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Safety, Health and Environment  
National Authority

# INTRODUCTION TO SHENA & WORKPLACE SAFETY AND HEALTH ORDER, 2009

**SYAZWANA BINTI HAJI SOUYONO**

OFFICER II, COMPLIANCE & INTERNATIONAL AFFAIRS DIVISION, SHENA

03  
April  
2024



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# INTRODUCTION

- A statutory body that was set up under the Safety, Health and Environment National Authority Act, Chapter 227 and enforced April 2017.
- The Authority regulates and enforces all matters relating to workplace safety, health and environment as well as radiation within Brunei.
- A Chief Executive Officer (CEO) heads the Authority and is ultimately accountable for the functions and affairs undertaken by the Authority. The CEO is responsible to the SHENA Board of Directors, who report directly to the Minister in Charge (Minister at the Prime Minister's Office).
- Appointed Inspectors and Authorised Officers have specific legal powers to enforce and regulate workplace safety, health and environment as well as radiation laws on behalf of SHENA.
- SHENA's Vision: We are committed to making a difference and ensuring Brunei is a safe place to work and live.



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# FUNCTIONS



**INSPECTIONS & MONITORING VISITS**



**INVESTIGATION**



**EXAMINATION OF NOTIFICATION**



**EXAMINATION AND CERTIFICATION OF SAFETY CASE**



**REGISTRATION AND APPROVALS TO ACT**



**LICENSING OF RADIATION ACTIVITIES**



**GENERAL ADVICE AND GUIDANCE ON HSE AND RADIATION MATTERS TO INDUSTRY AND THE GENERAL PUBLIC**



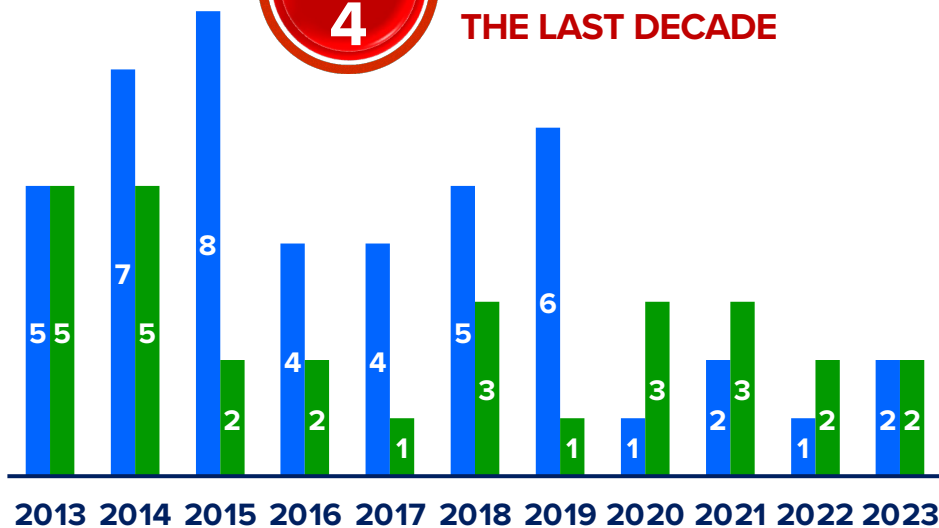
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# WORK RELATED FATALITIES

As of 31<sup>st</sup> December 2023

**7  
4**

**WORK RELATED FATALITIES SINCE THE LAST DECADE**



■ CONSTRUCTION

YEAR	CAUSE OF FATALITY
2023	<u>Fall from height</u> , tree felling, hit by vehicle
2022	Crushed by vehicle, tree felling, electrocution / <u>fall from height</u>
2021	<u>Fall from height</u> , hit by falling object, hit by vehicle
2020	Grass cutting, hit by object, left failure, electrocution
2019	<u>Fall from height</u> , struck by object, crushed by object, electrocution
2018	<u>Fall from height</u> , struck by objects, boat collision, electrocution
2017	<u>Fall from height</u> , struck by falling objects, drowning, fire
2016	<u>Fall from height</u> , hit / crushed by machine, electrocution, drowning
2015	<u>Fall from height</u> , hit by objects, landslide
2014	<u>Fall from height</u> , inhalation of smoke, fire
2013	<u>Fall from height</u> , hit/crushed by machine or objects, electrocution

