



Energy & Industry Department
Prime Minister's Office



EIDPMO

Brunei Industry Group - Construction Engagement

Apr 2016



Safety Briefing

- **No drills planned for today**
- **The alarm is a continuous ringing of a bell**
- **In an emergency we evacuate in an orderly fashion**
- **Follow one of the ushers**
- **Assembly Point A**

SAFETY BRIEFING

Mobile phones on silent mode please



Recital of Doa Selamat

DOA SELAMAT



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- 1020 – 1040 hours: Regulatory Awareness**
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- 1100 – 1115 hours: Governance & Compliance Authority (Order)**
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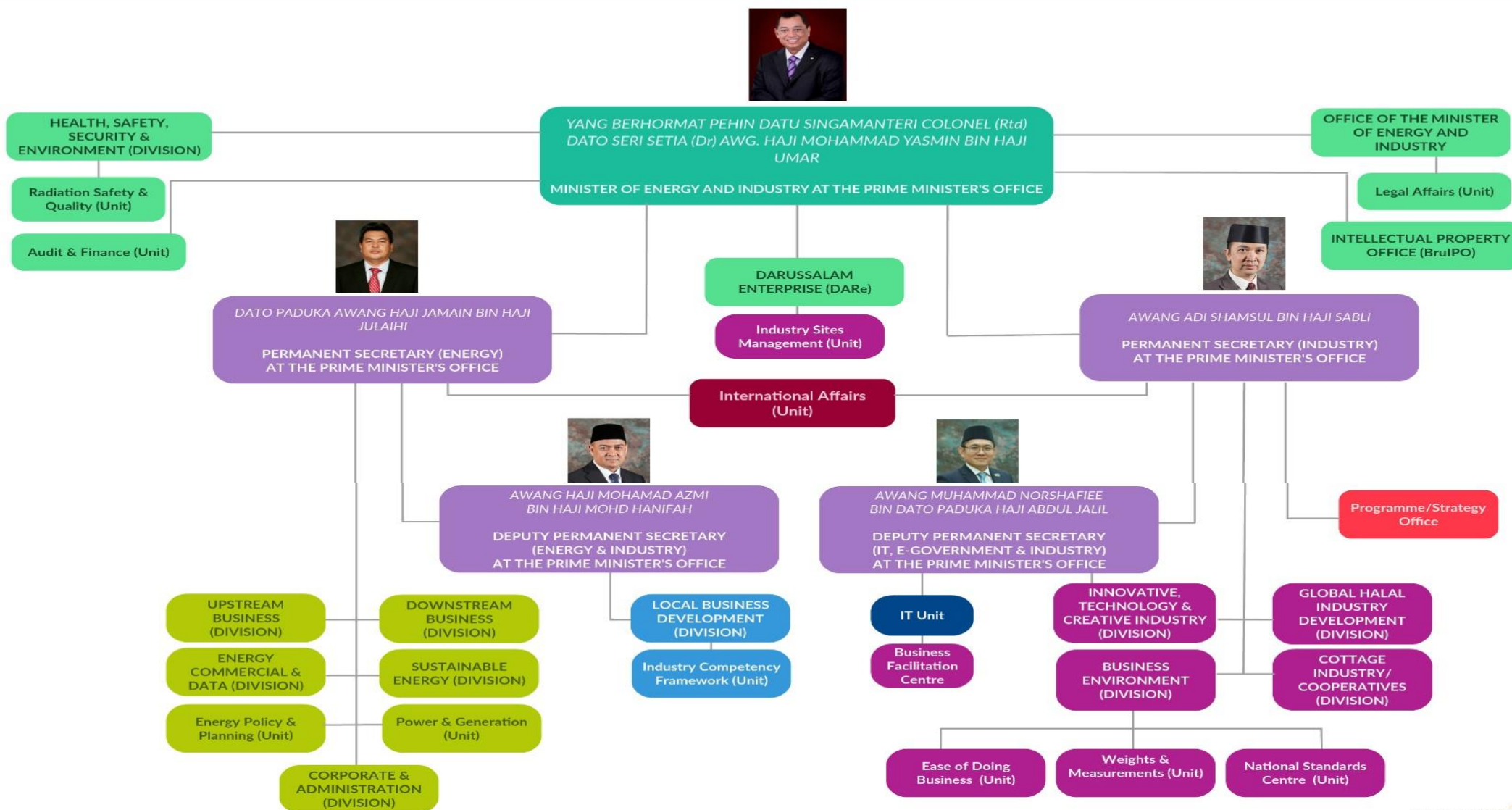


