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## BILLS SUPPLEMENT

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**Notification No. B 13** — The Workplace Safety and Health (Amendment) Bill is hereby published for general information. It was introduced in Parliament on the 10th day of March 2011.

# **Workplace Safety and Health (Amendment) Bill**

**Bill No. 13/2011.**

*Read the first time on 10th March 2011.*

A BILL

*i n t i t u l e d*

An Act to amend the Workplace Safety and Health Act (Chapter 354A of the 2009 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

### **Short title and commencement**

1. This Act may be cited as the Workplace Safety and Health (Amendment) Act 2011 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

### **5 Repeal and re-enactment of section 2**

2. Section 2 of the Workplace Safety and Health Act (referred to in this Act as the principal Act) is repealed and the following section substituted therefor:

#### **“Application of Act**

10 2. Except as otherwise provided in this Act (but not the regulations), the provisions of this Act shall apply to all workplaces.”.

### **Amendment of section 4**

3. Section 4(1) of the principal Act is amended —

15 (a) by deleting the words “Second Schedule” in the definition of “dangerous occurrence” and substituting the words “First Schedule”;

(b) by deleting the definitions of “occupational disease” and “occupier” and substituting the following definitions:

20 ““occupational disease” means any disease specified in the Second Schedule and any other disease that is directly attributable to any exposure to any chemical or biological agent arising out of and in the course of any employment;

25 “occupier”, in relation to any premises or part of any premises, means —

30 (a) in the case of a factory where a certificate of registration has to be obtained in relation to the premises pursuant to any regulations — the person who is, or is required to be, the holder of the certificate;

(b) in the case of a factory where a notification has to be submitted in relation to the factory pursuant to any regulations — the person who is named in the

notification, or is required to submit a notification;  
and

5 (c) in the case of any other premises — the person  
who has charge, management or control of those  
premises either on his own account or as an agent  
of another person, whether or not he is also the  
owner of those premises;”; and

10 (c) by deleting the words “Fourth Schedule” in the definition of  
“work of engineering construction” and substituting the words  
“Third Schedule”.

#### **Amendment of section 5**

**4.** Section 5 of the principal Act is amended —

(a) by deleting subsections (2) and (3) and substituting the following  
subsection:

15 “(2) Subject to this section, “factory” means any premises —

(a) within which persons are employed in any of the  
following processes:

20 (i) the handling, sorting, packing, storing, altering,  
repairing, construction, processing or  
manufacturing of any goods or product;

(ii) the handling, sorting, packing, storing,  
processing, manufacturing or use of any  
hazardous substances;

25 (iii) the repair, construction or manufacturing of any  
vessel or vehicle;

(iv) any building operation or work of engineering  
construction;

30 (v) the operation or maintenance of any facility or  
system related to the provision of any public  
utility; and

(b) which is specified in the Fourth Schedule.”; and

(b) by deleting the words “or (3)” in subsection (4).

## **New section 14A**

**5.** The principal Act is amended by inserting, immediately after section 14, the following section:

### **“Additional duties of principals in relation to contractors**

5       **14A.**—(1) It shall be the duty of every principal to take, so far as is reasonably practicable, such measures as are necessary to ensure that any contractor engaged by the principal on or after the date of commencement of section 5 of the Workplace Safety and Health (Amendment) Act 2011 —

10           (a) has the necessary expertise to carry out the work for which the contractor is engaged by the principal to do; and

          (b) has taken adequate safety and health measures in respect of any machinery, equipment, plant, article or process used, or to be used, by the contractor or any employee employed by the contractor.

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(2) The duty imposed on every principal under subsection (1)(a) includes ascertaining that the contractor engaged by the principal and any employee of the contractor —

20           (a) have sufficient experience and training to carry out the work for which the contractor is engaged by the principal to do; and

          (b) have obtained any necessary licence, permit, certificate or any other document in order to carry out the work for which the contractor is engaged by the principal to do.

25       (3) The duty imposed on every principal under subsection (1)(b) includes ascertaining that the contractor engaged by the principal —

          (a) has conducted a risk assessment in relation to the safety and health risks posed to any person who may be affected by the work for which the contractor is engaged by the principal to do; and

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          (b) has informed any person who may be affected by the work for which the contractor is engaged by the principal to do of the nature of the risk involved in the work and any measure or safe work procedure which is implemented at the workplace.

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