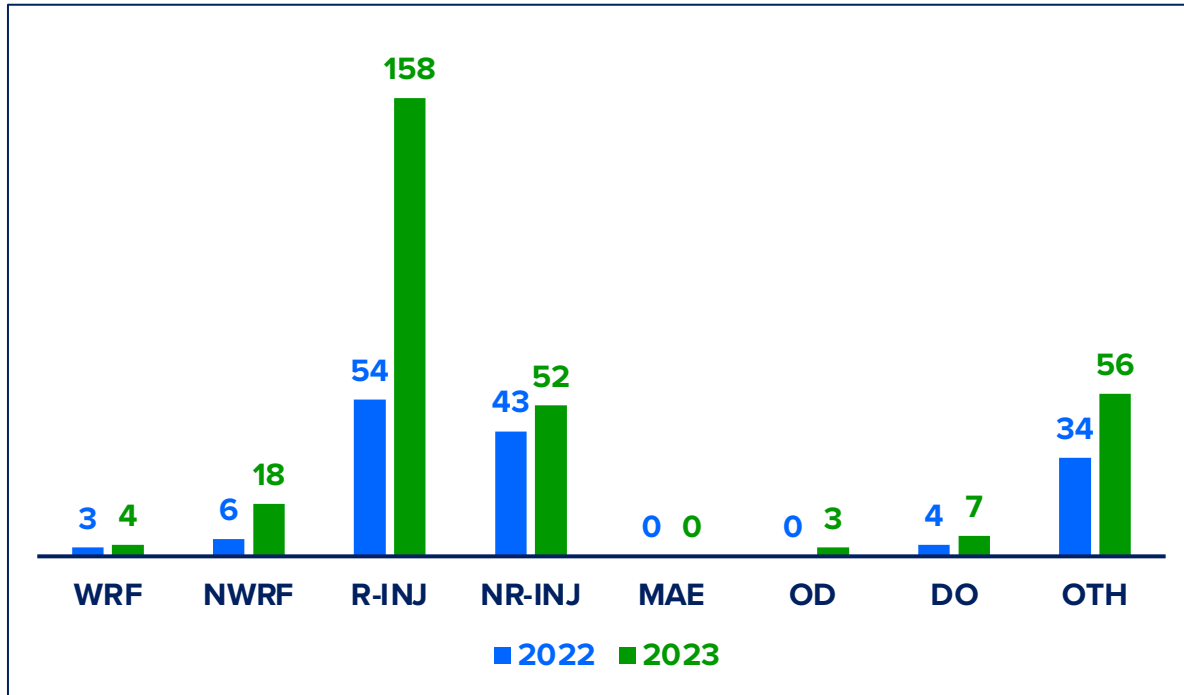




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# NUMBERS OF IIN 2022-2023

As of 31<sup>st</sup> December 2023



YEAR	NUMBER OF IIN RECEIVED
2023	298
2022	144

**107%**



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## WORKPLACE SAFETY AND HEALTH ORDER, (WSHO) 2009

**PERINTAH KESELAMATAN DAN  
KESIHATAN DI TEMPAT KERJA, 2009**

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This Order describes the **general safety and health expectations on all workplaces**. Duties are placed primarily on the Employer, Occupier, Principal and persons at work.

The Law ensures that those creating the risk reduce those risks to persons (employees and public), assets and the environment, to **As Low As is Reasonably Practicable (ALARP)**.

# SHENA'S LEGAL FRAMEWORK

## RADIATION PROTECTION ACT, CHAPTER 228 AKTA PERLINDUNGAN SINARAN, PENGGAL 228

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This Act controls and regulates the import, export, manufacture, sale, disposal, transport, storage, possession, and use of **radioactive materials and controlled apparatus**.





## WORKPLACE SAFETY AND HEALTH ORDER, 2009

WSH (COMPOUNDABLE OFFENCES) REGULATIONS, 2009	WSH (INCIDENT REPORTING) REGULATIONS, 2014	WSH (RISK MANAGEMENT) REGULATIONS, 2014	WSH (WORKPLACE SAFETY AND HEALTH COMMITTEES) REGULATIONS, 2014	WSH (FIRST AID) REGULATIONS, 2021	WSH (WORKPLACE SAFETY AND HEALTH OFFICERS) REGULATIONS, 2014	WSH (GENERAL PROVISIONS) REGULATIONS, 2014	WSH (CONSTRUCTION) REGULATIONS, 2014	WSH (FACILITIES) (CONTROL OF MAJOR ACCIDENT HAZARDS) REGULATIONS, 2013
ANY OFFENCE UNDER THE ORDER AND THE REGULATIONS, EXCEPT SECTIONS 21(7) AND 52	ALL WORKPLACES	ALL WORKPLACES	50 OR MORE PERSONS ARE ORDINARILY AT WORK	ALL WORKPLACES (EXCEPT HOSPITAL, CLINIC AND AMBULANCE)	<ul style="list-style-type: none"> <li>• SHIPYARD</li> <li>• FACTORY - PETROLEUM</li> <li>• FACTORY - \$10 MILLION ENG. CONSTR.</li> <li>• FACTORY - 100 PERSON OR MORE EMPLOYED</li> </ul>	<ul style="list-style-type: none"> <li>• FACTORY</li> <li>• WORKSITE</li> <li>• FACILITY</li> </ul>	WORKSITE - ANY BUILDING OPERATION OR WORKS OF ENGINEERING CONSTRUCTION	FACILITIES
OTHER WORKPLACES								



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# DUTIES / RESPONSIBILITIES

## OCCUPIER (SEC. 11)

Ensure:

- All means of **access to or egress**
- Any **machinery, equipment, plant, article or substance** kept at the workplace are **safe and without risks to health** to every person within those premises.