OPENING REMARKS



EIDPMO

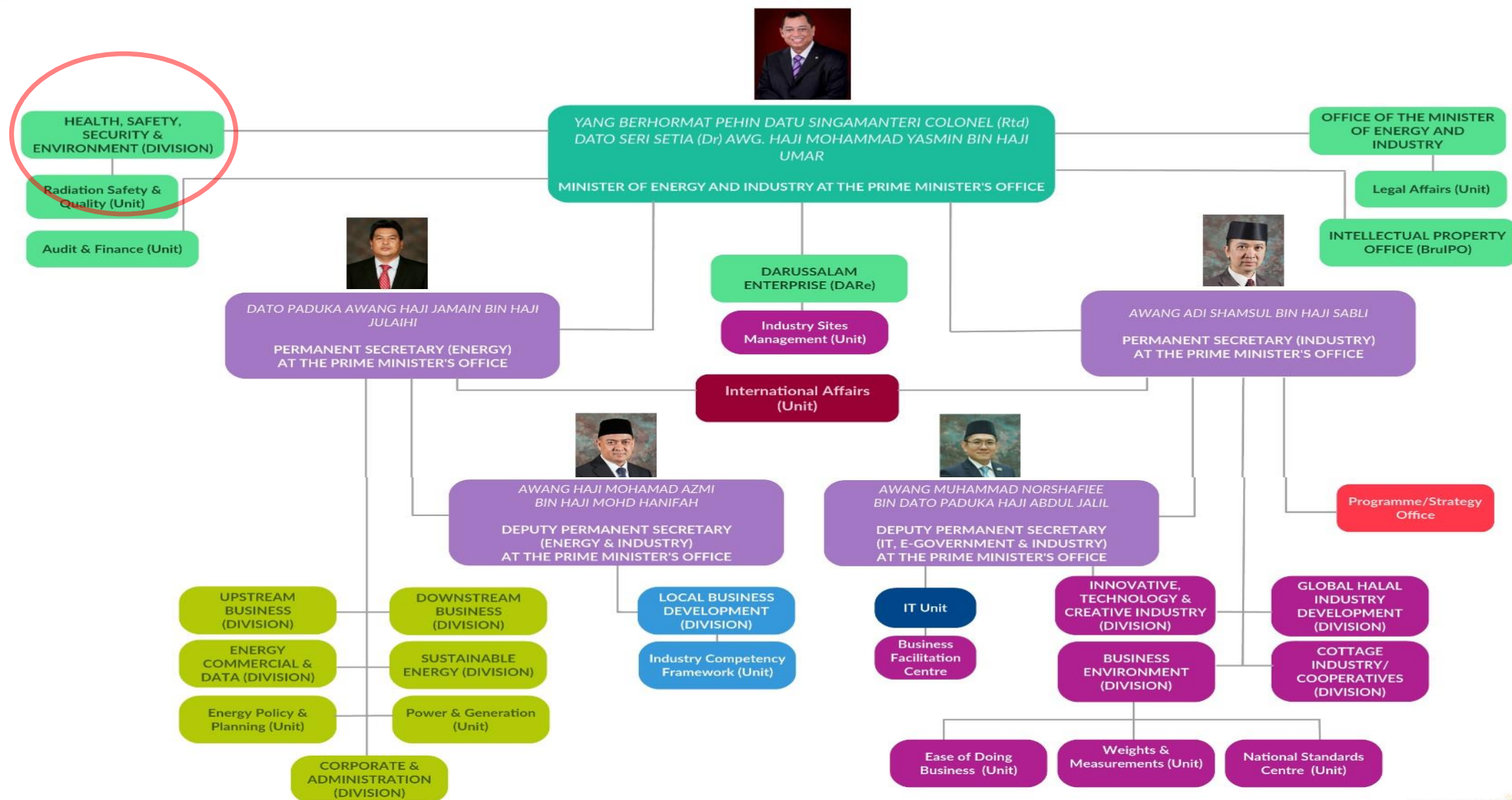
ENERGY AND INDUSTRY DEPARTMENT, PRIME MINISTER'S OFFICE
(JABATAN TENAGA DAN PERINDUSTRIAN, JABATAN PERDANA MENTERI)





EIDPMO

ENERGY AND INDUSTRY DEPARTMENT, PRIME MINISTER'S OFFICE
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INTRODUCTIONS

HSE Team



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REGULATORY AWARENESS

REGULATORY AWARENESS & COMPLIANCE



Background

**Workplace Safety and Health Order 2009 (WSHO)
and its Regulations
What does it mean for **YOU**?**



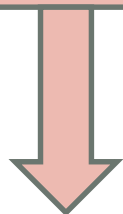
WSHO – What is it?

