List out your applicable legal of based from company industry’s scale

### 11.0 OSH Laws and its applicability

#### 11.1 General Safety, health and welfare

**OSHA 1994**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
</table>
| **Section 15** | General duties of employers and self-employed persons to their employees to ensure safety and health. General duty is including;  
1. Provision and maintenance of plant and systems of work.  
2. Safety precaution of use or operation, handling, storage and transport of plant and substances.  
3. Information, instruction, training and supervision.  
4. Maintenance of any place of work under the control of the employer.  
5. Maintenance of working environment for his employees as regards facilities for their welfare at work. |
| **Section 16** | Duty to formulate safety and health policy with respect to the safety and health at work of his employees and the organization. To implement, review and communicate to his employees. |
| **Section 24** | General duties of employees at work - Take care of safety and health - To co-operate in compliance of safety and health - Wear or use PPE when required - Follow safety and health instruction instituted by his employer. |
| **Section 25** | Duty not to interfere with or misuse things provided pursuant to certain provisions |
| **Section 26** | Duty not to charge employees for things done or provided |
| **Section 27** | No Discrimination against employee;  
1. When employee makes a complaint about a matter which he considers is not safe or is a risk to health.  
2. Employee is a member of a safety and health committee & exercised on his duties. |

**Factory and Machinery Act 1967**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
</table>
| **Section 10** | Provisions relating to safety, etc  
1. Sufficient strength of foundations and floors  
2. Sufficient strength of roofs  
3. Safe construction of all floors, working levels, platforms, decks, stairways, passages, gangways, ladders and steps. These all shall be properly maintained.  
4. safe access to any place  
5. every opening, sump, pit or fixed vessel in a floor, or working level shall be securely covered and closed. |
6. all goods, articles and substances which are stored or stacked are stable and prevent from collapse. Also, all these shall be in an adequate light, proper ventilation, proper operation of machinery and unobstructed.

**Section 21**
Duties of occupier to maintain all safety appliances and machinery

**Section 22**
Provisions relating to health;

1. every factory shall be kept in a clean state and free from offensive effluvia.
2. maximum number of persons employed at any one time in any workroom shall follow as prescribed.
3. Adequate ventilation
4. Adequate temperature
5. Sufficient and suitable lighting

**Section 24**
Personal protective clothing and appliances for persons are exposed to a wet or dusty process, to noise, to heat or to any poisonous, corrosive or other injurious substance

### 11.2 Fire Certificate

Requirement of fire certificate

Fire Service Act 1988

**Section 28**
1. Every designated premises shall require a fire certificate
2. A fire certificate shall be renewable annually.

Designated premises shall be made in Form I of Schedule B of Fire Services (Fire Certificate) Regulations 2001

### 11.3 Medical Surveillance

OSHA 1994

**Section 28.**
Medical Surveillance and Medical Examination is required for one or more of the follows;

- Cases of illness have occurred due to nature of processes or other conditions of work (example, noise, chemical, heat etc)
- Change or new of process there may be risk of injury to the health of persons employed in the process
- Underage employee (16 years old or below).
- Working area may cause risk of injury to their health
- List of occupation defined in Schedule 3 of OHSA ’94

Notes: Also refer to Reg. 27 of USECHH ’00, Reg. 20 of Noise 1989

Medical surveillance shall be carried out by competent persons
11.4 Chemical exposure

11.4.1 OSH

Factories and machinery Act 1967

| Section 24. | Personal protective clothing and appliances for employee are exposed to any poisonous, corrosive or other injurious substance which cause to injuries |

CLASS 2013

<table>
<thead>
<tr>
<th>Regulation 2</th>
<th>This regulation is applied to the workplace excepted for;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1. Radioactive material defined in Atomic Energy Licensing Act 1984</td>
</tr>
<tr>
<td></td>
<td>2. Scheduled Waste</td>
</tr>
<tr>
<td></td>
<td>3. Product defined under Control of Drugs and Cosmetics Regulation 1884.</td>
</tr>
<tr>
<td></td>
<td>4. R&amp;D material or for trial purpose</td>
</tr>
<tr>
<td></td>
<td>a). Not for sale</td>
</tr>
<tr>
<td></td>
<td>b). Less than 5 kg in capacity</td>
</tr>
<tr>
<td></td>
<td>c). Adequate information on safety provided by supplier.</td>
</tr>
<tr>
<td></td>
<td>5. Manufacture item other than fluid or particle (has shape and no side effect being released).</td>
</tr>
<tr>
<td></td>
<td>6. Classification, labelling, packaging and inventory of hazardous chemical does not apply to;</td>
</tr>
<tr>
<td></td>
<td>a). Chemical defined under Pesticide Act 1974</td>
</tr>
<tr>
<td></td>
<td>b). Chemical in transit prior to export, but Shall demonstrate compliance for furnishing the Safety Data Sheet</td>
</tr>
</tbody>
</table>

| Regulation 4 | Duty of Principle Supplier to classify chemical as hazardous chemical as listed in Part 1 of Industrial Code of Practice or Part 2 of Industrial Code of Practice, if the chemical does not being classified in Part 1. |

| Regulation 5 | Duty of Principle Supplier to keep record as Regulation 4 & to be ready available upon inspection by officer. |