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## EMPLOYER (SECTION 12)

To take, so far as is reasonably practicable, such measures as are necessary to **ensure the safety and health of his employees and persons at work:**



- **Providing and maintaining Safe work environment.**



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- Adequate safety measures for any machinery, equipment, plant, article or process



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- **Persons not exposed to hazard**



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- **Develop & implement procedure for emergencies**







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- **Provide adequate instruction, information, training & supervision.**



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## PERSONS AT WORK (SECTION 15)

- Use the **personal protective equipment (PPE)** as required for the activity

PERSONAL PROTECTIVE EQUIPMENT  
  
SAFETY FIRST





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- **Cooperate with employer to comply with WSHO, 2009**





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- **Not to misuse  
the PPE,  
appliances,  
equipment, etc.**





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- **Not recklessly endanger himself and others**





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# FORGERY/ IMPERSONATION

## SECTION 52, WSHO 2009: FORGERY OF CERTIFICATES, FALSE ENTRIES & FALSE DECLARATIONS

If any person:

- **Forge** any certificate
- **Signs** any forged certificate
- Makes **use** of any forged certificate
- Pretends to be a person **named in a certificate**
- Pretends to be an **Inspector**
- Willfully makes a **false entry**



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# WSH (RISK MANAGEMENT) REGULATIONS, 2014

IN EVERY WORKPLACE, THE EMPLOYER, SELF-EMPLOYED PERSON AND PRINCIPAL SHALL CONDUCT A RISK ASSESSMENT IN RELATION TO THE SAFETY AND HEALTH RISKS POSED TO ANY PERSON WHO MAY BE AFFECTED BY HIS UNDERTAKING IN THE WORKPLACE

## RISK ASSESSMENT

Maintain a **record** of Risk Assessment for a period of not less than 3 years and any measure of safe work procedure implemented

Any person in the workplace who maybe exposed by the work is **informed** of the nature of the risk involved & measure of safe work procedure

CONDUCT

RECORD

COMMUNICATE

IMPLEMENT





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# EXAMPLE OF RISK ASSESSMENT

Department:	RA Leader:	Approved by:	Reference Number
Process:	RA Member 1:	Signature:	
Activity/Location:	RA Member 2:	Name:	
Assessment Date:	RA Member 3:	Designation:	
Last review Date:	RA Member 4:	Date:	
Next review Date:	RA Member 5:		

1

Hazard Identification

*Pengenalpastian Bahaya*

2

Risk Evaluation

*Penilaian Risiko*

3

Risk Control

*Kawalan Risiko*



RISK MATRIX: LIKELIHOOD (KEMUNGKINAN) X SEVERITY (KETERUKAN)





