



# Workplace Safety & Health Order 2009

**Department of Labour  
Ministry Of Home Affairs**



**Presented By:  
Workplace Safety and Health Division**



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# Introduction



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The WSHO granted approval on 3<sup>rd</sup> October 2009.

WSH Order 2009 is the key legal instrument to ensure and regulate the principles of the OSH framework and engender a strong safety culture in workplaces in the Brunei Darussalam.

Commissioner of Labour shall be the Commissioner of Workplace Safety and Health under S.7(1)(a).

Commissioner of Workplace Safety and Health is responsible for the administration of this order and may exercise such powers conferred upon him by this order.



# Application of Order

## *Class or Description of Workplaces*

*- Specified in the First Schedule*

*- The Minister may add to the class or description of workplaces S.2(2)*





# Application of Order – to Government

**THINK**  
**SAFETY**  
**STARTS**  
**WITH YOU**

*S.3(1) – ...this Order shall bind the government and shall apply to –*

- (a) any workplace wholly or partly owned or occupied by the Government; and*
- (b) any premises in which any building operation or any work of engineering construction is carried on by or on behalf of the Government.*

*S.3(3) – ... no person shall be immune from prosecution for any offence under this Order by reason only that he is engaged to provide services to the Government.*



# Workplace



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**Workplace**

***- S.5(1) means any premises where a person is at work, is to work or customarily works, and includes a factory.***

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# Obligations



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## Part IV - General Duties of Persons at Workplaces

**S.10 – For the avoidance of doubt, it is hereby declared that –  
(a) a person may at any one time be 2 or more of the following –**

- (vi)** *an occupier of a workplace*
- (vii)** *a designer, manufacturer or supplier of any machinery, equipment or hazardous substance for use at work*
- (iii)** *a sub-contractor*
- (viii)** *an erector, installer or modifier of machinery or equipment for use at work*
- (iv)** *a principal*
- (v)** *a self-employed person*
- (ix)** *an owner, a hirer or lease of machinery moved by mechanical power or a person who maintains such machinery for use at work*

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[illegible]

**(c) any employee employed by such contractor or sub – contractor**

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# Enforcement of WSH Order 2009

## Inspectors and Authorised Officers

S.9 Every Inspector and Authorised officer shall -

(a) be furnished by the Commissioner with a certificate of his appointment ...

(b) ... produce the certificate of his appointment to the person affected by the exercise of those powers





# **Enforcement of WSH Order 2009 – Cont. -**



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## **Part V – Power of Commissioner**

**s.21 –  
  
Power to  
issue  
remedial  
order or stop  
work order**

## **Part IX – Inspections and Other Powers of Enforcement.**

**S.41 – Powers of  
Inspectors  
  
S.42 – Power to  
take samples  
  
S.43 – Power to  
examine and secure  
attendances**

## **Part X – Offences, Penalties and Proceedings**

**S.48 – Arrest of  
persons of  
offence under  
section 15(3) or  
21(7)**

**Part VI – Investigations, Inquiries and Reporting  
of Accidents, Dangerous Occurrences and  
Occupational Diseases.**

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# Offences and Penalties



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## General Penalty – Section 49

### INDIVIDUAL

- Maximum fine up to **B\$200,000**
- A jail term of two years or both
- Continuing offence - fine not exceeding **B\$2,000** for every day.

### CORPORATE BODY

- Maximum fine up to **B\$500,000**
- Continuing offence - fine not exceeding for **B\$2,000** every day

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# Offences and Penalties



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## Penalty for repeat offenders – Section 50

### INDIVIDUAL

- Maximum fine up to **B\$400,000**
- A jail term of two years or both
- Continuing offence - fine not exceeding **B\$2,000** for every day.

### CORPORATE BODY

- Maximum fine up to **B\$1,000,000**
- Continuing offence - fine not exceeding for **B\$2,000** every day

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# Schedules



*There are 6 schedules under this Order*

Schedule	Title
First	Workplaces subject to Order
Second	Dangerous Occurrences
Third	Occupational Diseases
Fourth	Work of Engineering Construction
Fifth	Machinery, Equipment or Hazardous Substance
Sixth	Exempt Persons at Work

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# Regulations



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## *10 Regulations “Workplace Safety and Health “:*



