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كهيچتن دان عالم سكيتر

Safety, Health and Environment  
National Authority

# WORKPLACE SAFETY AND HEALTH LEGISLATION & UPDATES

BITA WEBINAR "SAFETY IN THE WORKPLACE"

16  
DEC.  
2021



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# WORK RELATED FATALITIES

Work Related Fatality is a death that occurs while a person is at work or performing work related tasks

**2013**  
 Fall from height, hit / crushed by machine or objects, electrocution



**2014**  
 Fall from height, hit / crushed by machine, inhalation of smoke, fire



**2015**  
 Fall from height, hit by objects, landslide



**2016**  
 Fall from height, hit / crushed by machine, electrocution, drowning



**2017**  
 Fall from height, struck by falling objects, drowning, fire



**2018**  
 Fall from height, struck by objects, boat collision, electrocution



**2019**  
 Fall from height, struck by object, crushed by object, electrocution



**2020**  
 Grass cutter, hit by object, lift failure, electrocution



**2021**  
 Fall from height, hit by falling object, hit by vehicle

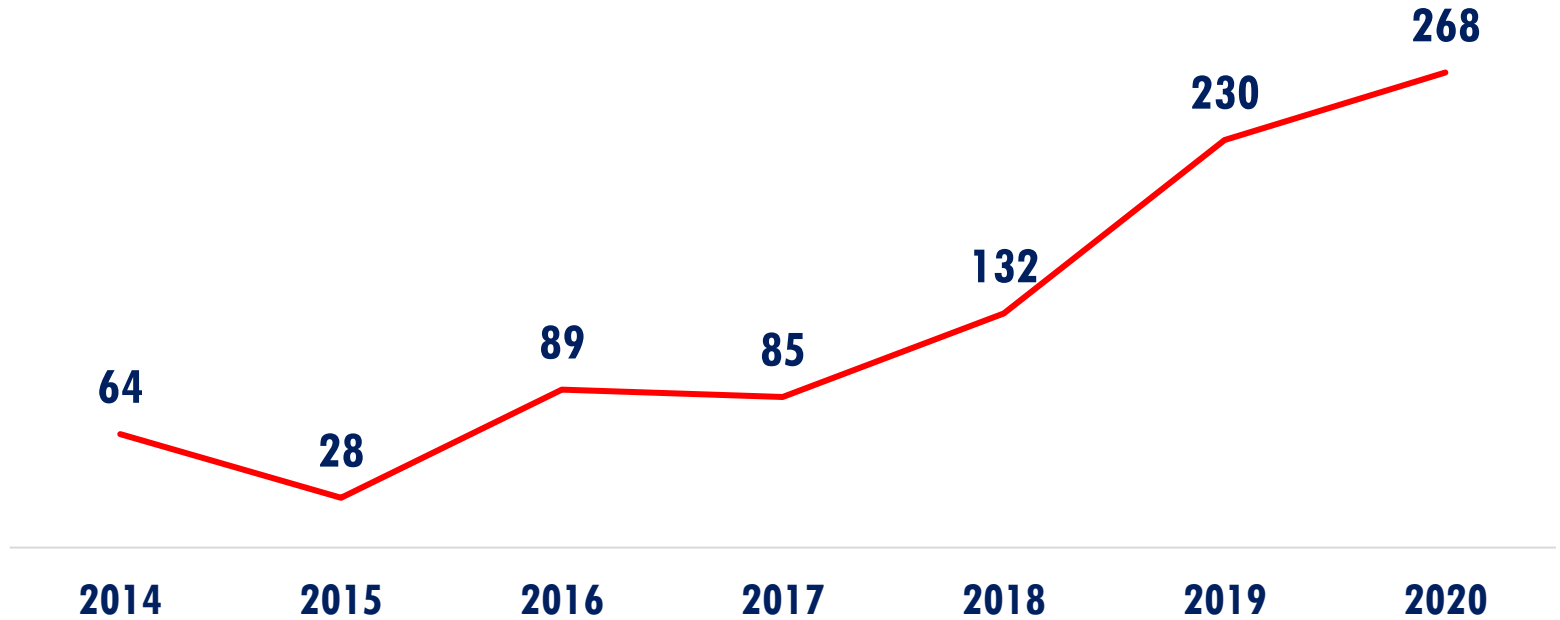




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# NON-FATALITY INJURIES

## WORKPLACE INJURIES





### INCIDENCE OF WORKPLACE ACCIDENTS BY TYPE OF INDUSTRY (NON HEALTHCARE)

TYPE OF INDUSTRY	2014	2015	2016	2017	2018	2019	2020
A. Agriculture, Hunting and Forestry	0	0	0	6	2	9	10
B. Fishing	0	0	1	0	0	0	1
C. Mining and Quarrying	0	0	2	0	0	3	3
D. Manufacturing	12	6	6	4	5	15	32
E. Electricity, Gas and Water Supply	2	0	3	0	4	1	2
F. Construction	18	9	37	55	91	142	154
G. Wholesale and Retail trade, Repair of Motor Vehicle, Personal and Household goods	2	1	14	15	19	27	39
H. Hotel and Restaurant	0	1	2	4	9	6	10
I. Transport, Storage and Communication	1	2	3	0	2	0	4
J. Financial Intermediation	0	0	0	0	0	0	0
K. Rental Estate, Renting and Business Activities	0	0	2	0	0	2	1
