following provisions are hereby made relating to offences, penalties and appeals in these regulations.

A. Offences and Penalties

1. An individual or corporate entity who violates any of the provisions in these regulations is guilty of an offence, and shall be liable to penalty. Such individual or corporate entity may be fined for a violation fee which shall be advised by the

Compliance Officers, and where applicable, be charged to the Federal High Court for trial and prosecution.

2. Types of violations include "First Violation", "Repeat Violation", and "Wilful Violation". A violation may be categorized as "Low" where the risk to life is low, "Moderate" where the risk to life is moderate, "High" where the risk is high or it poses immediate serious danger to life, and "Extreme" where the risk is extreme or there is high likelihood of fatality. This categorization shall be based on a 5x5 Risk Assessment Matrix provided by the Institute to determine the risk.

3. The violation fee for each violation shall be between N50,000 (fifty thousand Naira only) and N100,000 (one hundred thousand Naira only) for individuals, and between N100,000 (one hundred thousand Naira only) and N5,000,000 (five million Naira only) for corporate entity, depending on the nature of the violation. An individual or corporate entity who is guilty of multiple violations may be charged separately for each of the violation.

4. For a repeat violation, the penalty may be multiplied by the number of times the violation has occurred. For example, if the first penalty is N100,000, penalty for the second repeat will be N200,000. Where the violation category is either "Low" or "Moderate", failure to close out after three months shall automatically count as a repeat violation, and the total penalty comprising the first and repeat violations shall be due. For violations categorized as "High" or "Extreme", failure to take abatement actions after seven days will lead to a repeat violation if the violation poses immediate danger to life, and a repeat violation will apply after 30 days if there is no immediate danger to life. The Compliance Officer is empowered to decide on the time to issue a repeat violation based on further objective assessment of the situation.

5. In the event of a failure to take abatement action after a repeat violation, a wilful violation shall apply and the penalty may be multiplied by 3 for "Low" or "Moderate" violations, and by 4 for "High", and by 5 "Extreme" violations. The Compliance Officer may order an arrest of the offender if necessary, and may further refer the violation to the legal team for legal prosecution.

6. Violation fees shall be paid within five working days of receiving the violation notice, and the abatement actions shall be completed within the recommended time. Provided that the abatement action has been fully closed out within the specified period, an offender who fail to pay the violation fee within the five working days shall be required to make an entry at the Nigeria Police Force division nearest to them and after that they shall willingly cease to operate until the violation fee is paid. Where the offender fails to pay the violation fee within the time required and also fails to take the abatement actions, he shall be liable to a repeat violation after the period described in Paragraph 4 above.

7. Where there is an immediate high or extreme danger to life, the Compliance Officer may order the facility to cease operations immediately until the abatement action is carried out.

B. Appeal Against Penalties

1. An individual or corporate entity who feels the violation notice is a mistake, or by their own objective consideration, believes that they have not violated the provisions as cited by the Compliance Officer may file an appeal against such violations.

2. An appeal shall be deemed valid if it is filed at the SC-SECE within 48 hours of receiving the violation notice. All appeals shall be submitted together with relevant evidences to help the SC-SECE and NC-SECE immediately assess and determine the merits of the appeal.

3. Where the appeal is valid and the violation is withdrawn, the individual or corporate entity shall not be liable to the penalty previously issued against them.

4. Where a facility is closed due to violation which was deemed to pose immediate serious danger to life, the facility shall remain closed until the appeal is determined.

Made this Friday February 16, 2024.



Dr. Mrs. Esther Williams FISP
Registrar



Engr. Timothy Chimezie Iwuagwu FISP
National President