**GENERAL PROVISIONS  
REGULATIONS**



**INCIDENT REPORTING  
REGULATIONS**



**FIRST - AID  
REGULATIONS**



**WORKPLACE SAFETY AND  
HEALTH OFFICERS  
REGULATIONS**



**RISK MANAGEMENT  
REGULATIONS**



**SHIPBUILDING AND SHIP –  
REPAIRING REGULATIONS**



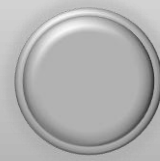
**WORKPLACE SAFETY AND  
HEALTH REGULATIONS**



**REGISTRATION OF FACTORIES  
REGULATIONS**



**CONSTRUCTION  
REGULATIONS**



**ABRASIVE BLASTING  
REGULATIONS**



# Code of Practice

## Section 39



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(1) For the purpose of providing practical guidance with respect to the requirements of this Order relating to safety, health and welfare at work, the Commissioner may, from time to time, do all or any of the following:

a)

issue one or  
more codes of  
practice,

b)

approve as a  
code of practice  
any document;

c)

amend or  
revoke any code  
of practice

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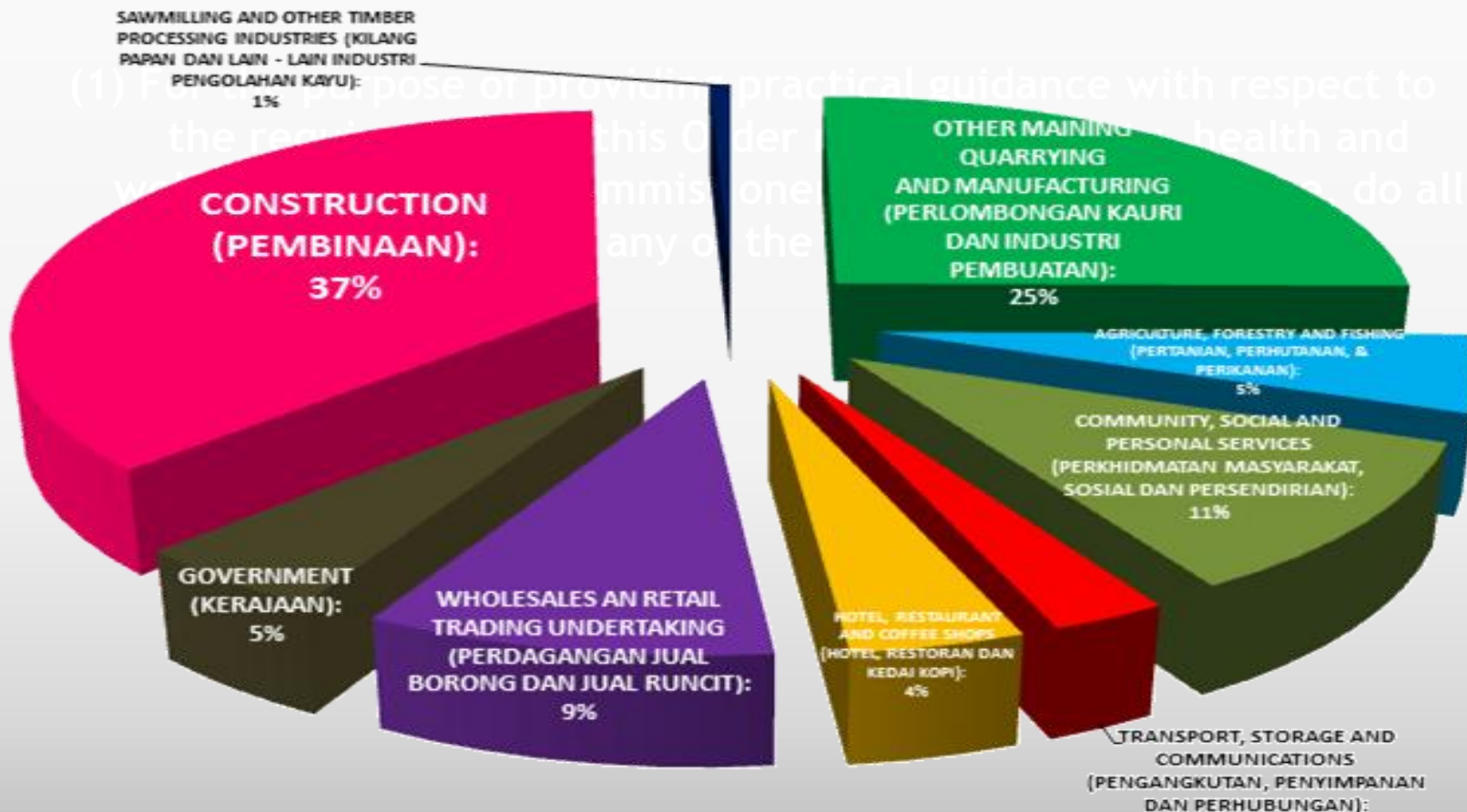
# Statistic 2009