The WSHO is the highest level safety and health legislation in Brunei
It is the **enabling framework** for all other S&H regulations

WSHO

Applies to
All workplaces in Brunei

10
REGULATIONS



Apply to
All workplaces in Brunei
Incl Offshore Onshore facilities

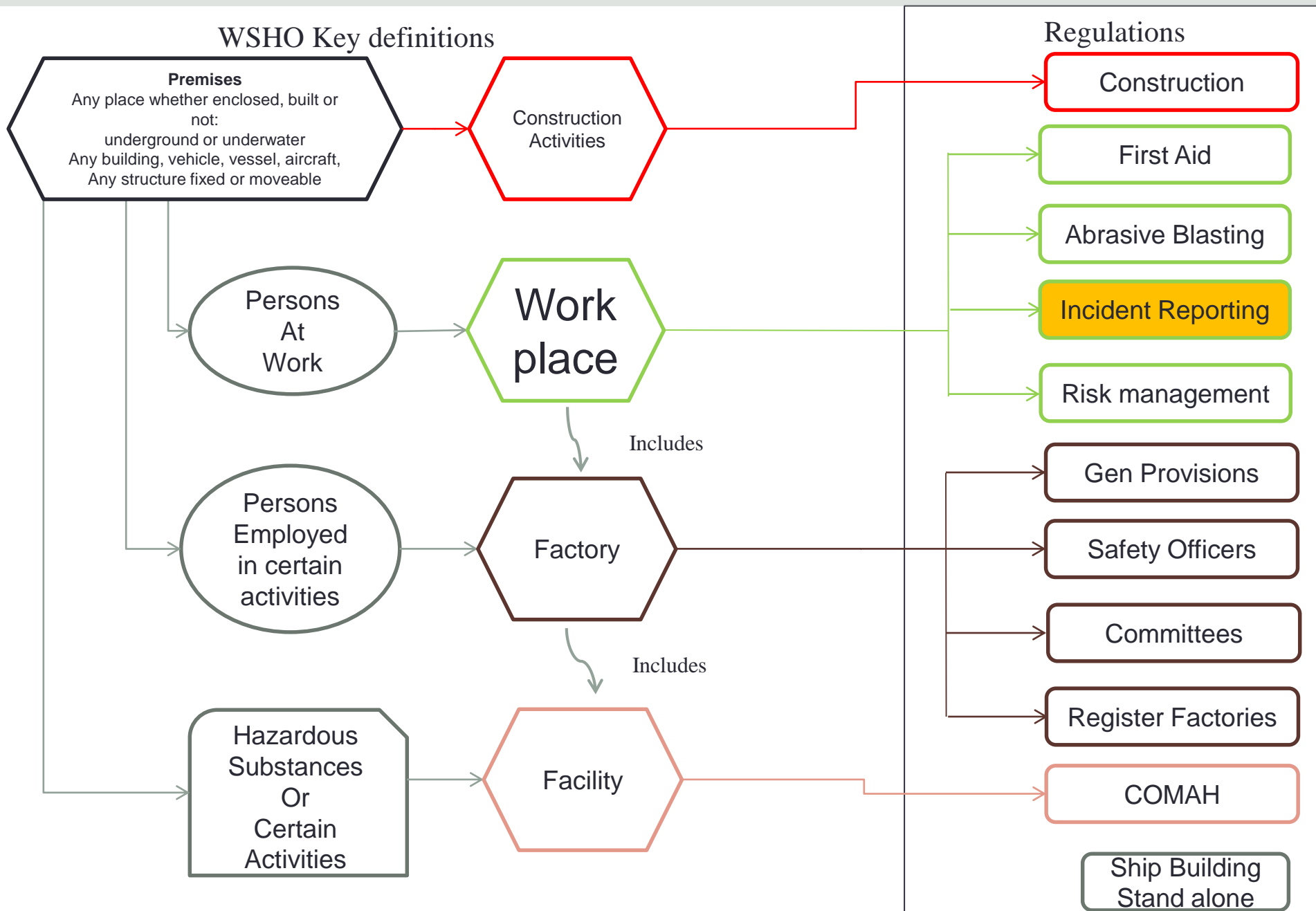
Control of Major
Accident Hazards
(COMAH) regs



