

FACT SHEET ON ENHANCEMENTS TO THE WSH ACT AND SUBSIDIARY REGULATIONS

A. Workplace Safety and Health (WSH) Act

List of Changes	
1. Extension of the Act to all workplaces	<ul style="list-style-type: none"> To apply to all workplaces
2. Scope the definition of a “factory”	<ul style="list-style-type: none"> To narrow the definition of “factory” to only workplaces identified to face a higher risk of serious accidents and injuries.
3. Enhance duties of a Principal in relation to Contractors	<ul style="list-style-type: none"> To impose duties on all principals, in relation to the contractor that they directly engage, to ensure that the contractor has: <ul style="list-style-type: none"> <u>the necessary expertise</u> for the work that he is engaged for (Duty includes ascertaining that the contractor and his employees has the necessary training, experience and certification); and <u>implemented adequate safety and health measures</u>, i.e. conducted risk assessment or developed safe work procedures (Duty includes checking that the contractor has conducted a risk assessment of his activities and he has communicated the results to any person who might be affected by his work)
4. Enhance duties of Person at Work	<ul style="list-style-type: none"> To create a new offence for persons at work who did a negligent act without reasonable cause.
5. Expand definition of an “Occupational Disease”	<ul style="list-style-type: none"> To broaden the definition of an OD beyond the diseases prescribed under the Second Schedule to include any disease directly attributable to any exposure any exposure to any chemical or biological agent. To amend the list of occupational diseases (ODs) prescribed in the Schedule of the Act, to include: <ul style="list-style-type: none"> Diseases caused by ionising radiation, excessive heat Poisoning by carbon monoxide Poisoning by oxides of nitrogen Leptospirosis

B. WSH (Exemption)(Amendment) Order 2011

List of Changes	
1. Exemption of occupiers of domestic premises	<ul style="list-style-type: none"> To exempt occupiers of domestic premises (i.e. home owners) from the provisions of the entire Act, so long as that premises is not used for any business or undertaking of the occupier.

C. WSH (Incident Reporting)(Amendment) Regulations 2011

List of Changes	
1. Clarify reporting requirements for OD	<ul style="list-style-type: none">• To clarify that following the expanded definition of an occupational disease (OD), stakeholders are still only required to report those ODs prescribed under the Second Schedule.

D. WSH (Noise) Regulations 2011

- replaces the Factories (Noise) Regulations

List of Changes	
1. Extension to all workplaces	<ul style="list-style-type: none">• To apply to all workplaces where a person is exposed or is likely to be exposed to excessive noise caused by :<ul style="list-style-type: none">- any machinery or equipment used in the workplace; or- any process, operation or work carried out in the workplace.
2. Assigning of duty-holders for the provisions	<ul style="list-style-type: none">• To provide greater clarity and understanding of duties for respective duty-holders
3. Other technical changes	<ul style="list-style-type: none">• To provide clarity for those working on 12-hour shifts, by including permissible exposure limits for noise exposure duration extended to 16 hours;• To increase frequency of training for persons at work (previously every 3 years);• To include penalty provisions to commensurate with the corresponding offences;• To update terminologies e.g. "Chief Inspector" to "Commissioner"; and• To improve overall structure and flow of the Regulations through minor editorial enhancements.