## WORKPLACE ACCIDENT IN 2009

(source:  Department of Labour)



# Safety matters



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**Construction +  
Manufacturing = 62%**



# Statistic 2010



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## WORKPLACE ACCIDENT IN 2010

(Source:  Department of Labour)

SAWMILLING AND OTHER TIMBER  
PROCESSING INDUSTRIES (MILANG  
PAPAN DAN LAIN - LAIN INDUSTRI  
PEKOLAHAN KAYU):

2%

AGRICULTURE, FORESTRY  
AND FISHING  
(PERTANIAN, PERHUTANAN,  
& PERIKANAN):

1%

OTHER MINING QUARRYING  
AND MANUFACTURING  
(PELOMBONGAN KURI DAN  
INDUSTRI PEMBUATAN):

19%

COMMUNITY, SOCIAL AND  
PERSONAL SERVICES  
(PERKHIDMATAN MASYARAKAT,  
SOSIAL DAN PENSIUDIRIAN):

9%

TRANSPORT, STORAGE AND  
COMMUNICATIONS  
(PENGANGKUTAN,  
PENYIMPANAN DAN  
PERHUBUNGAN):

3%

**CONSTRUCTION  
(PEMBINAAN):**

**50%**

WHOLESALES AND  
RETAIL TRADING  
UNDERTAKING  
(PERDAGANGAN JUAL  
BORONG DAN JUAL RUNCIT):

9%

HOTEL, RESTAURANT AND  
COFFEE SHOPS  
(HOTEL, RESTORAN DAN  
KEDAI KOPI):

3%

GOVERNMENT  
(KERAJAAN):

4%

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**Construction +  
Manufacturing = 69%**