<table>
<thead>
<tr>
<th>Regulation 6</th>
<th>Packaging material of chemical shall;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1. Be designed and constructed to prevent chemical escape unless safety device is being fitted.</td>
</tr>
<tr>
<td></td>
<td>2. Packaging and fastening is strong to retain the chemical in normal stress and handling</td>
</tr>
<tr>
<td></td>
<td>3. Material of packaging and fastening shall not susceptible to adverse attack by chemical to form compound with hazardous chemical.</td>
</tr>
<tr>
<td></td>
<td>4. Replaceable fastening (if applied), shall be designed for repeatedly fasten to prevent the chemical is escaped.</td>
</tr>
</tbody>
</table>

| Regulation 7 | Seal of packaging shall close at initial, once opened, the seal is broken and cannot be repaired. |

<table>
<thead>
<tr>
<th>Regulation 8</th>
<th>Label of packaging shall provide information of;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1. Product identifier</td>
</tr>
<tr>
<td></td>
<td>2. Supplier identification</td>
</tr>
<tr>
<td></td>
<td>3. Signal word</td>
</tr>
<tr>
<td></td>
<td>4. Hazard statement</td>
</tr>
</tbody>
</table>
5. Hazard pictogram, and  
6. Precautionary statement

If packaging is container of 125 ml in size and below, information shall provide:
1. Product identifier  
2. Supplier identification  
3. Signal word  
4. Hazard pictogram (if applicable)  
5. A statement of “read Safety Data Sheet before use”

Signal word, Hazard statement, Hazard pictogram shall refer to First Schedule of this regulation and requirement specified in Part 3 of the Industrial Code of Practice.

In National Language and English language

If “Danger” is used in the label, “Warning” shall not being used.

If several classes hazard is identified, all shall be addressed in hazard statement, unless for redundant or duplicates.

Combined Hazard Statement shall be specified as in Third Schedule and not 1st Schedule.

Label shall be updated within 3 months if new severer hazard is identified.

**Regulation 9**

Requirement for Hazard Pictogram
1. Black symbol on a white background with a red borderer.
2. Diamond shape with sides tilted at 45°
3. Be in the size of 1/15 from the label but not less than 100 mm²

**Regulation 10**

Rules for Hazard Pictogram and Hazard Statement

Hazard Pictogram
- Related to physical hazard
  - If hazard pictogram of “exploding bomb”, “flame” and “flame over circle” is applied, pictogram of “exploding bomb” shall be used, unless more than one pictogram is compulsory.
  - If hazard pictogram of “exploding bomb” and “flame” is applied for self-reactive chemical type B and organic peroxides type B, used of both hazard pictograms are compulsory
- Related to health hazard
  - If hazard pictogram of “skull & crossbones” and “exclamation mark” is applied, pictogram of “skull & crossbones” shall be used.
  - In case of corrosion or irritation and serious eye damage or eye irritation which applies hazard pictogram of “corrosion” and “exclamation mark”, hazard pictogram of “corrosion” shall be used.
  - In case of [A] respiratory sensitization and skin sensitization, [B] respiratory sensitization and skin corrosion or irritation category 2, [C] respiratory sensitization and serious eye damage or irritation category 2 or combination of [A],[B] & [C], in which pictogram hazard of “health hazard” and “exclamation mark” are
applied, pictogram of “health hazard” shall be used.

**Hazard Statement**

- If hazard statement of “Very toxic to aquatic life with long lasting effects” is used, the hazard statement of “Very toxic to aquatic life” shall not be used.
- If hazard statement of “Causes severe skin burns and eye damage” is used, the hazard statement of “Causes serious eye damage” shall not be used.

<table>
<thead>
<tr>
<th>Regulation 11</th>
<th>Dimension of label shall follow as specified in Fourth Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulation 12</td>
<td>Either packaging is (1) container or (2) contains another container, label shall be affixed to one or more surfaces that label can be read in horizontal when it has been set down from its normal position. Fixing of label is reasonably practical for container of 125 ml in size or container shall be tagged with label.</td>
</tr>
<tr>
<td>Regulation 13</td>
<td>Supplier duty to furnish Safety Data Sheet for each hazardous chemical and for any mixture chemical which exceeding the cut-off concentration value as specified in 5th schedule. Safety Data Sheet information shall contain; a) Chemical identification &amp; supplier b) Hazard identification c) Composition and ingredient d) 1st aid measures e) Fire fighting measures f) Accidental release measures g) Handling and storage h) Exposure control and personal protection i) Physical and chemical properties j) Stability and reactivity k) Toxicological information l) Ecological information m) Disposal information n) Transportation information o) Regulatory information p) Other information. (In accordance with minimum requirement of part 3 of Industry code of practice) Information shall be in national language and in English Revision shall be made if a) New information of hazard being discovered. b) After 5 years from last issued date of revised date. c) Once directed by officer.</td>
</tr>
<tr>
<td>Regulation 14</td>
<td>Inventory of hazardous chemical a) Importer or manufacturer shall prepare information of inventory of hazardous chemical for quantity of 1 metric tonne and above per year / for each calendar year. b) Information shall submit to DOSH not later than 31 Mar of the</td>
</tr>
</tbody>
</table>
following year.

- Information of inventory is including:
  a) Product identifier
  b) Name of hazardous chemical
  c) Composition and ingredient
  d) Hazard classification
  e) Total quantity of hazardous chemical imported or supplied.

