



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

TOPIC COMAH Regulation 2013 Safety Case Certificate Extension Announcement			Reference Number 2014 /NTI/ 5
Approved by: Commissioner of Labour	Issue date: 24 Nov 2014	Expiry date: OPEN	Revision No: 1

The Control of Major Accident Hazards (COMAH) Regulations 2013 came into force on the 1st January 2014 and requires all facilities operating on State Land to have a Safety Case Certificate to allow continuation of operations. A pragmatic approach taken by the Competent Authority in consultation with the Industry was to provide a transition period for Industry to submit and receive that certificate. The associated EDPMO Directive 01/2014: Transition period for COMAH Safety Cases allowed all Duty Holders for existing facilities (as of 1st January 2014) to continue operating in Brunei until the 31st December 2014. By this time they were to submit their safety case and receive their certificate from the Competent Authority.

The Industry has worked proactively and good efforts have been made towards achieving the requirements of Directive 01/2014. Through the iteration process, it has been identified that more time is required by certain facilities to develop a suitable safety case.

The Department of Labour and EDPMO wish to work with the Oil & Gas Industry to seek their assurance that all facilities will achieve a suitable status and have a Safety Case Certificate by the 31st December 2014.

Way Forward

Any Duty Holder, who is identified **by** the Competent Authority to require further time to develop a suitable safety case, will be issued with a Remedial Order to resolve the identified gaps within a given timeframe. Please refer to Section 21 of the Workplace Safety and Health Order 2009 for your obligations and duties with respect to a Remedial Order.

Furthermore, the Competent Authority considers it appropriate to extend the date from the 31st December 2014 to the 30th June 2015 for facilities to be in receipt of the Combined Safety Certificate from the Competent Authority. Duty Holders are advised to refer to Section 15 of the COMAH Regulations 2013. Any facilities not in compliance with the COMAH Regulations as of the 1st July 2015 should refer to Section 27.