

International Labour Office
Geneva, Switzerland

Legislative Series
1926 — Swe. 1

SWEDEN

1. Act: Prohibition of White Lead

Lag angående förbud i vissa fall mot arbetares användande till målningsarbete, vid vilket nyttjas blyfärg. Den 19 februari 1926. (Svensk Författningssamling 1926, nr 21, s. 37.)

Act to prohibit in certain cases the employment of workers in painting work in which lead colours are used. Dated 19th February, 1926.

1. This Act shall apply to all painting work which is not exempted from the application of the Act of 29th June, 1912 (no. 206)¹, respecting the protection of workers.

For the purposes of this Act "lead colours" shall be deemed to mean lead carbonate (white lead), lead sulphate and other pigments containing lead carbonate or lead sulphate.

The provisions laid down in section 2 of the Workers' Protection Act shall apply to the question which persons are to be deemed to be workers and employers for the purposes of this Act.

2. Male workers under the age of eighteen years and women shall not be employed in painting work in which lead colours are used.

Male workers who have attained the age of eighteen years shall not be employed in the interior painting of buildings with lead colours unless the quantity of lead carbonate or lead sulphate in the lead colours used is such that they do not contain more than 2 per cent. of lead; nevertheless, this provision shall not apply to artistic painting or fine lining.

3. The chief industrial inspection authority, after hearing the employers' and workers' organisations concerned, may authorise the employment of male workers under the age of eighteen years in painting work where this is necessary for their trade training, irrespective of the provisions laid down in the first paragraph of section 2, provided that the work is such that male workers who have attained the said age may be employed therein in conformity with this Act.

The chief industrial inspection authority, after hearing the employers' and workers' organisations concerned, may authorise exceptions to the prohibition laid down in the second paragraph of section 2 in the case of painting work on buildings connected with railway stations or industrial establishments, where such exceptions are considered necessary.

4. Where lead colours are used in painting work, the employer shall take special care that the following rules are observed in addition to those laid down in section 5 of the Workers' Protection Act, with a view to preventing illness as a result of the work:—

¹ Bulletin of the International Labour Office (Basle), 1913, vol. VIII, p. 84.

Price 1¹/₂d.

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- (a) the pigments shall not be used by the workers except in the form of paste or of paint ready for use;
- (b) measures shall be taken as far as possible to prevent poisoning through the application of paint in the form of spray and in dry scraping and dry rubbing down;
- (c) adequate washing facilities shall be provided for the use of workers both during and after work;
- (d) the workers shall wear special working clothes during the whole of the working period;
- (e) the necessary arrangements shall be made to prevent the clothes taken off by the workers during work from being soiled by lead colours.

Instructions drawn up by the chief industrial inspection authority for the prevention of illness as a result of the use of lead colours in painting work shall be distributed by the employer to every worker whom he employs in work in which such colours are used.

5. Cases of lead poisoning or of suspected lead poisoning in working painters shall be notified in writing by the employer to the chief industrial inspection authority as soon as they come to his notice. Medical practitioners in State or communal employment who attend working painters suffering from the above-mentioned diseases shall similarly be bound to notify such cases.

The form for the notifications referred to in this section shall be drawn up by the chief industrial inspection authority after consultation with the Medical Board.

6. When a notification as specified in section 5 has been made, and also in other cases where it is considered necessary, the chief industrial inspection authority shall propose to the competent provincial authority (länsstyrelse) that all or some of the working painters at a particular workplace or in the employment of a particular employer be medically examined.

If such a proposal is made, the provincial authority shall at once order a medical examination to be made in conformity with the proposal.

7. A medical practitioner who makes an examination as provided in section 6 may lay down special conditions for the employment of workers who are suffering from lead poisoning in work in which lead colours are used, or prohibit altogether their employment in such work, or may even issue special rules for the continuance of such work at the workplace. Any such special instructions shall be communicated to the employer in writing.

The employer may require the chief industrial inspection authority to prove the necessity for such instructions; nevertheless, until other instructions are issued by the said authority he shall comply with the said instructions. If the instructions are altered or cancelled, the chief industrial inspection authority shall notify the employer thereof in writing.

The medical practitioner shall make a report to the chief industrial inspection authority respecting the examination.

8. The relevant parts of the provisions laid down in sections 35, 36 and 40 of the Workers' Protection Act with respect to medical

examinations shall apply to the question which medical practitioner shall be appointed to make the examination provided for in this Act, and also to the carrying out of the said examination and the fee payable therefor.

9. Supervision of the observance of this Act shall be exercised by the chief industrial inspection official under the supreme supervision and direction of the chief industrial inspection authority; the relevant parts of the provisions of the Workers' Protection Act relating to the supervision of its observance shall apply to supervision under this Act.

10. Any employer who contravenes the prohibition laid down in section 2 shall be liable to a fine of not less than 10 nor more than 500 kronor. If the worker who has been employed on the work in question is under the age of eighteen years, and the contravention has taken place with the knowledge and consent of his father or guardian, the father or guardian shall also be liable to a fine of not less than 5 nor more than 20 kronor.

Any employer who fails to comply with the instructions issued under section 7 shall be liable to the same penalty.

Any person who, while under an indictment for an offence mentioned in this section, continues to commit the same offence, shall, if he is legally convicted, be liable to the fine imposed for such offence in respect of every instance in which a summons is issued and served.

11. Any employer who fails to comply with the provisions laid down in section 5 shall be liable to a fine of not less than 5 nor more than 200 kronor.

Any employer or his representative who fails to comply with the provisions laid down in the second paragraph of section 36 of the Workers' Protection Act respecting the case there mentioned, in conformity with section 8 of this Act, shall be liable to the same penalty.

12. Actions in respect of an offence as specified in this Act shall be brought in the police court where such exists, or in default thereof at the police office, or in default thereof in the ordinary court.

Fines imposed under this Act shall accrue to the Crown.

In case of inability to pay the full amount of the fine, it shall be commuted in accordance with the general Penal Code.

13. Appeals against a decision of the chief industrial inspection authority or the provincial authority with respect to matters referred to in this Act may be made to the Crown, and shall be lodged with the competent State department within the time limit fixed for appeals against decisions of administrative authorities and official bodies.

14. With respect to painting work carried out by the State or by a commune, the provisions of this Act relating to the employer shall apply to the person in charge of the work.

This Act shall come into operation on 1st July, 1926.