- (b) and (c) above shall include CAS registry number, if applicable
- Inventory shall be maintained in good condition

**Regulation 15**
Supplier may omit the inventory information of (a) name of chemical, and (b) Composition and ingredient, if constitutes confidential business information.

As replacement, generic name can be used or allowable concentration range as specified in part 4 of Industry Code of Practice.

However, information shall be disclosed by principle supplier to protect safety and health of employee.

**USECHH '00**

**Regulation 5** Defined the requirement to have Chemical Register List.

**Regulation 6** Addressed the ceiling limit in accordance with Schedule 1 of this regulation.

**Regulation 7** Duration of exposure does not exceed the eight-hour time-weighted average airborne concentration specified in Schedule 1 of this regulation.

**Regulation 8** Compliance with permissible exposure limit using respirator.

### 11.4.2 CHRA

**USECHH '00**

**Regulation 9** Defined the requirement of CHRA to be conducted within one year.

**Regulation 10** Requires for employer to review assessment if
- change of chemicals/works, or
- > 5 years, or
- Directed by DG (DOSH)

**Regulation 11** Stated that CHRA shall be conducted by competent person

**Regulation 12** Stated the CHRA report shall be furnished within 1 month and immediate notification shall be addressed if report indicates that a place of work, plant, substance or process is likely to cause immediate danger to life or property.

**Regulation 13** Stated that the assessment report shall be maintained for retention period not less than thirty years.

**Regulation 14** If action to control exposure being addressed, measurement shall be taken within one month after receive the report.
<table>
<thead>
<tr>
<th>Regulation 16</th>
<th>Use of approved personal protective equipment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulation 17</td>
<td>Engineering control equipment shall be inspected at least by monthly and to be examined by competent person (IHT2) no longer than every twelve months</td>
</tr>
</tbody>
</table>
| Regulation 21 | Addressed the labelling and relabeling shall follow;  
| | • CLASS Regulation 2013 for hazardous chemical  
| | • Pesticides Act 1974 in case of pesticide  
| | • Scheduled Waste Regulation 2005 for scheduled waste. |
| Regulation 22 | Requirement for information, instruction and training  
| | Training, information and instruction subject shall address;  
| | • Risk to health created by such exposure and its precaution  
| | • Related with Regulation 26 and 27 of USECHH '00 if applicable.  
| | Frequency of training;  
| | • at least once in two years;  
| | • change in the hazard information on the chemicals hazardous to health, safe work practices or control measures  
| | • New employee, newly exposed or likely to be exposed |
| Regulation 24 | Addressed the requirement for not use the chemicals until CSDS is obtained |
| Regulation 25 | Addressed the place of keeping CSDS shall be accessible and kept in a conspicuous place |
| Regulation 26 | Defined requirement of conducting an In-door Air Quality (IAQ) monitoring.  
| | • Monitoring shall be repeated if employee is exposed or likely to be exposed to chemicals hazardous to health listed in Schedule II not more than six months or to be determined by assessor (IHT1).  
| | • Monitoring by IHT1 unless for confined space before entry.  
| | • Monitoring record shall be retained at least 30 years or in other case, at least 5 years. |
| Regulation 27 | Stated requirement for health surveillance program if exposure is significant. Program shall be conducted by OHD.  
| | • Medical surveillance shall be conducted not more than 12 months or shorter if exposure is detected as defined in Schedule II.  
| | • Record keeping for at least 30 years and accessible by DOSH and employee. |
| Regulation 28 | Employee not to be engaged in or remove from hazardous place if opinion given by OHD.  
| | Pregnant employee or breast feeding employee are not to be engaged in or remove from hazardous place if opinion given by OHD.  
| | Affected employee can be return to their former job when;  
| | • Medical result showed positive finding.  
| | • employee is no longer pregnant or breastfeeding a child |
| Regulation 29 | Warning sign is adequately visible. The warning shall - (a) give warning of the hazards; (b) be written in the national language and English language; |
### 11.5 Noise Exposure

#### 11.5.1 OSH

**Factories and machinery Act 1967:**

| Section 24 | Personal protective clothing and appliances for employee are exposed to noise which cause to injuries |