Applies only to
Offshore Onshore facilities

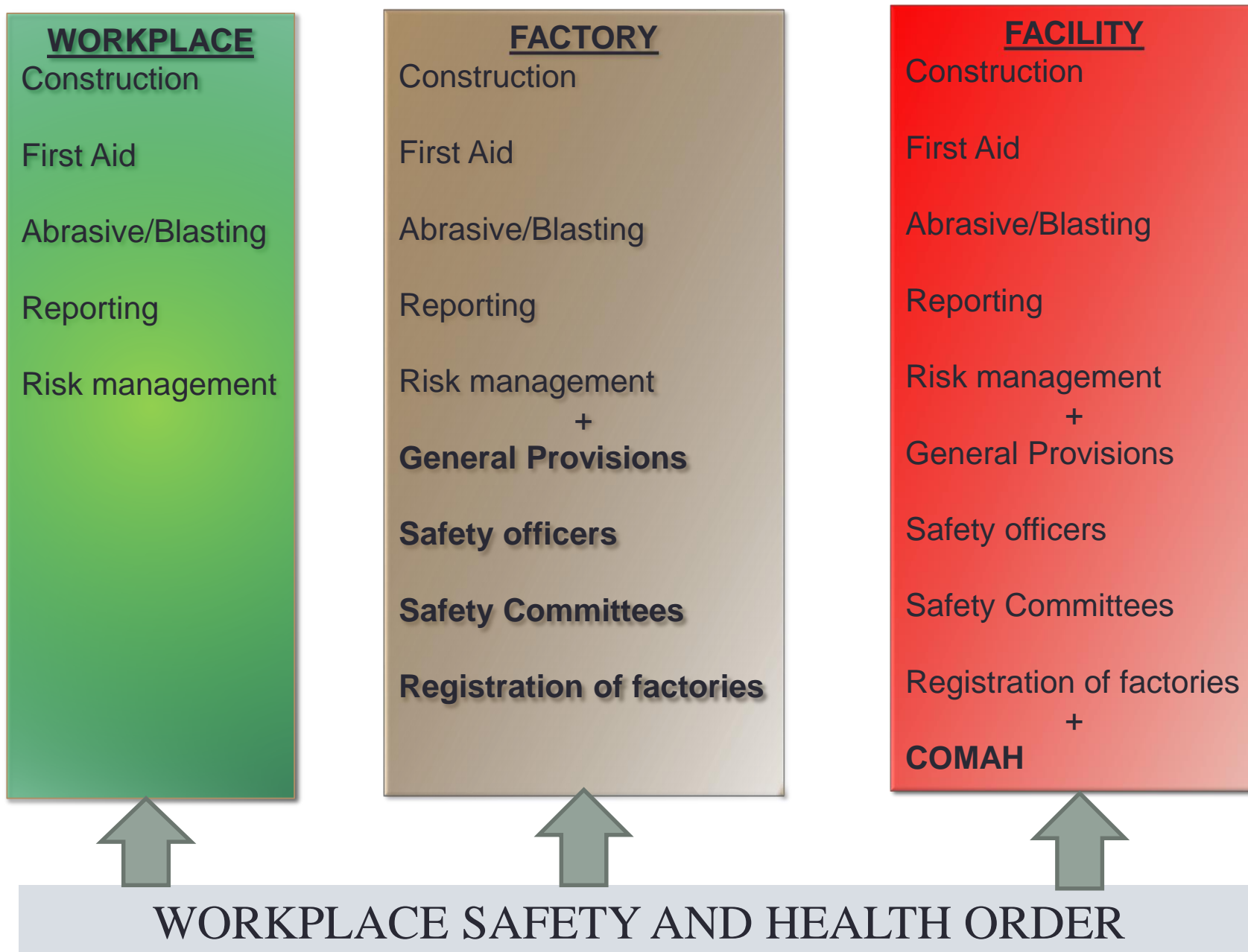


How Does It All Fit Together?