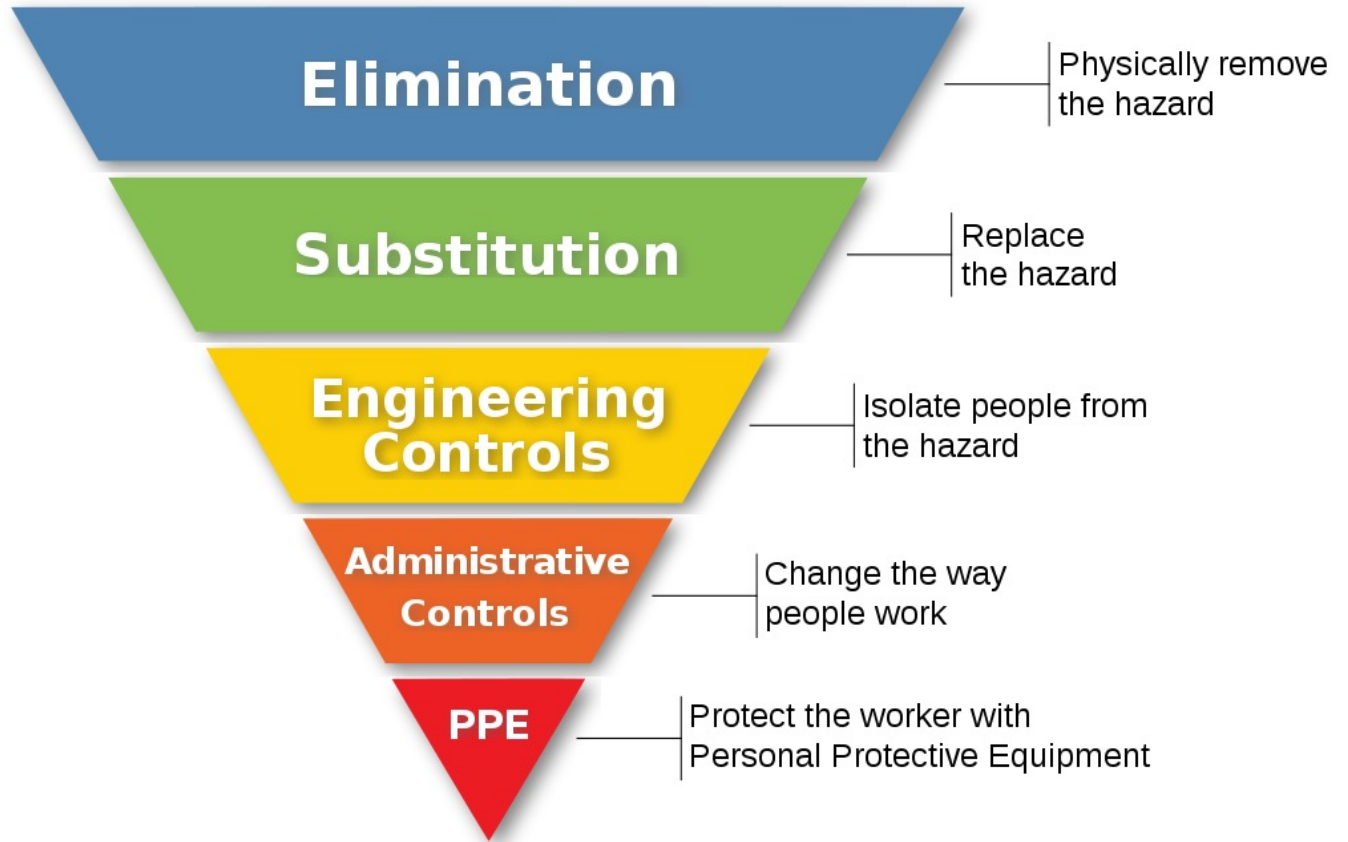
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# HIERARCHY OF CONTROL

Most effective



Least effective





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# WSH (GENERAL PROVISIONS) REGULATIONS, 2014



**General provision  
relating to health**



**Machine safety** (i.e. lifting  
equipment, guarding, etc.)



**Safety provision in  
case of fire**



**Special provision on hazardous  
substance, toxic, dusts**



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# 14 ELEMENTS OF WORKPLACE SAFETY AND HEALTH MANAGEMENT SYSTEM

SCHEDULE 2 TO THE WORKPLACE SAFETY AND HEALTH (GENERAL PROVISIONS) REGULATIONS, 2014

01



**SAFETY POLICY**  
(INCLUDING ALLOCATION & RESPONSIBILITY FOR SAFETY)

02



**SAFE WORK PRACTICE**

03



**HEALTH & SAFETY TRAINING**

04



**GROUP MEETINGS**

05



**INCIDENT INVESTIGATION & ANALYSIS**

06



**IN-HOUSE HEALTH & SAFETY RULES**

07



**HEALTH & SAFETY PROMOTION**

08



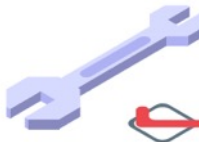
**CONTROL OF CONTRACTORS**

09



**SAFETY INSPECTION**

10



**MAINTENANCE REGIME**

11



**RISK ASSESSMENT**

12



**CONTROL OF HAZARDOUS SUBSTANCES**

13



**OCCUPATIONAL HEALTH PROGRAMMES**

14



**EMERGENCY PREPAREDNESS**



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# WSH (CONSTRUCTION) REGULATIONS, 2014

PERATURAN-PERATURAN PEMBINAAN, 2014

**140 REQUIREMENTS**

**REG. 6 : WSH CO-  
ORDINATOR APPOINTMENT**

**BUILDING OPERATION  
OR WORKS OF  
ENGINEERING  
CONSTRUCTION **LESS  
THAN BND 10 MILLION****





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# WSH (CONSTRUCTION) REGULATIONS, 2014

## REG. 9 : WSH MANDATORY TRAINING REQUIREMENT

### **SUPERVISOR / FOREMAN**

To ensure that the work which the person oversees or supervises can be carried out safely.