L. Public Administration, Defense, Compulsory Social Security	0	0	0	0	0	4	4
M. Education	1	0	0	0	0	1	0
N. Health and Social Work	0	1	0	0	0	2	3
O. Other Community, Social, and Personal Service Activities	23	0	11	0	0	14	3
P. Private Household with Employed Persons	3	2	0	0	0	4	2
Q. Extra-Territorial Organizations and Bodies	0	0	0	0	0	0	0
Unknown	2	6	8	1	0	0	0
<b>TOTAL</b>	<b>64</b>	<b>28</b>	<b>89</b>	<b>85</b>	<b>132</b>	<b>230</b>	<b>268</b>



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# INTRODUCTION

- A statutory body set up under the Safety, Health and Environment National Authority Order, 2018 and enforced April 2017.
- The Authority regulates and enforces all matters relating to workplace safety, health and environment as well as radiation within Brunei.
- A Chief Executive Officer (CEO) heads the Authority and is ultimately accountable for the function and affairs undertaken by the Authority. He is responsible to the SHENA Board of Directors, who report directly to the Minister in Charge (Minister of Energy).
- Appointed Inspectors and Authorised Officers have specific legal powers to enforce and regulate workplace safety, health and environment as well as radiation laws on behalf of SHENA.
- SHENA's Vision: **We are committed to making a difference and ensuring Brunei is a safe place to work and live.**



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# WSHO, 2009

## ENFORCEMENT OF WORKPLACE SAFETY AND HEALTH ORDER (WSHO), 2009






This Order describes the general health and safety requirements on all workplaces.

Duties are placed primarily on the Employer, with further duties on employer roles, such as contractor, sub-contractor, designer, manufacturer, etc. There are also duties placed on Principals, Occupiers and Self- Employed Persons.

The Laws ensure that those creating the risk reduce those risks to persons (employees and public), assets and the environment, to As Low As is Reasonably Practicable.



