

# **ESMA publishes translations for Guidelines on stress tests scenarios under Article 28 of the MMF Regulation**

21 March 2018

Fund Management

Guidelines and Technical standards

The European Securities and Markets Authority (ESMA) has issued today the [official translations](#) of its Guidelines on stress tests scenarios under Article 28 of the MMF Regulation.

National Competent Authorities (NCAs) to which these Guidelines apply must notify ESMA whether they comply or intend to comply with the Guidelines, within two months of the date of publication by ESMA of the Guidelines in all EU official languages.

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## **Company fined after workers develop**

# Hand Arm Vibration Syndrome (HAVS)

Design and Supply Limited has today been fined after a worker was exposed to Hand Arm Vibration Syndrome (HAVS).

Merthyr Tydfil Magistrates' Court heard how an employee of the company was exposed to vibration from the use of handheld pneumatic buffing and sanding tools over a period of 15 years causing him to develop HAVS.

An investigation by the Health and Safety Executive (HSE) found the company failed to implement a safe system of work in order to control the risk of exposure to vibration. The company had not carried out a suitable risk assessment of work activities from the use of the power tools resulting in poor control measures. The company had not provided adequate information, instruction and training for employees or supervisors which resulted in inadequate control measures when working and a lack of adequate supervision. The court heard employees were exposed to vibration levels that had not been reduced to as low as was reasonably practicable thereby increasing their risk of developing HAVS. The investigation also found the company had did not have a suitable health surveillance system in place which is vital to identify symptoms at an early stage.

Hand Arm Vibration Syndrome (HAVS) is a serious condition caused by regular and frequent exposure to hand arm vibration. Regular and frequent exposure can lead to permanent health effects. HAVS can result in tingling, numbness, pain and loss of strength in the hands causing distress and sleep disturbance, affecting the ability to do work safely.

Design and Supply Limited of Pant Industrial Estate, Merthyr Tydfil, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974, and has been fined £50,000 and ordered to pay costs of £1,881.70.

Speaking after the hearing, HSE inspector Lee Jones said, "This was a case of the company completely failing to understand the importance of assessing the risk to their employees from exposure to vibration and therefore putting in place the correct control measures.

"If they had understood why health surveillance was necessary, it would have ensured that it had the right systems in place to monitor worker's health and the employee's condition would have not have been allowed to develop to a severe and life altering stage."

## **Notes to Editors:**

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. [hse.gov.uk](https://www.hse.gov.uk)

2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

Journalists should approach HSE press office with any queries on regional press releases.

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## [Worker sentenced for unregistered gas work](#)

Mr Cody Stevens, an unregistered gas fitter operating as a director of Master Plumbing Contractors Limited, has today been sentenced for carrying out gas work without being registered with Gas Safe Register.

Milton Keynes Magistrates' Court heard how Mr Stevens undertook gas work in two properties in Milton Keynes between 2015 and 2016 when he was served with a prohibition notice on 9 February 2016. At the time, Mr Stevens was also reported to Gas Safe Register for the poor quality of the work.

An investigation by the Health and Safety Executive (HSE) found that Mr Stevens was not Gas Safe registered at the time he conducted this work. The gas work carried out at one of the properties was inspected by a Gas Safe inspector who found it to be 'at risk' meaning that the appliance, if operated, may have been a potential danger to life or property.

Mr Stevens of Reynolds Place, Grange Farm, Milton Keynes, pleaded guilty to breaching Regulation 3(7), Regulation 26 (1), and two charges under Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998. He also admitted a breach under Section 33(1)(g) of the Health and Safety at Work Act 1974. Mr Stevens was sentenced to a 12-month custodial sentence.

Speaking after the hearing, HSE inspector Andrew McGill said: "Mr Stevens undertook gas work which he knew he was not registered to do. He also ignored enforcement action taken by HSE against him.

"HSE will not hesitate to take appropriate action against rogue gas fitters who disregard the law and place lives at risk. Working with gas appliances is difficult, specialised and potentially very dangerous, so it is vital that this is only undertaken by trained and competent engineers who are registered with Gas Safe."

Further information about gas safety can be found at <http://www.hse.gov.uk/gas>

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