### **WORKER**

Familiarizing the person with the hazards associated with such work



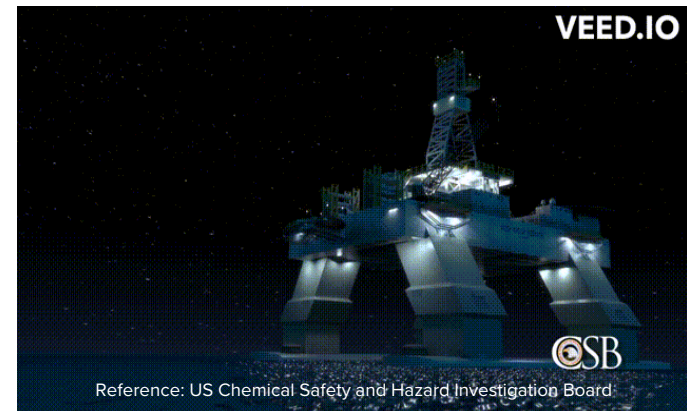


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# WSH (CONTROL OF MAJOR ACCIDENT HAZARD) REGULATIONS, 2013

## WHAT IS A MAJOR ACCIDENT?

1. An occurrence such as **loss of containment, fire or explosion** resulting from uncontrolled developments in the course of the operation of any facility, and leading to **serious danger to human health, property or the environment**, immediate or delayed, inside or outside the facility, and involving one or more hazardous substances;
2. Any event involving **major damage to the structure of the facility** or plant affixed thereto or any loss in the stability of a facility, or
3. Any other event arising from a work activity on the facility involving **death or serious personal injury to three or more persons**, on the facility or in neighbouring areas.

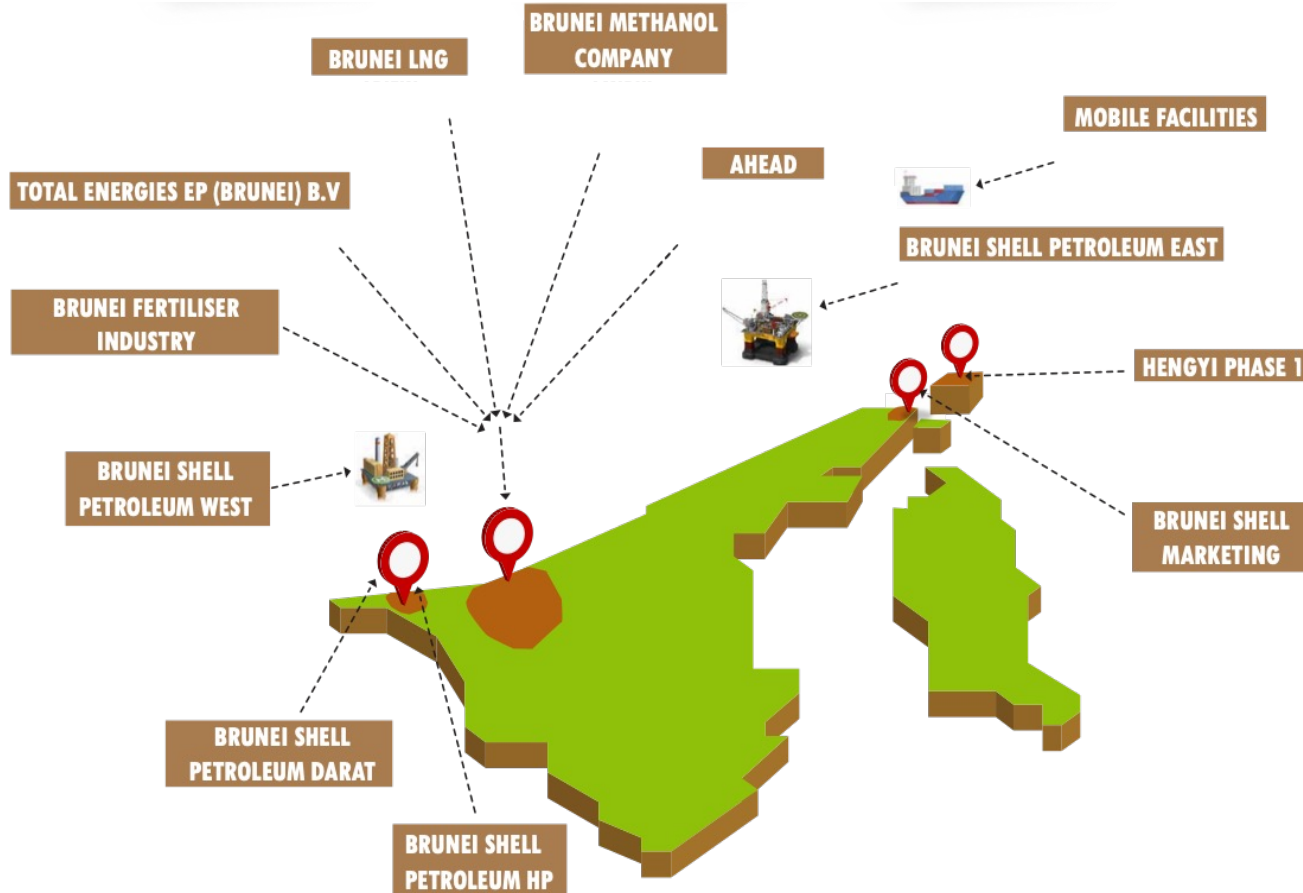


**FAILURE OF BARRIERS CAN POTENTIALLY CAUSE A MAJOR ACCIDENT EVENT**



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# WSH (CONTROL OF MAJOR ACCIDENT HAZARD) REGULATIONS, 2013



## WHAT IS A SAFETY CASE?

A document produced by the **operator (Duty Holder)** of an **Oil and Gas / Petrochemical company** called a facility as a demonstration of evidence that it has the ability to operate a facility safely and the risk are kept are **“As low as reasonably practicable”**



