

Workplace Safety and Health (Registration of Factories) Regulations 2008

Table of Contents

Enacting Formula

1 Citation and commencement

2 Definitions

3 Application

4 Register of factories

5 Duty to notify Commissioner of occupation or use of factory not falling within classes of factories described in First Schedule

6 Registration of factories falling within classes of factories described in First Schedule

7 Power to require registration of factory in certain circumstances

8 Change in relation to occupation, use or particulars of factory

9 Revocation and suspension of registration, etc.

10 Appeals to Minister

11 Power to waive or refund fees

12 Revocation

13 Savings and transitional provisions

FIRST SCHEDULE Classes of factories

SECOND SCHEDULE Fees

No. S 501

WORKPLACE SAFETY AND HEALTH ACT (CHAPTER 354A)

WORKPLACE SAFETY AND HEALTH (REGISTRATION OF FACTORIES) REGULATIONS 2008

In exercise of the powers conferred by section 65 of the Workplace Safety and Health Act, Mr Gan Kim Yong, Senior Minister of State, charged with the responsibility of the Minister for Manpower, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Workplace Safety and Health (Registration of Factories) Regulations 2008 and shall come into operation on 1st November 2008.

Definitions

2. In these Regulations, unless the context otherwise requires —

“occupier”, in relation to a factory in respect of which a notification has been submitted to the Commissioner under regulation 5, means the person who is named in the notification as the occupier of the factory;

“pharmaceutical product”, for the purpose of Part II of the First Schedule, means a medicinal product which is a substance used wholly or mainly for the purpose of treating or preventing disease, but does not include —

- (a) any traditional medicine;
- (b) any homoeopathic medicine;
- (c) any quasi-medicinal product;
- (d) any raw material which is used as an ingredient in the preparation or manufacture of any medicinal product; or
- (e) any medicated oil or balm;

[S 57/2010 wef 01/03/2020]

“registered factory” means any premises which are registered as a factory under regulation 6.

Application

3. These Regulations shall not apply to —

(a) any premises where building operations or any work of engineering construction are carried out; and

[S 206/2019 wef 01/04/2019]

(b) any premises where —

(i) the number of persons at work within the premises is ordinarily less than 10 (whether or not they are all at work at those premises at the same time); and

(ii) none of the following is used or created:

(A) any mechanical power, steam boiler, steam container, steam receiver, air receiver, refrigerating plant pressure receiver or gas plant; and

(B) any highly flammable or noxious substance.

Register of factories

4.—(1) The Commissioner shall cause a register of factories to be kept and maintained in such form as he may determine.

(2) The register of factories shall contain the building names (if any) and addresses of all factories registered under regulation 6 and such other particulars of such registered factories as the Commissioner may determine.

Duty to notify Commissioner of occupation or use of factory not falling within classes of factories described in First Schedule

5.—(1) Any person who desires to occupy or use any premises as a factory not falling within any of the classes of factories described in Part I, II or III of the First Schedule shall, before the commencement of operation of the factory, submit a notification to the Commissioner informing the Commissioner of his intention to occupy or use those premises as such a factory.

*[S 57/2010 wef 01/03/2010]
[S 203/2017 wef 01/09/2017]*

(2) The duty to notify the Commissioner under paragraph (1) shall apply whether the person referred to in that paragraph is the first person to occupy or use the premises as

such a factory or is taking over the occupation or use of those premises as such a factory from another person.

(3) The notification referred to in paragraph (1) shall —

- (a) be submitted to the Commissioner in such form and manner as the Commissioner may require; and
- (b) be accompanied by such particulars, information, statements and documents as the Commissioner may require.

(4) The occupier of a factory in respect of which a notification has been submitted to the Commissioner under paragraph (1) shall —

- (a) where any change takes place in any of the particulars of the factory which have been notified to the Commissioner, furnish particulars of the change to the Commissioner in such form and manner as the Commissioner may require, not later than 14 days of the change taking place;
- (b) if he intends to cease his occupation or use of the factory, notify the Commissioner thereof in such form and manner as the Commissioner may require, not less than 14 days before so ceasing; and
- (c) where any change is to be made to the type of work carried out in the factory, inform the Commissioner of the proposed change in writing and provide the Commissioner with the relevant documents pertaining to the change and such other information as the Commissioner may require, not less than one month before the change is made.

(5) Any person who contravenes paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

(6) Any person who contravenes paragraph (4)(a) or (b) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(7) Any person who contravenes paragraph (4)(c) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000.

Registration of factories falling within classes of factories described in First Schedule

6.—(1) Any person who desires to occupy or use any premises as a factory falling within any of the classes of factories described in Part I or II, but not Part III, of the First Schedule shall apply to the Commissioner to register the premises as a factory.

*[S 57/2010 wef 01/03/2010]
[S 203/2017 wef 01/09/2017]*

(1A) Any person who desires to occupy or use any premises as a factory falling

within any of the classes of factories described in Part III of the First Schedule must apply to the Commissioner to register the premises as a major hazard installation under the Workplace Safety and Health (Major Hazard Installations) Regulations 2017 (G.N. No. S 202/2017).

[S 203/2017 wef 01/09/2017]

(2) An application under paragraph (1) to register any premises as a factory shall —

- (a) be in such form and manner as the Commissioner may require;
- (b) be accompanied by such particulars, information, statements and documents as the Commissioner may require; and
- (c) be made at least one month before the factory starts operation.

(3) On receipt of an application under paragraph (1), the Commissioner may —

- (a) register the premises as a factory, subject to such conditions as the Commissioner thinks fit, and enter in the register of factories such other relevant particulars pertaining to the applicant or the factory as the Commissioner thinks fit, and on payment of the fee specified in the Second Schedule, issue to the applicant a certificate of registration subject to such conditions as the Commissioner may think fit to impose; or
- (b) refuse to register the premises.

(4) Where the Commissioner refuses to register the premises in respect of which an application under paragraph (1) has been made, he shall give the applicant notice in writing of the reasons for his refusal.

(5) A certificate of registration that is issued under paragraph (3)(a) in respect of any factory described in Part I of the First Schedule —

- (a) shall be valid for a period of 5 years, or for such other period as the Commissioner may determine in a particular case, unless it is earlier revoked or cancelled in accordance with these Regulations; and

[S 203/2017 wef 01/09/2017]

- (b) may, on payment of the appropriate fee specified in the Second Schedule, be renewed by the Commissioner for 5 years or such other period as the Commissioner may determine in a particular case, from the date immediately following that on which, but for its renewal, the certificate of registration would have expired.

[S 57/2010 wef 01/03/2010]

(6) A certificate of registration that is issued under paragraph (3)(a) in respect of any factory described in Part II of the First Schedule shall remain in force from the date of its issue until such time as it is revoked or cancelled in accordance with these Regulations.

[S 57/2010 wef 01/03/2010]