

No. S 40

**WORKPLACE SAFETY AND HEALTH ORDER, 2009  
(S 44/2009)**

**WORKPLACE SAFETY AND HEALTH (GENERAL PROVISIONS)  
(AMENDMENT) REGULATIONS, 2021**

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Regulation

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**WORKPLACE SAFETY AND HEALTH ORDER, 2009  
(S 44/2009)**

**WORKPLACE SAFETY AND HEALTH (GENERAL PROVISIONS)  
(AMENDMENT) REGULATIONS, 2021**

In exercise of the power conferred by section 64 of the Workplace Safety and Health Order, 2009, the Minister of Energy, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Regulations —

**Citation and commencement**

1. These Regulations may be cited as the Workplace Safety and Health (General Provisions) (Amendment) Regulations, 2021 and shall commence on 1st June 2021.

**Amendment of regulation 19 of S 34/2014**

2. Regulation 19 of the Workplace Safety and Health (General Provisions) Regulations, 2014, in these Regulations referred to as the principal Regulations, is amended, in sub-regulation (11), by deleting “factory building” and by substituting “workplace” therefor.

**Amendment of regulation 23**

3. Regulation 23 of the principal Regulations is amended —

(a) by deleting sub-regulation (1) and by substituting the following new sub-regulation therefor —

“(1) It shall be the duty of the occupier of a workplace to ensure that all openings in floors of the workplace are securely covered or fenced unless the nature of the work renders such covering or fencing impracticable.”;

(b) by deleting sub-regulations (2) to (6);

(c) in sub-regulation (8), by deleting “or safety belt” from the third line;

(d) in sub-regulation (9), by deleting “or safety belt” wherever the words appear.

**Amendment of regulation 39**

4. Regulation 39 of the principal Regulations is amended, in sub-regulation (1)(a), by deleting “a”.

**Substitution of regulation 42**

5. Regulation 42 of the principal Regulations is repealed and the following new regulation is substituted therefor —

**“Warning labels**

42. It shall be the duty of the occupier of a workplace in which there is any container of hazardous substances to ensure that, so far as is reasonably practicable, every such container is affixed with one or more warning labels that conform with —

(a) any Brunei Darussalam Standard relating to the classification and labelling of hazardous substances; or

(b) such other standards, codes of practice or guidance relating to the classification and labelling of hazardous substances as issued or approved by the Authority.”.

**Substitution of regulation 43**

6. Regulation 43 of the principal Regulations is repealed and the following new regulation is substituted therefor —

**“Safety data sheet**

43. (1) Where any hazardous substance is used, handled or stored in a workplace, it shall be the duty of the occupier of the workplace to —

(a) obtain a safety data sheet of the substance;

(b) assess the information in the safety data sheet and take precautionary measures to ensure the safe use of the substance; and

(c) make available the safety data sheet to all persons at work in the workplace who are liable to be exposed to the substance.

(2) Where any hazardous substance is sold to any person for use in a workplace, it shall be the duty of the seller or any agent of the seller who caused or procured the sale to provide the buyer with a safety data sheet for the substance that —

(a) gives accurate and adequate information on the substance; and

(b) conforms with any Brunei Darussalam Standard relating to safety data sheets or such other standards, codes of practice or guidance as issued or approved by the Authority.

(3) Any seller or agent of the seller who fails to provide a safety data sheet under sub-regulation (2) or any person who provides inaccurate, inadequate or misleading information in a safety data sheet is guilty of an offence and liable on conviction to a fine not exceeding \$10,000.”.

**Insertion of new regulation 43A**

7. The principal Regulations are amended by inserting the following new regulation immediately after regulation 43 —

**“Exclusion from regulations 41, 42 and 43**

**43A.** (1) Regulations 41, 42 and 43 do not apply in respect of the use, handling or storage in a workplace, or the sale for use in a workplace, of any hazardous substance that is in a consumer package and that is intended for retail sale.

(2) In this regulation —

“consumer package” means a container that is intended for retail display and sale to households or offices, and includes a container that is transported or distributed as part of a larger consolidated container that consists of a number of identical consumer packages;

“container” means anything in or by which substances are or have been wholly or partly encased, covered or packed.”.

**Amendment of principal Regulations**

8. The principal Regulations are amended by deleting “factory” wherever the word appears and by substituting “workplace” therefor.

Made this 20th. day of Syawal, 1442 Hijriah corresponding to the 1st. day of June, 2021.

**DATO SERI SETIA DR. AWANG HAJI MAT SUNY BIN HAJI MD HUSSEIN**  
**Minister of Energy.**