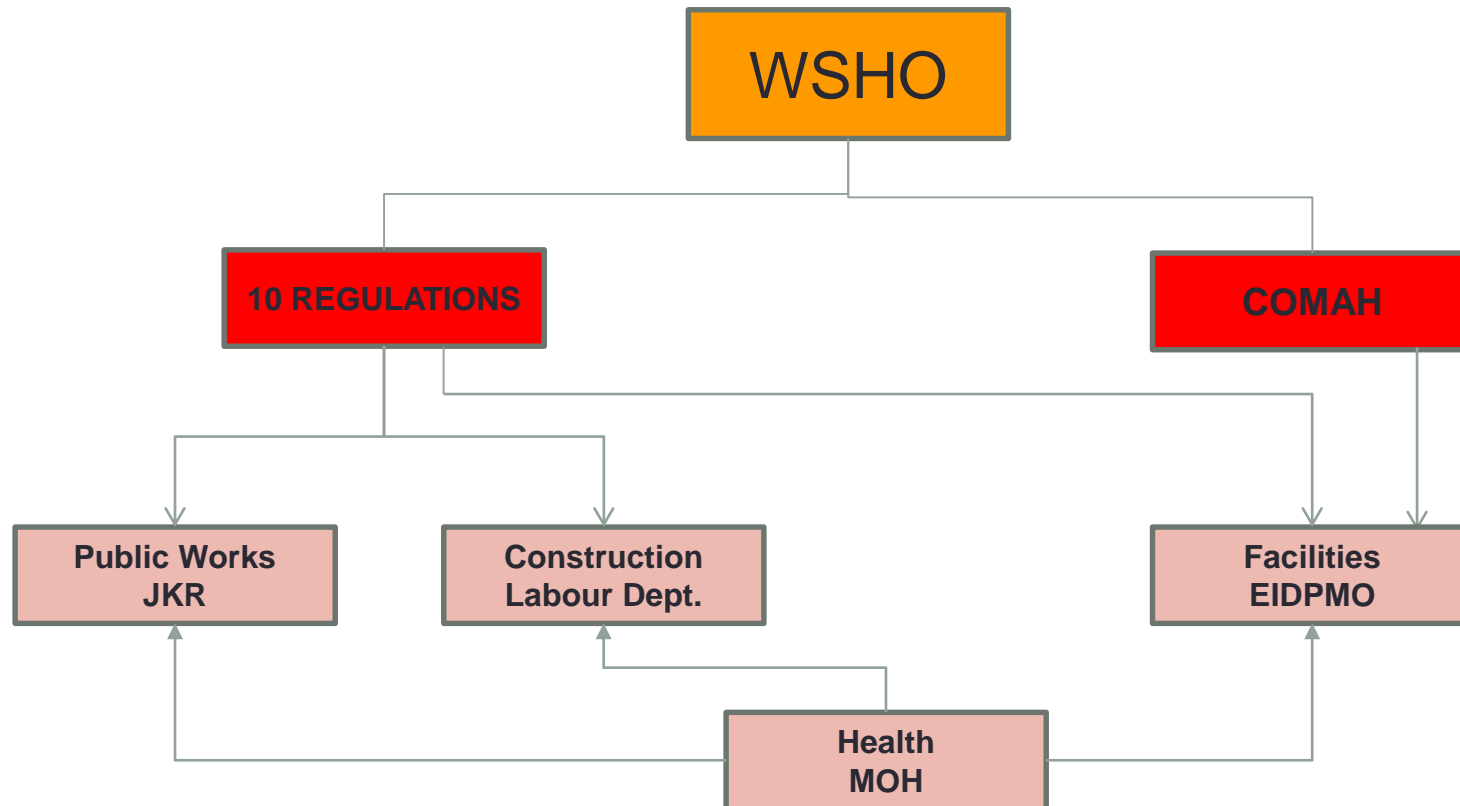
Where Do The Regulations Apply?





WSHO – Who is the Regulator?

The WSHO give powers to the Commissioner of Labour to regulate all S&H matters related to the WSHO. However he can delegate those powers.





What do the Order and regulations require?

WSHO – Implemented 1 August 2013

Clause 12: Duties of Employers.

(1) 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**.

(2) 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 persons (not being his employees) who may be affected by any undertaking carried on by him at the workplace**.



WSHO – When will the regulations go live?

WSHO	Order	1 AUG 2013
WSHO amendment	Order	1 JAN 2014
COMAH	regulations	1 JAN 2014
Construction	regulations	12 JUNE 2014
General Provisions	regulations	
Incident Reporting	regulations	
Risk management	regulations	
Safety Officers	regulations	
Safety Committees	regulations	
Registration of factories	regulations	IN DRAFT
First Aid	regulations	
Abrasive/Blasting	regulations	
Ship Building	regulations	
EPMO	Order	2016
EPMO Regulations	regulations	2016-17 ???



What is the Regulator's Role?

The regulatory role covers

Proactive

- **Safety Management System review**
- **Inspections**
- HSE Guidance Advise Info - **forums**
 - external public website
 - international workshop/seminars/assignment

Enforcement

- **Legal Notice**
- **Remedial Order**
- **Stop Work Order**
- **Fine and/or imprisonment upon prosecution**



Inspection

Workplace Safety and Health Order 2009 (Amended)

PART IX

INSPECTIONS AND OTHER POWERS OF ENFORCEMENT

Powers of inspectors.

41. (1) An inspector shall, for the purposes of the execution of this Order, have power –

(a) to **enter, inspect and examine any workplace at any time**;

(2) Any person who is found in a workplace shall render all necessary **assistance and co-operation** to the inspector as is necessary for an entry, inspection, examination, inquiry, the taking of samples or otherwise for the exercise of his powers under this Order in relation to that workplace.