**Noise Regulation 1989:**

| Regulation 5 | Addressed the permissible exposure limit for employee is not exceeding 90 dB (A) continuous sound or limit specified in 1st Schedule in this regulation. Exposure of noise level exceeding 115 dB (A) is not allowed at any time |
| Regulation 6 | Addressed no employee shall be exposed to impulsive noise exceeding a peak sound pressure level of 140 dB |
| Regulation 7 | Employee exposure when using hearing protection devices considered on attenuation factor of the hearing protection device for the periods being used. |
| Regulation 8 | Defined that employer shall conduct employee exposure monitoring to determine if any employee may be exposed to noise level at or above the action level. |
| Regulation 9 | Required for initial employee exposure monitoring shall be conducted within 6 months from this regulation takes effect |
| Regulation 10 | When positive result in initial employee exposure monitoring detected, determination shall be done within 6 months from the result is received |
| Regulation 11 | When negative result in initial employee exposure monitoring detected, determination no needed to be done except as otherwise provided in regulation 12 |
| Regulation 12 | Additional monitoring required if change happened in production, process, equipment, control measures or personnel change in the factory within six months from the date of such change or changes |
| Regulation 13 | Employee shall be notified within 2 weeks after receive the result of monitoring. |
| Regulation 14 | Monitoring shall be conducted by competent person and used an approve noise measuring equipment. |
| Regulation 15 | Engineering and administrative control to maintain or reduce exposure to below limit as prescribed in regulation 5. |
| Regulation 16 | Approved hearing protection devices are needed to be used if regulation 15 is not feasibly complied |
| Regulation 17 | Used of approved hearing protection at no cost, if;  
|              | • Expose at or above noise limit as per regulation 5 or 6  
|              | • receiving a daily noise dose between 0.5 and 1.0 if his baseline audiogram shows a hearing impairment, or if his annual audiogram shows a standard threshold shift  
|              | The devices shall (1) correct (2) compatible, and (3) not prejudice the health of the employee  |
| Regulation 18 | Hearing protection device attenuation shall reduce the exposure to below the limit and to below the action level as refer to Regulation 5, 6 and 17. |
| Regulation 19 | Procedures on issuance, maintenance, inspection and training the used of hearing protection device shall be established and implemented |
| Regulation 20 | Audiometric Program for employees exposed to noise level at or above the action level shall;  
|              | • no cost to the employees  
|              | • Program is supervised by registered medical practitioner  
|              | • Testing is conducted by technician which supervised by registered medical practitioner  
|              | • Testing shall be preceded by a period of quiet of at least fourteen hours  
|              | • Testing shall be carried out in a room with background noise level meeting the requirements specified in the Second Schedule.  
|              | Testing shall be of pure tone, air conduction, with test frequencies including 500, 1000, 2000, 3000, 4000 and 6000 Hz taken separately for each ear. |
| Regulation 21 | Baseline audiogram to be compared with subsequent audiogram and occupational and medical history record |
| Regulation 22 | Frequency of audiometric testing shall be;  
|              | • every year for an employee exposed to noise level at or above the limits prescribed in regulation 5  
|              | • every year for an employee whose baseline audiogram shows a hearing impairment, or where his annual audiogram shows a standard threshold shift  
|              | • once in every two years for an employee exposed to noise level at or above the action level but less than the limits prescribed in regulation 5 |
| Regulation 23 | Retest shall be conducted within three months from the date of the last audiometric test if being suggested by registered medical practitioner |
| Regulation 24 | Notification from registered medical practitioner to employer for permanent 
| Regulation 25 | Standard threshold shift resulted from retest
| Regulation 26 | Revised baseline audiogram if found;
| | • (a) a permanent standard threshold shift; or (b) improved hearing threshold with respect to the baseline at two or more test frequencies
| Regulation 27 | Audiometric measuring equipment shall be calibrated
| Regulation 28 | Training for respective staff at least for every 2 years;
| | • (a) the provisions of these Regulations;
| | • (b) the effects of noise on hearing;
| | • (c) the purpose of hearing protection devices, the advantages, disadvantages and attenuation of various types of hearing protection devices, and instructions on their selection, fitting, use and care; and
| | • (d) the purpose of an audiometric testing and an explanation of the test procedures
| Regulation 29 | Warning signs at the entrance of the noise place and indicate high noise area and protective device shall be worn
| Regulation 30 | Exposure monitoring records shall be maintained hall maintain for as long as the employee is employed
| Regulation 31 | Audiometric test records shall be retained for as long as the employee is employed and thereafter for a period of five years
| Regulation 32 | Transfer of records
| | • by new employer if business was ceased by former employer.
| | • If no successor employer, records shall be transmitted to DG (DOSH)
| | • to be maintained under regulations 29 and 30
| Disposal of record as per regulations 29 and 30 shall be done after notice (in written) to DG or record is to be transmitted to DG (DOSH) if requested

## 11.6 Factory Operation

**Factories and Machinery Act 1967**

| Section 2 | Interpretation of factory
| Section 34 | Operation of factory;
| | 1. To submit to DOSH the particular prescribed within 3 months.
| | 2. Any further particular that may prescribed to be sent within 6 month when required by DOSH

| Section 36 | |
### 11.7 Machinery

Factories and Machinery Act 1967

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>&quot;machinery&quot; is including steam boilers, unfired pressure vessels, fired pressure vessels, pipelines, prime movers, gas cylinders, gas holders, hoisting machines and tackle, transmission machinery, driven machinery, materials handling equipment, amusement device or any other similar machinery and any equipment for the casting, cutting, welding or electro-deposition of materials and for the spraying by means of compressed gas or air of materials or other materials.</td>
</tr>
<tr>
<td>12</td>
<td>Lifting of weights shall not cause injuries.</td>
</tr>
<tr>
<td>14</td>
<td>Construction of machinery shall be free from defect and suitable for the purpose and shall be properly maintained.</td>
</tr>
<tr>
<td>15</td>
<td>Dangerous parts of machinery shall be fenced and fixed guarded to prevent contact to the part.</td>
</tr>
</tbody>
</table>

#### 11.7.1 Certificate of Fitness

Factories and Machinery Act 1967

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td>Certificate of fitness to be applied for all type of machineries as defined in section 3 of FMA67.</td>
</tr>
</tbody>
</table>

FM (Notification, Certificate of Fitness and Inspection) Regulations, 1970

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Stated every steam boiler, unfired pressure vessel or hoisting machine other than a hoisting machine driven by manual power shall hold a valid certificate of fitness.</td>
</tr>
<tr>
<td>14</td>
<td>Stated the regular interval shall ordinarily be fifteen months but not exceeded than 36 months.</td>
</tr>
</tbody>
</table>