## WORKPLACE SAFETY AND HEALTH ORDER, 2009

WSH (COMPOUNDABLE OFFENCES) REGULATIONS, 2009	WSH (INCIDENT REPORTING) REGULATIONS, 2014	WSH (RISK MANAGEMENT) REGULATIONS, 2014	WSH (WORKPLACE SAFETY AND HEALTH COMMITTEES) REGULATIONS, 2014	WSH (FIRST AID) REGULATIONS, 2021	WSH (WORKPLACE SAFETY AND HEALTH OFFICERS) REGULATIONS, 2014	WSH (GENERAL PROVISIONS) REGULATIONS, 2014	WSH (CONSTRUCTION) REGULATIONS, 2014	WSH (FACILITIES) (CONTROL OF MAJOR ACCIDENT HAZARDS) REGULATIONS, 2013
ANY OFFENCE UNDER THE ORDER AND THE REGULATIONS, EXCEPT SECTIONS 21(7) AND 52	ALL WORKPLACES	ALL WORKPLACES	50 OR MORE PERSONS ARE ORDINARILY AT WORK	ALL WORKPLACES (EXCEPT HOSPITAL, CLINIC AND AMBULANCE)	<ul style="list-style-type: none"> <li>• SHIPYARD</li> <li>• FACTORY - PETROLEUM</li> <li>• FACTORY - \$10 MILLION ENG. CONSTR.</li> <li>• FACTORY - 100 PERSON OR MORE EMPLOYED</li> </ul>	<ul style="list-style-type: none"> <li>• FACTORY</li> <li>• WORKSITE</li> <li>• FACILITY</li> </ul>	WORKSITE - ANY BUILDING OPERATION OR WORKS OF ENGINEERING CONSTRUCTION	FACILITIES
OTHER WORKPLACES								
  <b>FACTORIES</b>								
  <b>CONSTRUCTION WORKSITES</b>								
 <b>FACILITIES</b>								





## **DUTY OF OCCUPIERS**

### **SECTION 11, WSHO, 2009**

It shall be the duty of every occupier of any workplace to ensure the workplace, all means of **access to or egress** from the workplace and any **machinery, equipment, plant, article or substance** kept at the workplace are **safe and without risks to health** to every person within those premises

## **DUTY OF EMPLOYERS**

### **SECTION 12, WSHO, 2009**

It shall be the duty of every employer to take, so far as is reasonably practicable, such measures as are necessary to ensure the safety and health of his employees at work.



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## **DUTY OF PERSONS AT WORK SECTION 15, WSHO, 2009**

It shall be a duty of every person at work to:

- Use the personal protective equipment (PPE) as required for the activity
- Cooperate with employer to comply with WSHO, 2009
- Not to misuse the PPE, appliances, equipment, etc.
- Not recklessly endanger himself and others

**BREACH OF SECTION 15 : FINE NOT EXCEEDING BND1,000**  
and, in the case of a second or subsequent conviction, to a fine not exceeding \$2,000



## PUNISHMENT UNDER SECTIONS 49 & 50 OF WSHO, 2009

CATEGORY OFFENDER	MAXIMUM FINE	MAXIMUM JAIL-TERM
INDIVIDUAL	<b>BND 200,000</b> If there is a continuing offence after conviction, additional fine not exceeding BND2,000 everyday	<b>2 years</b>
CORPORATE BODY	<b>BND 10,000,000</b> If there is a continuing offence after conviction, Additional fine not exceeding BND5,000 everyday	<b>FIRST OFFENCE</b>
INDIVIDUAL	<b>BND 400,000</b> If there is a continuing offence after conviction, Additional fine not exceeding BND2,000 everyday	<b>SECOND OFFENCE</b>
CORPORATE BODY	<b>BND20,000,000</b> If there is a continuing offence after conviction, Additional fine not exceeding BND5,000 everyday	<b>SECOND OFFENCE</b>



# INCIDENT REPORTING

## WORKPLACE SAFETY AND HEALTH (INCIDENT REPORTING) REGULATIONS, 2014

<b>FATALITY</b>	<b>INJURY</b>	<b>DANGEROUS OCCURRENCES</b>	<b>OCCUPATIONAL DISEASE</b>	<b>MAJOR ACCIDENT</b>
<b>DEFINITION</b>	<b>DEFINITION</b>	<b>DEFINITION</b>	<b>DEFINITION</b>	<b>DEFINITION</b>
Employee or self-employed person	Injury to employee who was given 3 days sick leave or admitted 24hrs in hospital  Accident to any person who is not at work or self employed person at the workplace which requires him to be taken to hospital for treatment in respect to that injury	Any occurrence specified in the Second Schedule	Any disease specified in the Third Schedule	Uncontrolled loss of containment, fire or explosion leading to serious danger to health, property or environment  Major damage to facility structure  Death or serious injury to 3 or more persons
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>



