



Energy Department Prime Minister's Office Note to Industry (NTI)

TOPIC DIRECTIVE 01/2014 : Transition period for COMAH Safety Cases.			Reference Number 2014 /NTI/ 3
Approved by: HD HSE	Issue date: 22 March 2014	Expiry date: 1 January 2015	Revision No: 1

Please be advised that the Ministry of Home Affairs (MOHA) has issued a Directive (number: 01/2014, dated 22 March 2014), regarding the transition period for The Control of Major Accident Hazards (COMAH) regulations Safety Case submissions.

This directive has been published on the Energy Department Prime Minister's Office (EDPMO) HSSE web page, <http://energy.gov.bn/HSE/Pages/hse.aspx> under the "Safety Case button" and "Law Button".

In Summary

1. The Workplace Safety and Health (Facilities) (Control of Major Accident Hazards) Regulations, 2013 (COMAH), issued under the Workplace Safety and Health Order (WSHO) 2009, has commenced on **Wednesday, 1 January 2014**. COMAH implements the Safety Case legal regime for Facilities in Brunei Darussalam.
2. Under COMAH all Facilities must submit a Safety Case for evaluation by the Competent Authority (EDPMO), if satisfied with the submission the Competent Authority will issue a Safety Case Certificate to allow the Facility to continue to operate.
3. With regard to Facilities which are in existence on 1 January 2014:
 - Duty Holders of existing Facilities are given a "grace period"; whereby they may continue to operate their Facilities and Combined Operations without a Safety Case Certificate, unless advised otherwise by the Competent Authority.
 - However, Duty Holders for **existing Facilities** shall submit their relevant Safety Case under Regulation 9(e), 13(1), 14(1) and 16(1) of COMAH to the Competent Authority for review by **Saturday, 31 May 2014**. The Competent Authority will review the Safety Case (as soon as is reasonably practicable) and advise the Duty Holder of the outcome of the review.

- However, Duty Holders for Combined Operations shall submit their relevant Safety Case under Regulation 15(1) at the latest by 31 December 2014. The Competent Authority will review the Safety Case (as soon as is reasonably practicable) and advise the Duty Holder of the outcome of the review.
4. Failure to submit such relevant Safety Cases (Facilities and Combined Operations) will constitute a breach of Regulation 6(1) of COMAH.
 5. Safety Cases should be submitted directly to:

SAFETY CASE

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