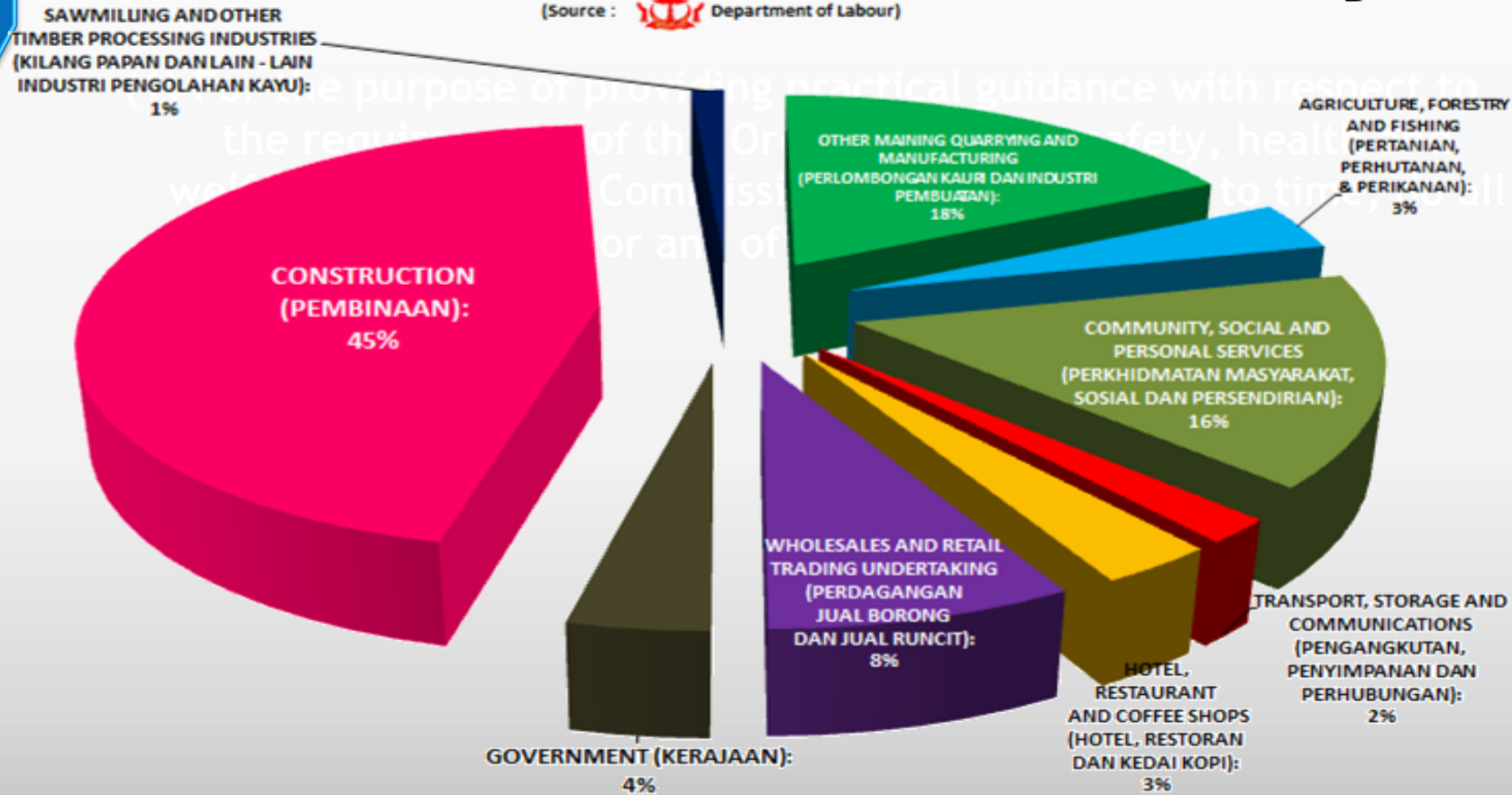
# Statistic 2011



## Safety matters

### WORKPLACE ACCIDENT IN 2011

(Source :  Department of Labour)



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**Construction +  
Manufacturing = 63%**



# Cadangan Industri Yang Di Pantau



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## Industri Pembinaan



## Industri Pembuatan



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# Jenis – Jenis Kemalangan bagi Industri Pembinaan

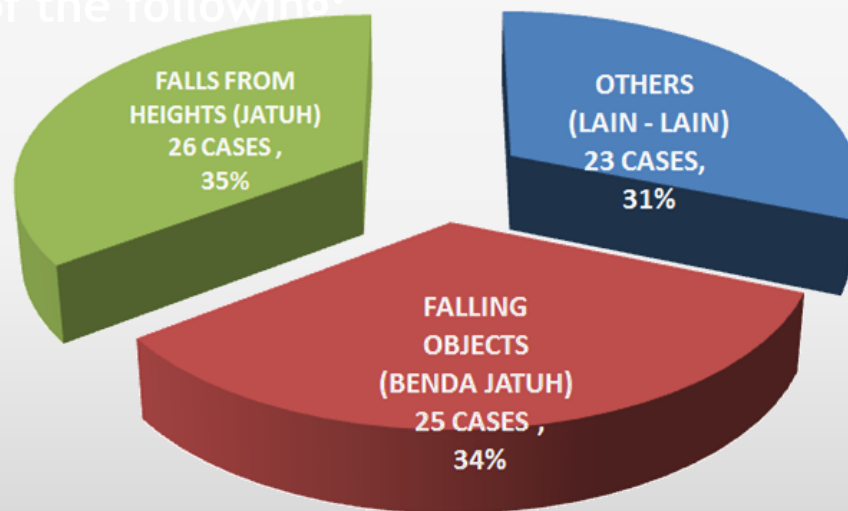


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## Industri Pembinaan

- ✓ Fall from heights
- ✓ Falling Objects
- ✓ Scaffoldings Accident
- ✓ Cutting Accident

TYPES OF ACCIDENTS IN CONSTRUCTION INDUSTRY (JENIS - JENIS KEMALANGAN BAGI INDUSTRI PEMBINAAN)



SOURCE :