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# NOTIFICATION OF INCIDENT REPORTING



STEP 1



CALL AUTHORITY  
DUTY PHONE  
733 2200

STEP 2



DOWNLOAD IIN FORM  
FROM SHENA WEBSITE  
[WWW.SHENA.GOV.BN](http://WWW.SHENA.GOV.BN)

STEP 3



E-MAIL COMPLETED  
IIN FORM TO  
[IIN@SHENA.GOV.BN](mailto:IIN@SHENA.GOV.BN)

## AUTO DISTRIBUTION

- SHENA MANAGEMENT
- MINISTRY OF ENERGY
- JASTRe
- DEPARTMENT OF LABOUR
- MARITIME PORT AUTHORITY
- MINISTRY OF HEALTH


## ACTIONS

- INVESTIGATE
- MONITOR
- NO ACTION



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# INCIDENT REPORTING



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## INITIAL INCIDENT NOTIFICATION FORM

REPORTING FORM FOR WORKPLACE ACCIDENT / OCCUPATIONAL DISEASE / DANGEROUS OCCURRENCE  
*for the purpose of Workplace Safety and Health (Incident Reporting) Regulations, 2014*

**PART A** INFORMATION ABOUT THE ACCIDENT / OCCUPATIONAL DISEASE / DANGEROUS OCCURRENCE

TYPE OF ACCIDENT  FATALITY  INJURIES  OCCUPATIONAL DISEASE  DANGEROUS OCCURRENCE  MAJOR ACCIDENT

LOCATION OF INCIDENT

DATE OF INCIDENT -- TIME OF INCIDENT  :  AM / PM

DATE INCIDENT WAS FIRST REPORTED TO SHENA --

**PART B** INFORMATION ABOUT REPORTER

NAME

ORGANISATION

ORGANISATION'S ADDRESS

CURRENT DESIGNATION  I.C. NUMBER -

CONTACT NUMBER MOBILE  OFFICE

EMAIL ADDRESS

**PART C** INFORMATION ABOUT THE PERSON INVOLVED IN THE ACCIDENT / OCCUPATIONAL DISEASE / DANGEROUS OCCURRENCE

NAME


ORGANISATION

IC / PASSPORT NO.

DATE OF BIRTH -- NATIONALITY

GENDER  MALE  FEMALE CURRENT DESIGNATION

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*for the purpose of Workplace Safety and Health (Incident Reporting) Regulations, 2014*

**PART D** DESCRIPTION OF ACCIDENT / OCCUPATIONAL DISEASE / DANGEROUS OCCURRENCE

Please describe what happened before, during and after the accident / incident

**FOR SHENA USE ONLY**

ACTION TAKEN BY THE AUTHORITY  NO ACTION  MONITOR  INVESTIGATE

**REMARKS**

STATUS  OPEN DATE -- Signature \_\_\_\_\_

STATUS  CLOSED DATE -- Signature \_\_\_\_\_

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# WSH OFFICERS & WSH CO-ORDINATORS

**Workplace Safety & Health Order (WSHO), Section 28. (1)**  
Every workplace within the prescribed class or description of workplaces shall have a **Workplace Safety and Health Officer** or a **Workplace Safety and Health Co-ordinator** appointed in respect thereof.





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# WORKPLACE SAFETY AND HEALTH (WSH) OFFICER

## WORKPLACES

### REQUIRING WSH OFFICERS

- **Shipyard** – ship, tanker, other vessels are constructed, reconstructed, etc.
- **Factories: process petroleum / petroleum products**
- **Factories: building operation or works of engineering construction contract value of \$10 million or more**
- **Any other Factories: employed more than 100 persons**

## MINIMUM REQUIREMENTS

- **NEBOSH IGC Cert or equivalent**
- **2 years relevant experience**

## WHO CAN APPLY?

**COMPANY REPRESENTATIVE / FOCAL POINT**

### VALIDITY

**2 YEARS**

### REGISTRATION FEES

**\$110 (NEW APPLICATION)**

**\$10 (REPLACEMENT)**

**\$60 (RENEWAL)**



**SCAN FOR MORE INFO**

SUBMIT APPLICATION TO:  
[wshofficer@shena.gov.bn](mailto:wshofficer@shena.gov.bn)