(4) Any person who –

(a) obstructs or delays an inspector in the exercise of any of his powers under this section; is guilty of an **offence** and liable on conviction to a **fine** not exceeding \$5,000, **imprisonment** for a term not exceeding 6 months or both.



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CONSTRUCTION REGULATIONS

CONSTRUCTION REGULATIONS



Workplace Safety and Health (Construction) Regulations, 2014

The Regulation sets the general framework to which all companies must comply.

Application

3. These regulations shall apply in relation to **all worksites in Brunei Darussalam**.

Safety and health management system

4. (1) It shall be the duty of the occupier of a worksite to implement and maintain at all times a **safety and health management system** for the purpose of ensuring the **safety and protecting the health of every person within the worksite**, whether or not the person is at work or is an employee of the occupier.

Workplace safety and health co-ordinator /officer

6. ...**wsh co-ordinator** shall be appointed in every worksite where the contract sum.....is less than \$10 million. (over \$ 10 million you would require a **WSH Officer**, as per the WSH Regulations)

- This person would be trained, competent with at least 2 years practical experience relevant to the work



Workplace Safety and Health (Construction) Regulations, 2014

The Regulation sets the general framework to which all companies must comply.

Safety and health training

9. (1) Duty to provide **adequate safety and health training** to any person who carries out manual work at the work site
- (2) It shall be the **duty of the employer and / or principal** to ensure **any supervisor** on the worksite has received **safety and health training** to ensure the **work is carried out safely**.

Structures and supports

20. (1) It shall be the **duty of the occupier** of a worksite with a **supporting structure** to take, so far as reasonably practicable, such measures as are necessary to ensure that the supporting structure complies....
- (2) **sound design.....strength.....properly maintained**
- (3) **withstand** any foreseeable load likely to be imposed on it



Workplace Safety and Health (Construction) Regulations, 2014

Falling hazards

22 (1) It shall be the **duty of the occupier of a worksite** to take, so far as reasonably practicable, such measures as are necessary to comply....where a person is liable to **fall a distance of more than 2 metres**.

(2) **effective guard-rails, barriers** or other equally effective means to prevent fall.

Protection against falling objects.

25. It shall be the **duty of the occupier of a worksite** to ensure that **adequate overhead protection** is provided against objects that could fall on or otherwise **hit persons**.

Entry into building under construction

30. It shall be the **duty of the occupier of a worksite** –

(a)more than two storeys high,.....entry and access at ground floor....**protective cover** for persons

Personal protective equipment

33. (1) It shall be the **duty of...employer -**

appropriate personal protective equipment to the person carryout out any work on the worksite.

Eye/fall protection/foot/hand/head/hearing and respiratory protection



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STATUTORY BODY ORDER

GOVERNANCE & COMPLIANCE AUTHORITY (ORDER)