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# WSH (CONTROL OF MAJOR ACCIDENT HAZARD) REGULATIONS, 2013

## SAFETY CASE PARTICULAR

- |   |   |  |   |   |                                |
|---|---|--|---|---|--------------------------------|
| 1 |  | MAJOR ACCIDENTS HAZARD ASSESSMENT                | 5 |  | COMBINED OPERATION             |
| 2 |  | INVENTORIES AND PROPERTIES OF HAZARDOUS          | 6 |  | WORKFORCE CONSULTATION PROCESS |
| 3 |  | DESCRIPTION OF FACILITY                          | 7 |  | ONSITE EMERGENCY RESPONSE      |
| 4 |  | SAFETY CRITICAL PEOPLE, PROCEDURES AND EQUIPMENT | 8 |  | OFFSITE EMERGENCY RESPONSE     |

### DUTY HOLDER



- The Person who manages and has direct control of a facility;
- Where a facility is yet to be constructed or operated, the person who proposes to control its operation or, if that person is not known, the person who commissioned the design and construction of the facility; or
- The person who executes the function of organising, designing and supervising the drilling or service of a well and all operations to be carried out by means of that well





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# IMPORTANCE OF SAFETY ETHICS AT WORKPLACE FROM A REGULATOR'S PERSPECTIVES

**NURUL ZAKIAH BINTI HJ MD TAIB**

OFFICER I, COMPLIANCE & INTERNATIONAL AFFAIRS DIVISION, SHENA

03  
April  
2024



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# CONTENT

**INTRODUCTION TO SAFETY ETHICS AT WORKPLACE**

**REGULATORY COMPLIANCE: PART OF ETHICAL DECISION**

**WORKPLACE FATALITIES LEARNING**

**IMPACT OF UNETHICAL DECISION**

**KEY TAKEAWAYS**



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# INTRODUCTION TO SAFETY ETHICS AT WORKPLACE

## WHAT DOES SAFETY ETHICS MEAN TO YOU?

- Well-established code of conduct, **moral principles** and **values** that guide behaviour and decision-making regarding safety in the workplace.
- Prioritize the **well-being** and **protection** of individuals from harm or injury.
- Includes **compliance to legal requirements**, and industry standards.
- Considering the broader ethical **implications of actions and decisions** on individual's safety.





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# CODE OF ETHICS

- **Example: International Code of Ethics for Occupational Health Professionals, International Labour Organization, 2015**

## KEY PRINCIPLES

- Occupational health practice must be performed according to the highest professional standards and **ethical principles**.
- The obligations of occupational health professionals include **protecting the life and the health of the worker**, respecting human dignity and promoting the highest ethical principles in occupational health policies and programmes.
- Occupational health professionals are experts who must enjoy full professional independence in the execution of their functions.



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# REGULATORY REQUIREMENTS: PART OF ETHICAL DECISION

## WHY REGULATORY REQUIREMENTS ARE IMPORTANT AS PART OF MAKING ETHICAL DECISION?



- **Ensure compliance:** demonstrates commitment to ethical behavior, avoid legal violations and penalties
- **Promote transparency and accountability:**
  - WSHO, 2009: **Legal duties** are placed primarily on the Employer, Occupier, Principal and persons at work.
  - **Reporting requirements:** WSH (Incident reporting) regulations, 2014
- **Protect persons (public & employees):** WSHO 2009 – The law ensure those who create the risks will reduce those risks to the public, employees, assets and environment



# DUTIES

## TANGGUNGJAWAB

### OCCUPIER (SEC. 11)

#### PENGHUNI

Ensure

- All means of **access to or egress**
- Any **machinery, equipment, plant, article or substance** kept at the workplace are **safe and without risks to health** to every person within those premises.