## DOCUMENTS REQUIRED

- **WSH Officer Registration Form**
- **Both sides of applicant NRIC / Passport**
- **The copy of NEBOSH IGC Certificate or equivalent**
- **WSH Certificates**
- **One passport-sized photograph with white background**
- **Letter of employment**
- **Letter of appointment or employer testimonials stating the individual is nominated as a WSH Officer**
- **Latest Curriculum Vitae**





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# REGISTRATION OF WSH CO-ORDINATOR

## WHO CAN APPLY?

**COMPANY REPRESENTATIVE/ FOCAL POINT/ INDIVIDUAL**

## VALIDITY

**2 YEARS**

## REGISTRATION FEE

**NO REGISTRATION FEE**



**SCAN FOR MORE INFO**

## DOCUMENTS REQUIRED

- Completed WSH Coordinator Registration Form
- Both sides of applicant NRIC / Passport
- The copy of IOSH (Managing Safely) / NEBOSH Award in Health and Safety at Work / or any other WSH equivalent certificates
- Latest Curriculum Vitae / Resume
- One passport-sized photograph with white background

SUBMIT APPLICATION TO:  
[wshcoordinator@shena.gov.bn](mailto:wshcoordinator@shena.gov.bn)



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# WOKRPLACE SAFETY AND HEALTH COMMITTEE

## WORKPLACE SAFETY & HEALTH (WORKPLACE SAFETY AND HEALTH COMMITTEE) REGULATIONS, 2014

### Regulation 3:

Every workplace in which 50  
or more persons are  
ordinarily at work





## SUMMARY OF FUNCTIONS OF WSH COMMITTEE (REGULATIONS 11 TO 16)

- **General inspection** of the workplace
- Inspection of the workplace after **accident or dangerous occurrence**
- Provide **inspection reports** to the Occupier
- **Promote** safe conduct of work in workplace, including issuing **guidance**
- Ensure members of the WSH Committee have **basic knowledge** of the functions and duties of WSH Committee



# WSH (RISK MANAGEMENT) REGULATIONS, 2014

## REGULATION 3

- In every workplace, the employer, self-employed person and principal **shall conduct a risk assessment** in relation to the safety and health risks posed to any person who may be affected by his undertaking in the workplace

## REGULATION 5

- Maintain a record of Risk Assessment

## REGULATION 6

- Any person in the workplace who maybe exposed by the work is informed of the nature of the risk involved & measure of safe work procedure



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# WSH (GENERAL PROVISIONS) REGULATIONS, 2014

- **General provision relating to health** (overcrowding, ventilation, lighting, floors, sanitary convenience, protection from excessive heat & etc.)
- **Machine safety** (lifting equipment examination requirement, guarding, etc.)
- **Safety provision in case of fire**
- **Special provision on hazardous substance, toxic, dusts & safety and health management system**



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# FIRST AID REGULATIONS 2021

Effective 1<sup>st</sup> June 2021

## DEFINITION

**FIRST-AID** means

- (a) in cases where a person needs help from a medical practitioner or nurse, **treatment** for the purpose of **preserving life and minimising the consequences of bodily injury** until such help is obtained; or
- (b) **treatment of minor bodily injury** which does not require treatment by a medical practitioner or nurse.

## OFFENCE

Any occupier of a workplace who fails to ensure that regulation 4, 5, 6 or 7 is complied with in relation to the workplace is **guilty of an offence** and liable on conviction to a **fine not exceeding \$5,000**.





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**ACT RESPONSIBLY**  
**STAY CALM AND SAFE**



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# CONCLUSION

We seek support from Government and Industry Stakeholders to review their systems and procedures and identify areas of concerns.

**TOGETHER WE CAN MAKE BRUNEI A  
SAFE PLACE TO WORK AND LIVE**



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