#### 11.7.2 Fencing, guarding and protection

FM (Fencing of Machinery And Safety) Regulations, 1970

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Stated for starting and stopping appliance, no person shall start any machinery unless and until every precaution has been taken to ensure their safety and that of others or be placed in a hazardous position by the operation of such machinery.</td>
</tr>
<tr>
<td>11</td>
<td>Stated that all electrical equipment and installations shall be of such construction and so installed and maintained to prevent fire hazard and danger from contact with moving parts and live parts and approved by the authorities appointed by the said law.</td>
</tr>
<tr>
<td>13</td>
<td>Every prime mover the following general provisions relating to fencing for every flywheel, rotating shaft and other component such as Cranks, cross heads, connecting rods, tail rods, extension piston rods or cooling fans.</td>
</tr>
<tr>
<td>14</td>
<td>Stated that the exhaust gases from every internal combustion engine and every non-condensing steam engine shall be led to a position of safety in</td>
</tr>
</tbody>
</table>
11.8 Raw Material / Substance

11.8.1 Poisons
Poisons Act 1952

<table>
<thead>
<tr>
<th>Regulation</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Packaging, Labelling and storing of poisons</td>
</tr>
<tr>
<td>10</td>
<td>Transport of poisons</td>
</tr>
</tbody>
</table>

Poisons (Sodium Hydroxide) Regulation 1962

<table>
<thead>
<tr>
<th>Regulation</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>A permit to purchase, store and use of Sodium Hydroxide issued by Director of Medical Service or any licensing officer of Medical Department.</td>
</tr>
<tr>
<td></td>
<td>Permit shall be stated a maximum quantity.</td>
</tr>
<tr>
<td></td>
<td>Shall expire on 31st Dec of the date is issued.</td>
</tr>
</tbody>
</table>

11.8.2 Radiation
Radiation Protection (Basic Safety Standards) 1988

<table>
<thead>
<tr>
<th>Regulation</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>stated no one can carry out any activity involving ionizing unless this activity is justified.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Regulation</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Every licensee shall ensure their employee or member of a public receive exposure exceeding the annual dose limits.</td>
</tr>
<tr>
<td></td>
<td>The annual dose limits shall not apply to medical exposure or exposure due to natural background radiation.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Regulation</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>stated that no person under 18 years age shall be allowed working under controlled area excepted for person attained the age at 16 working in supervised area for the training purpose.</td>
</tr>
</tbody>
</table>
| Regulation 8 | under occupational exposure stated;  
|             | • Annual dose limit for the whole body exposure of a worker shall be 50 millisieverts (mSv).  
|             | • Female worker of reproductive capacity the dose limit shall same as above except that any exposure shall be uniformly distributed with time as is practicable. |
| Regulation 13 | under compliance with dose limit stated that in case of external exposure, the annual dose limit laid down in regulation 8, 9, 11 and 12 shall deemed to have complied with if the requirements laid down in section I of the third Schedule are met. |
| Regulation 23 | under operation stated that the licensee shall employ Radiation Protection Officer (RPO). But, it can be exempted if appropriate authority is satisfied that arrangement by licensee to compensate the duty of RPO. |
| Regulation 24 | stated;  
|             | • (1) The licensee shall classify the working area.  
|             | • (2) The supervised and controlled area posted the notice and warning signs bearing the radiation symbol as prescribed in the First Schedule.  
|             | • (3) The notice shall be in the national language.  
|             | • (4) The operation instruction shall posted at supervised and controlled area.  
|             | • (5) No person shall enter a controlled area unless he has been assigned to the area or has been authorized to enter the area.  
|             | • (6) Every person who has been access to the supervised and controlled area shall comply with prevailing instructions applicable to such areas issue by or under the authority of the licensee. |
| Regulation 25 | stated;  
|             | • (1) The licensee shall establish programmes for area monitoring in supervised and controlled area  
|             | • (2) The programmes for area monitoring shall include the assessment of external radiation level and whenever the accident or emergency situations  
|             | • (3) The licensee shall carry out area monitoring periodically and whenever the radiation suspected changes of exposure situations |
| Regulation 26 | stated  
|             | • (1) The licensee shall carry out personnel monitoring for all workers in control area.  
|             | • (2) The doses received from external exposure shall be measured by approved personnel monitoring devices and continuously monitoring shall be carried out. |
| Regulation 27 | stated  
|             | • (1) The licensee shall, when appointing a new worker who has been a radiation worker, obtain the exposure record from the former employer  
|             | • (2) In the case of the new worker his former employer has ceased operation, the new employer shall obtain the exposure record from the appropriate authority  
|             | • (3) Doses received by a worker during normal operation, planned special exposure and accidental and emergency exposure shall
Regulation 28 stated the licensee shall inform each worker of his personnel monitoring results and radiation exposure status not later than two weeks from the date results are available.

Regulation 30 stated if exposure in excess of the dose limits specified on regulation, the licensee shall carry out an investigation to determine the causes and submit a report to the appropriate authority.

Regulation 31 stated:
- (1) The licensee shall notify the appropriate authority of any accidental and emergency exposures within 24 hours after such accidental and emergency exposures.
- (2) The licensee shall submit the accidental and emergency report to the appropriate authority within 30 days.

Regulation 32 stated medical surveillance of workers shall be carried out by an approved register medical practitioner.