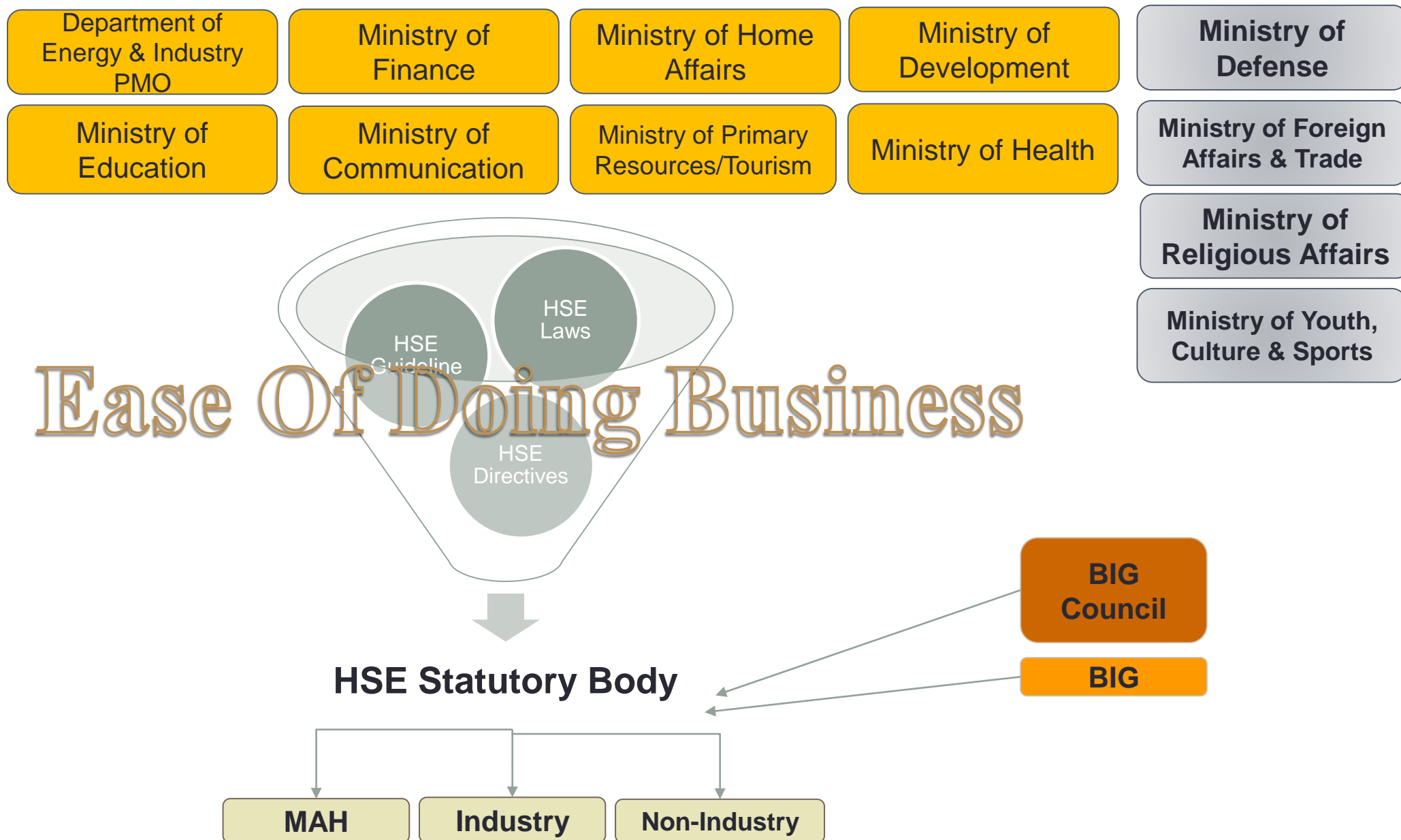


Regulatory Road Map

- Statutory Body Order is ready in draft
- 6 Ministerial Meetings completed – fully supported
- Remaining Ministers to be met in Q2 2016
- Governance and Compliance Authority – enforcement of Health, Safety and Environmental Legislation in Brunei