### EMPLOYERS (SEC. 12)

#### MAJIKAN

To take, so far as is reasonably practicable, such measures as are necessary to **ensure the safety and health of his employees and persons at work.**

### SELF-EMPLOYED PERSON (SEC. 13)

#### ORANG YANG BEKERJA SENDIRI

To take, so far as is reasonably practicable, such measures as are necessary to **ensure the safety and health of persons at work**

### PRINCIPALS (SEC. 14 & 14A)

#### PRINSIPAL

It shall be the duty of every principal to take, as far as is reasonably practicable, such measures as are necessary to **ensure the safety and health** of:

- Any **contractor** engaged by the principal when at work;
- Any direct or indirect **sub-contractor** engaged by the contractor when at work;
- Any **employee** employed by such contractor or sub-contractor when at work

### PERSONS AT WORK (SEC. 15)

#### ORANG YANG SEDANG BEKERJA DI TEMPAT KERJA

It shall be a duty of every person at work to:

- Use the **personal protective equipment (PPE)** as required for the activity
- **Cooperate with employer** to comply with WSHO, 2009
- **Not to misuse** the PPE, appliances, equipment, etc.
- **Not recklessly endanger** himself and others



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# REGULATORY REQUIREMENTS: PART OF ETHICAL DECISION

- **Mitigate risks associated with non-compliance:** This proactive approach helps prevent legal issues and reputational damage. Examples:
  - WSH (WSH Committee) Regulations, 2014
  - WSH Officers / WSH Co-ordinators
  - WSH (First-Aid) Regulations, 2021
- **Drive ethical culture:** By incorporating regulatory compliance into decision-making processes reinforces the importance of ethical conduct within an organization's culture, creating **clear expectations** and promoting **integrity** and **responsibility**.







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# REGULATORY REQUIREMENTS: PART OF ETHICAL DECISION

## Example: **WSH (Risk Management) Regulations, 2014.**

- Hazard identification and control measures depends on the industries and operations.
- Importance of **ethical considerations** during risk assessment that demonstrate **commitment** to ensure **well-being** of employees, public and the environment.
- Example: ensure proper fitting of PPE and PPE training instead of just providing PPE







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# WORKPLACE FATALITIES LEARNING

**DATE OF INCIDENT: 16 FEB 2023**

## **FIRST FATALITY**

A fall from a height incident involving two construction workers occurred. One worker was on the roof of an under-construction house, and the other was on the ground floor. The incident occurred when the worker on the ground floor, not wearing any Personal Protective Equipment (PPE), went up to the roof and slipped, falling headfirst onto the drainage.

This fall also caused another worker on the roof to lose balance and fall. The company reported the incident to the police, who then informed SHENA.



Scene of Incident



Scene of Incident

**DATE OF INCIDENT:  
25 MAR 2023**

## **SECOND FATALITY**

The victim was a logger. He was cutting a tree which eventually fell on another tree, causing the tree to fall on him. He suffered head injury and passed away on the spot.

This case is still under SHENA investigation.



Scene of Incident



Exhibit taken –  
Chainsaw used  
by the DP



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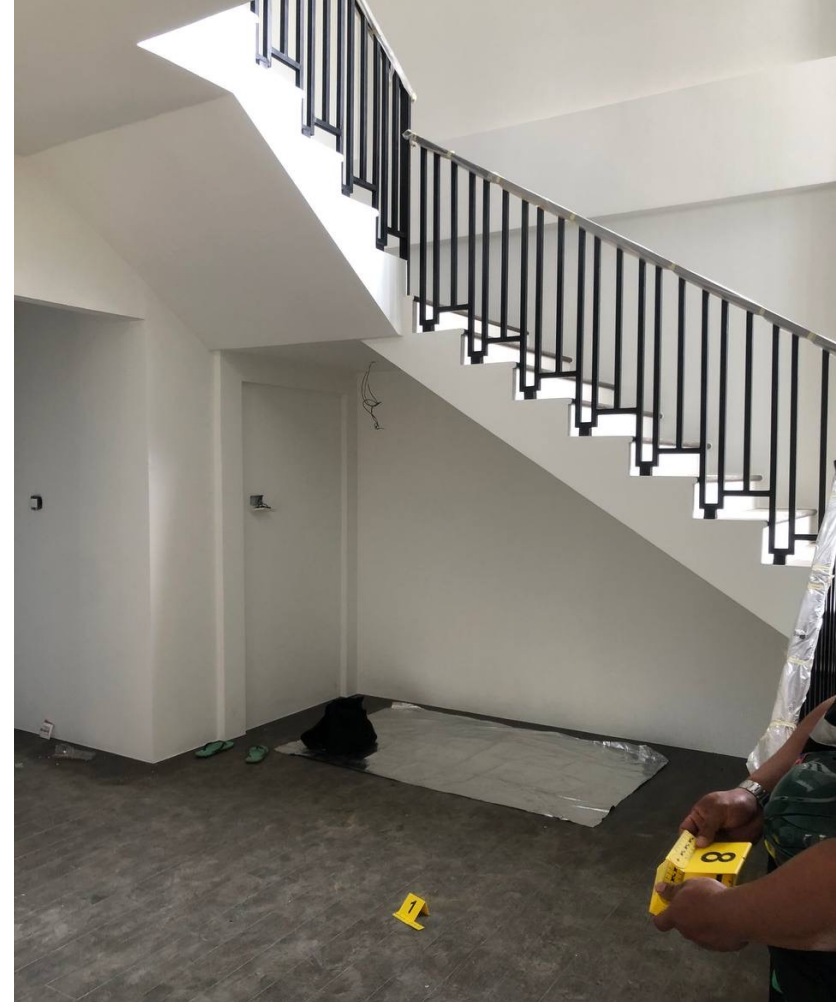
# WORKPLACE FATALITIES LEARNING