Regulation 33 stated medical surveillance of workers shall include:
- (a) pre-employment medical examination
- (b) general health surveillance
- (c) periodic review of health
- (d) medical examination at termination of employment or retirement.

Regulation 34 stated that no person shall employ any person as a worker for any period if the latter is found to be medically unfit to be a worker.

Regulation 45 stated:
- (1) The licensee shall maintain and keep up to date the medical record of worker.
- (2) The medical record is confidential.
- (5) The medical record of worker shall be kept by the licensee for 30 years after the termination of his employment as a radiation worker or his retirement, as the case may be, after which the licensee shall transfer the record to the appropriate authority.

Regulation 47 stated that licensee shall establish operational limits which shall be subject to the approval of the appropriate authority.

Regulation 48 stated that the licensee shall establish an emergency plan to deal with every foreseeable emergency situation.

Regulation 49 stated that:
- (1) The licensee shall provide appropriate training to worker to inform of the potential health risks involved in his job, precautions to be taken, radiation protection relevant to his duties.
- (2) The licensee shall provide retraining and facilities for updating the skills and knowledge of the worker.

Regulation 50 stated that the licensee shall ensure the inspection and testing of protective measure and devices and measuring instruments are carried out periodically by a person acceptable to the appropriate authority.
11.9 Safety and Health Officer

OSHA 1994

**Section 29**

SHO shall be applied;

1. to such class or description of industries (Refer to SHO Order 1997)
2. The occupier of this section is applied shall employ a competent person to act as a safety and health officer at the place of work
3. SHO shall be employed for the purpose of ensuring of the OSHA Act and its regulation and the promotion of a safe conduct of work at the place of work.
4. The SHO shall possess such qualifications or have received such training (See section 15 of OSHA ’94)

OSH (Safety and health Officer) Regulation 1997

**Regulation 4**

no person shall act as a SHO unless he is registered with the Director of General

**Regulation 6**

defined the qualification of SHO as follows;

a) Holds a diploma in occupational safety and health or equivalent from authorized professional body
b) Has successfully completed a course of training in OSH and passed any examination and has a minimum of 3 years of experience in OSH
c) Has been working in the area of OSH at least for a period of 10 years
d) Holds such other qualification or received such training from time to time

**Regulation 8**

stated that a person registered as a SHO shall attend at least once in a year to enhance his knowledge in OSH

**Regulation 14**

stated that an employer shall notify in writing to Director General within one month of any:

a) appointment of a SHO
b) termination or resignation of a SHO

**Regulation 18**

stated the duty of SHO as follows;

a) To advise the employer on measures to be taken in the interests of the safety and health of the persons employed in the place of work
b) To inspect the place of work to determine whether any machinery, plant, equipment, substance, appliance is of such nature liable to cause bodily injury to any person working in the place of work
c) To investigate any accident, near-miss accident, dangerous occurrence, occupational poisoning/ disease which has happened in the place of work
d) To assist the employer or the S&H committee in organizing and implementing OSH program at the work place
11.10 Safety and health Committee

OSHA 1994

Section 30
Establishment of safety and health committee at place of work;
1. there are forty or more persons employed at the place of work; or
2. Directed by DG

Section 31
Functions of safety and health committee;
1. shall keep under review the measures taken to ensure the safety and health of persons at the place of work
2. shall investigate any matter at the place of work
3. shall attempt to resolve any matter referred to above.
4. shall have such other functions as may be prescribed (see Reg. 11 of SHC Reg. 1996)

### Safety and Health Committee Regulation 1996

**Regulation 5**

Described the membership of committee shall consists;

- a) Chairman
- b) Secretary
- c) representative of employer
- d) representatives of employee

Where there are more than one hundred persons employed at the place of work, there shall not be less than four representatives each from employees and the management.

**Regulation 6**

Stated that:

1) An employer or his authorized manager shall be the Chairman of a Safety & Health Committee.
2) The Secretary of the committee shall be the person who is employed as the safety and health officer.
3) Where there is no person employed as a safety & health officer, the Chairman may appoint another person to act as Secretary or members by appoint from amongst themselves.

**Regulation 7**

Stated that employer shall invite persons employed to nominate their representatives to safety and health committee.

**Regulation 10**

Stated safety & health committee may remove a member from the committee if -

(a) he fails to attend three consecutive meetings of the committee without leave of the Chairman;
(b) he has been found or declared to be unsound mind;
(c) he becomes a bankrupt;
(d) as a representative of employees, he no longer employed at the workplace;
(e) there has been proved against him, or he has been convicted on, a charge in respect of -
   i. an offence involving fraud, dishonesty or moral turpitude;
   ii. an offence under a law relating to occupational safety and health; or
   iii. any other criminal offence; or
(f) he is otherwise unable of discharging his duties as a member of the committee.

**Regulation 11**

Stated function of safety committee is included;

a) Assist in the development of safety & health rules and safe systems of work.
b) Review the effectiveness of safety & health programmes.
c) Carry out studies on the trends of accident, near-miss accident, dangerous occurrence, occupational poisoning, or occupational disease which occurs at the work place and report to employer together with recommendations for corrective actions.
d) Review safety and health policies at the work place and make
**Regulation 12** stated the inspection of workplace by committee shall follow as below:

- a) Inspect the place of work **at least 3 months** once for the safety & health of persons employed therein.
- b) Check on the effectiveness of the measures taken to ensure the safety and health of persons at the work place
- c) Make recommendations to the employer on the remedial measures to be taken and shall record such recommendations in the report.