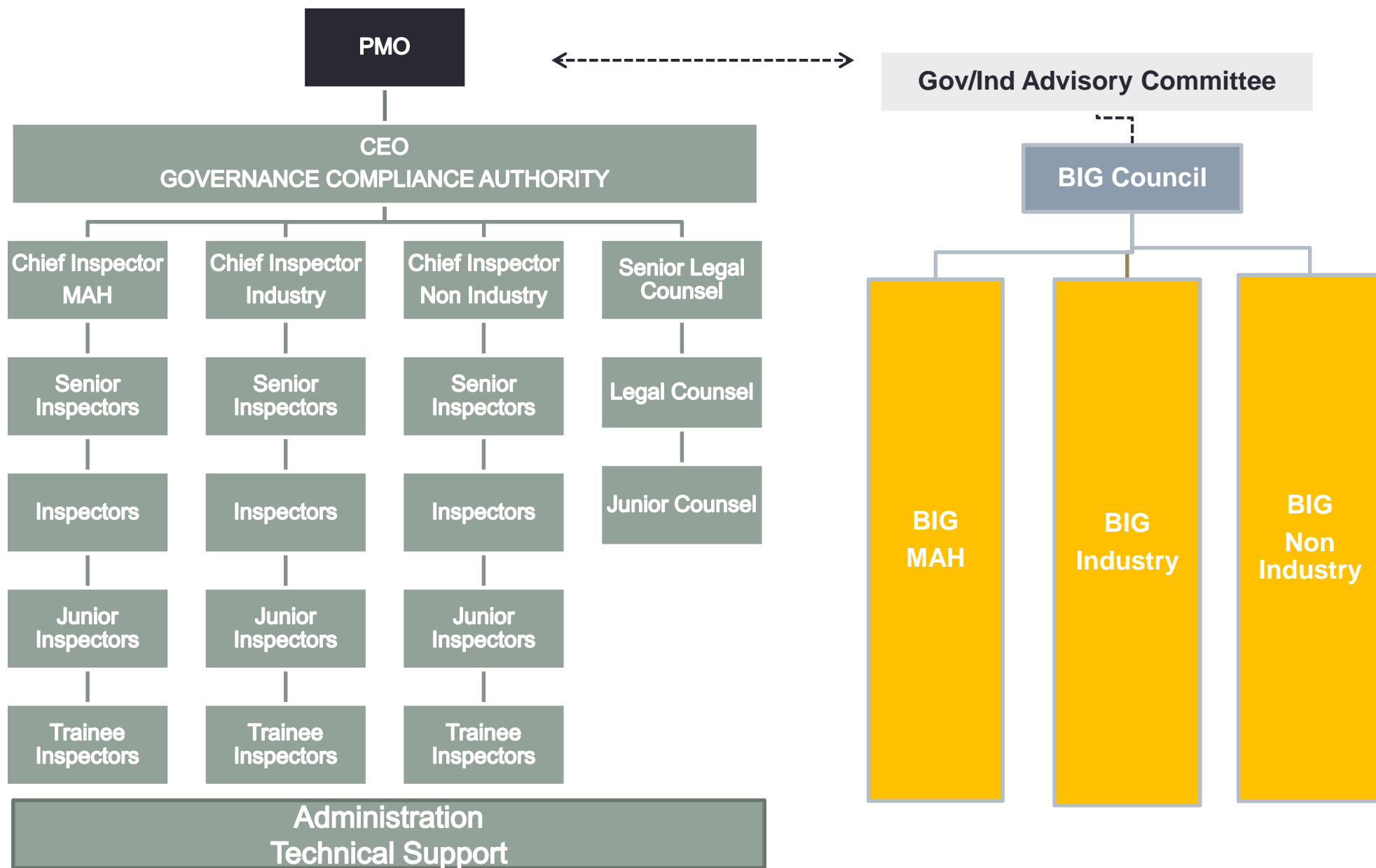


PROPOSED LEGAL STRUCTURE





STATUTORY BODY INTERFACE WITH INDUSTRY





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WAY FORWARD

HEALTH SAFETY & ENVIRONMENT BRUNEI 2016 & Beyond



HSE 2016 & BEYOND

- **Environmental Protection & Management Order 2016**
- **Environmental Impact Assessment Regulations – to develop**
- **Air Pollution Control Regulations – to develop**
- **Radiation Order - draft**
- **Electricity Order 2016 (Draft) – comment / drafting / implementation**
- **Pipeline Regulations – to develop**
- **BIG Council**
- **Decommissioning & Restoration Guidelines**



HSE IN 2016

ACTIONS:

- All Construction and Scaffolding Industry companies working in Brunei Darussalam to provide **company particulars** to EIDPMO (**template**) by **end July 2016**
- EIDPMO HSE will arrange site visits to **review safety management systems**, practices and workplace safety procedures
- Companies to report serious incidents and fatalities using the IIN form (Initial Incident Report) on the EIDPMO website

EIDPMO CONTACT:

Hjh Suhana Binti Hj Md. Daud @ Mohd. Daud [suhana.daud@jpm.gov.bn]



CONCERNING FACTS

Reported fatalities from the Construction & Manufacturing Industries in Brunei

YEAR	FALL FROM HEIGHT ACCIDENTS	DROPPED OBJECTS/ CRUSH ACCIDENTS	TOTAL NUMBER OF REPORTED FATALITIES
2015	4	1	10
2014	4	2	12
2013	5	4	10



MESSAGE

Errant contractors face suspension for negligence

| AZLAN OTHMAN |

CONTRACTORS and suppliers face up to six months' suspension should they fail to comply to the required safety standards.

Minister of Development, YB Dato Paduka Awang Haji Bahrin bin Abdullah, said this in response to the issue raised by YB Awang Haji Jumat bin Akim.

The minister added that the registration certificates of offenders would be cancelled if an offence was committed

three times.

"Cases of safety negligence should be brought up by committee members, Ministry of Development's departments or even the public.

"Errant companies could also be barred from government tenders," added the minister.

The minister said that based on World Bank's Ease of Doing Business 2016 report, Brunei Darussalam was ranked 21 out of 189 economies in dealing with construction permits.

Failure to follow Safety Standards has consequences



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B.I.G.

Q & A

Government Resources

- Labour Department:
<http://www.labour.gov.bn>
- Attorney General's Chamber:
<http://www.agc.gov.bn/>
- Energy & Industry Department Prime Minister's Office: <http://www.ei.gov.bn>

EIDPMO Website - HSSE

A A A

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ENERGY AND INDUSTRY DEPARTMENT
PRIME MINISTER'S OFFICE | BRUNEI DARUSSALAM

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**HSSE Emergency
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Stop and Think
Safety & Health

HSSE
Energy Department
Prime Minister's Office



Energy & Industry Department Prime Minister's Office

THANK YOU