DEPARTMENT OF LABOUR

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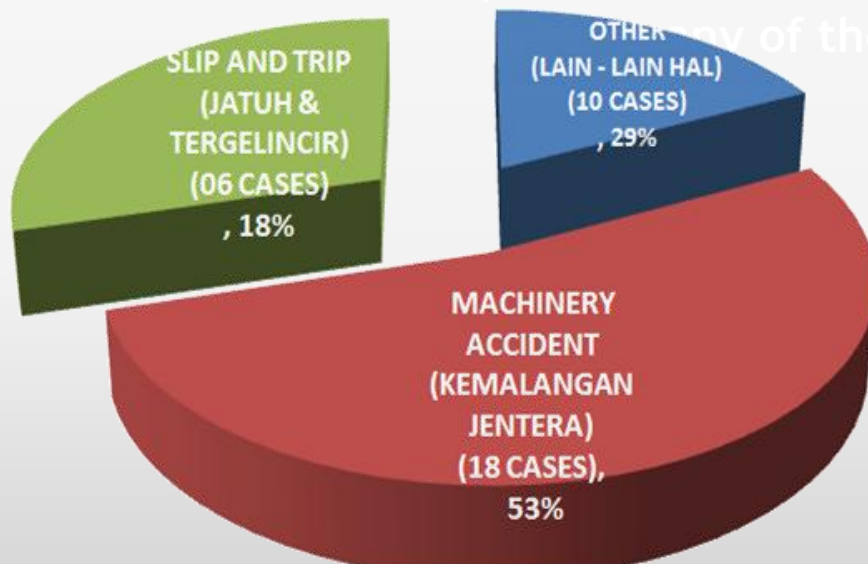


# Jenis – Jenis Kemalangan bagi Industri Pembinaan



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TYPE OF ACCIDENTS IN  
MANUFACTURING INDUSTRY FOR THE YEAR OF 2011



## Industri Pembuatan

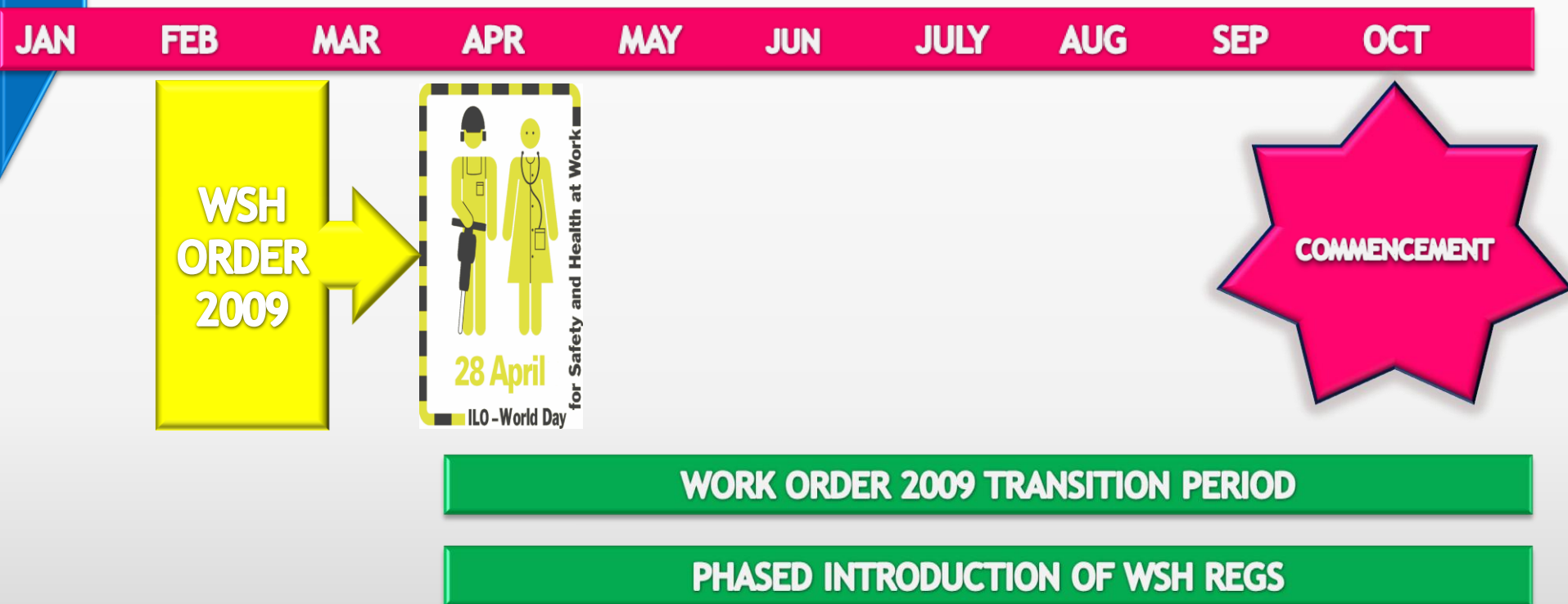
- ✓ Slip and Trip
- ✓ Machinery Accident
- ✓ Gas Explosion
- ✓ Ergonomics

SOURCE:  DEPARTMENT OF LABOUR

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# Proposed Commencement Date of Workplace Safety & Health Order 2009



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**THANK YOU**

***Q & A***