**Regulation 13** stated the investigation when there is an incident:

1) A S&H committee shall inspect the work place as soon as it is safe after an accident occurred,
2) SHO shall furnish a report to chairman; chairman shall conduct the meeting to discuss the report
3) At the meeting under sub-regulation (2), committee shall discuss the cause of accidents, make recommendation to prevent recurrence.

**Regulation 14** stated the action to be taken on report and recommendation:

1) SHO or chairman shall furnish the same report as per 12(c) or 13(4) to employer
2) An employer shall direct any person employed to take necessary action
3) Employer shall keep the copy of the report for a minimum of 7 years

**Regulation 15** stated safety and health committee shall consider-

- a) any other reports apart from those under regulation 14 which may be submitted by a safety & health officer;
- b) the safety audits submitted by safety & health auditors;
- c) the reports and information provided by occupational safety & health officers; and
- d) the reports by other government agencies on matters pertaining to safety & health at place of work.

**Regulation 16** stated the action to be taken to investigate on complaint:

1) Employer shall provide and maintain a communication system to enable employee to make a complaint prejudicial safety and health
2) Employer shall take immediate measure to eliminate or minimise the risk to safety and health at the workplace
3) Where employer unable to discharge his duties, employee shall make a similar complaint
4) The committee shall investigate, prepare a report with recommendation to eliminate or minimize the risk to employer

**Regulation 17** defined the resolution of complaints:

1) Employer shall **ASAP** implement every recommendation made under 16(4), if he is unable to implement, he shall convey his reason to S&H committee
2) If the committee does not agree, they shall make a request to DOSH to perform inspection at the workplace to resolve the matter.
3) For purposes under sub-regulation (2), committee shall submit to DOSH in duplicate the report, recommendation to employer, and evidence of the complaint.

**Regulation 18**
addressed the duty of S&H committee to assist employer in any activities in connection with safety and health which is held to promote a safe conduct of work at the workplace.

**Regulation 19**
addressed the rule of safety and health
1) Employer, with consultation of S&H committee shall prepare and promote rules on safety and health which will ensure safety and health of employees at the workplace as guidance.
2) The rules may be amended by committee with approval from employer
3) Employee shall provide his employees copies of the rules
4) SHO shall be given a copy of the rules when so requested

**Regulation 20**
Defined for a safety and health committee may form a sub-committee to assist the committee in the performance of its function.

**Regulation 21**
defined for frequency of meeting shall be as often as may be necessary but shall not meet less than once in 3 months, meeting shall be called immediately in the event of which calls for immediate attention.

**Regulation 24**
addressed for the quorum of every meeting of a safety & health committee, the chairman, the Secretary and not less than half of the remaining members present shall constitute a quorum

**Regulation 25**
stated that safety and health committee may invite any person who is involved in or has knowledge of any accident, near-miss accident, dangerous occurrence, occupational poisoning/disease which has occurred at the work place to attend any meeting during which such accident shall be discussed

**Regulation 26**
stated that safety and health committee meeting is only discuss the matters relating to safety & health at the work place

**Regulation 27**
addressed the minutes of meeting;
1) A copy of the minutes of every meeting shall be furnished to every member and the employer within 2 weeks after the meeting has taken place.
2) The employer shall keep a copy of the minutes for a minimum of 7 years for purposes of inspection by an occupational safety & health officer.
3) An occupational safety & health officer may at any time require for a copy of such minutes to be furnished to him and the employer shall forthwith comply with such requirement.

**Regulation 28**
Addressed the employer shall take such steps as are necessary to ensure that members have a basic knowledge of the committee under the Act.

**Regulation 29**
addressed the employer shall take such steps as are reasonably practicable to provide the members with adequate training in occupational safety & health so as to enable them to perform the functions of the
### Regulation 30

stated that employer shall make available to a committee member following documents-

- a) The Act and subsidiary legislation made under the Act
- b) industry codes of guidelines to eliminate the risks to safety and health, and other relevant codes of practice
- c) information of safety plans and their implementation
- d) technical information of safety and health hazards and its precaution
- e) information of systems, procedures and relevant data pertaining to safety and health
- f) any information from DOSH from time to time

### Regulation 31

addressed the information that employer shall not make available to committee the followings-

- a) any information the disclosure of which would be prejudicial to the interest of national security
- b) any information which he could not disclose without contravening a prohibition imposed by or under any written law
- c) any information relating specifically to an individual, unless he has consented to its disclosure
- d) any information disclosure of which would effects safety and health
- e) any information for the purpose of defending any legal proceedings

## 11.11 Accident and Incident

**FMA 1967**

### Section 31

Accidents and dangerous occurrence to be reported;

1. causes loss of life to any person
2. causes serious bodily injury to any person
3. causes bodily injury to any person so that the person is prevented from following his normal occupation for more than three clear days excluding the day of the accident
4. causes serious damage to machinery or other property
   
   Quick report is required.

### Section 32

Notification of occupational diseases.

Every registered medical practitioner attending on, or called in to visit, a patient whom he believes to be suffering from any of the diseases named in the Third Schedule and contracted in a factory shall, unless such notice has been previously sent.

### NADOPOD 2004

#### Regulation 3

applies for any accident, dangerous occurrence, occupational poisoning & occupational disease listed in the schedule shall be reported to the
DOSH

**Regulation 5**

Notification and reporting of accident and dangerous occurrence Where accident happened which caused
a) death
b) serious bodily injury as specified in the 1st schedule with more than 4 days or any dangerous occurrence as specified in 2nd schedule, the employer shall
   aa) notify nearest DOSH by the quickest means available
   bb) within 7 days send a report in an approved form.
For accidents with more than 4 days MC, employer shall send a report in an approved form within 7 days
Where death caused by the accident within 1 year of the date of the accident happened, the employer shall report to the DOSH

**Regulation 7**

reporting of cases of occupational poisoning and occupational disease, any occupational poisoning/disease listed in the 3rd schedule in column 1 and work involves activities in column 2 shall be reported within 7 days to DOSH in an approved form

**Regulation 9**

stated that no interference at accident scene or dangerous occurrence scene, where, serious accident occurred, or person shall, except to the extent necessary to-
   a) save the life of, prevent injury to, or relieve the suffering of any person;
   b) maintain the access of the general public to an essential service or utility; or
   c) prevent further damage to or serious loss of property or environment

**Regulation 10**

stated for the records, every employers shall maintain a register, in an approved form of-
   a) all accidents and dangerous occurrences which have occurred; or
   b) all occupational poisoning/diseases which have occurred or are likely to occur,
The record shall be kept for at least 5 years
The registry of 12 months period ending on 31 December of each year shall be submitted to DOSH before 31 January of each year.

**11.12 Mineral Dust Exposure**

FACTORIES AND MACHINERY (MINERAL DUST) REGULATIONS 1989

**Regulation 4**

Every occupier who is engaged in any mineral process shall comply with these Regulations

Obligation of occupier and employee;
   1. Properly used of PPE
   2. proper use of the changing room and the locker.
   3. Reporting to occupier if found defects in any control equipment, protective clothing, respiratory protective equipment, any other protective equipment
### Environmental Laws and its applicability

#### 12.1 Environmental in general

**Environmental Quality Act 1974**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
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| **Section 18** | Prescribed premises to be licensed  
Prescribed activity is included vehicle or ship used for the movement, transfer, placement or deposit of wastes. |
| **Section 22** | Restrictions on pollution of the atmosphere unless being licensed |
| **Section 24** | Restrictions on pollution of the soil unless being licensed |
12.2 Scheduled Waste

Environmental Quality (Scheduled Wasted) 2005

**Regulation 3** Notification of the generation of scheduled wastes within 30 days of waste being generated through information provided in Schedule II

Contractor (waste collector) shall have a valid license as prescribed in the Sect. 18(1A) of Environmental Quality Act 1974

**Regulation 8** Scheduled waste need for transfer shall be packaged (Reg. 9) & labelled (Reg.10)

**Regulation 9** Storage of scheduled waste.
- Container shall be closed at all times.
- Collection period for max 6 months @ 180 days with accumulated waste and/or not exceed 20 metric tonne (where significant item come first)
- If more than 20 metric tonne waste been stored, must apply to DG & get approval

**Regulation 10** Labelling;
- Name, address & telephone number of waste generator
- Indicate symbol as refer with 3rd Schedule & marked the code of waste as specified in the 1st Schedule

**Regulation 11** Shall update inventory accordance with 5th schedule
- Category & quantity
- Record keeping for 3 years from the date of waste generation

**Regulation 12** Information required prior transported (6th Schedule)
- Part I of 6th schedule completed by waste generator (6 copies) & hand over to contractor.
- Part II of 6th Schedule completed by contractor & 2 copies hand over back to waste generator. Then, generator will submit to DG within 30 days.
- Within 10 days, contractor hand over remaining copies to occupier.
- Occupier will complete the part III for remaining 4 copies of 6th Schedule then retain 1 copy, return a copy each to contractor, waste generator & DG within 20 days.
- Waste generator shall investigate if not received a filled-in copy (Part I, II & III) within 30 days and notify to DG.
- Record keeping period for 3 years.
List of Schedule

Under OSHA 1994

THIRD SCHEDULE [Paragraph 28 (1)(d)] - Occupations Involving Special Risk to Health

1. Any occupation involving the use or handling of, or exposure to, the fumes, dust or vapour of silica, asbestos, raw cotton dust, lead, mercury, arsenic, phosphorus, carbon bisulphite, benzene, organic-phosphate, nitrous fumes, cadmium, beryllium or pesticides

2. Any occupation involving the use or handling of, or exposure to, tar, pitch, bitumen, mineral oil including paraffin, chromate acid, chromate or bichromate of ammonium, potassium, zinc or sodium

3. Any occupation involving exposure to x-rays, ionizing particles, radium or other radioactive substances or other forms of radiant energy

4. Any occupation or process carried on in compressed air.

FACTORIES AND MACHINERY (MINERAL DUST) REGULATIONS 1989: SCHEDULE (Regulation 2)

List of Minerals / Substances
Barite, Clay, Coal, Corundum, Cristobalite, Diatomite, Emery, Feldspar, Garnet, Graphite, Gypsum, Kaolin, Kyanite, Limestone, Magnesite, Marble, Mica, Mineral Wool, Perlite, Portland Cement, Potash, Quartz, Soapstone, Talc (free of asbestos fibre), & Tridymite.
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