**31 MAY 2021**

- Deceased fell from height whilst manually carrying a plywood sheet up to the first floor of a residential house under construction, where guard rails had been removed

## GENERAL LEARNING

- Better supervision, hazard awareness and risk assessment of the activity





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# WORKPLACE FATALITIES LEARNING

**30 JULY 2021**

- Deceased fell from height (from scaffolding) whilst doing inspection of the house rooftop

## GENERAL LEARNING

- Better supervision, hazard awareness and risk assessment of the activity







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# WORKPLACE FATALITIES LEARNING

## 09 FEBRUARY 2021

- Deceased fell from a tree from a height of approximately 5 meters, whilst undertaking landscaping works

### GENERAL LEARNING

- Better supervision, hazard awareness and risk assessment of the activity





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# WORKPLACE FATALITIES LEARNING

**06 MAY 2020**

- Lift failure resulting in deceased falling from second to ground floor of a commercial building

## GENERAL LEARNING

- Using suitably designed equipment, proper inspection and certification of equipment, follow safe working load requirements and risk assessment of the activity





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# WORKPLACE FATALITIES LEARNING

**15 APRIL 2020**

- Deceased hit by broken pipe from compressor under maintenance

## GENERAL LEARNING

- Better supervision, training, safe operating procedures and risk assessment of the activity







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# WORKPLACE FATALITIES LEARNING

**15 MAY 2020**

- Deceased, who was a self-employed person was electrocuted whilst cutting a pipe and working at home alone

## GENERAL LEARNING

- Better supervision, safe operating procedures and risk assessment of the activity







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# WORKPLACE FATALITIES LEARNING

## 24 JANUARY 2020

- Deceased struck by broken metal blade of grass cutting machine (Type: Hit by Object)

### GENERAL LEARNING

- Better supervision, training, safe operating procedures and risk assessment of the activity





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# WORKPLACE FATALITIES LEARNING

**28 APRIL 2021**

- Deceased struck by falling pipe which dropped a height of approximately 3 meters from an elevated catwalk

## GENERAL LEARNING

- Better supervision, barrier management, training, safe operating procedures and risk assessment of the activity







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# WORKPLACE FATALITIES LEARNING

**26 AUGUST 2021**

- Deceased hit by a car whilst preparing and placing safety cones and signage at a section of the bridge

## GENERAL LEARNING

- Better supervision, safe operating procedure, hazard awareness and risk assessment of the activity





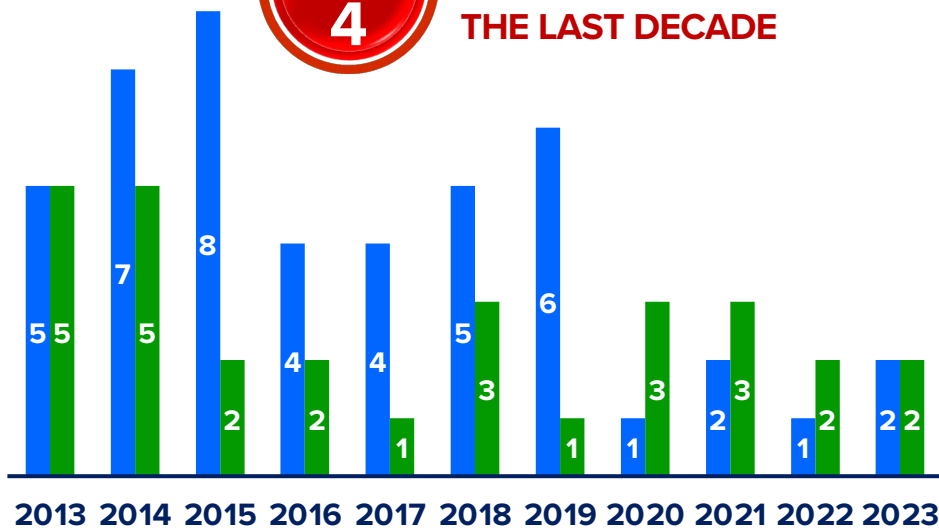
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# WORK RELATED FATALITIES

As of 31<sup>st</sup> December 2023

**7  
4**

**WORK RELATED FATALITIES SINCE THE LAST DECADE**



■ CONSTRUCTION

YEAR	CAUSE OF FATALITY
2023	<u>Fall from height</u> , tree felling, hit by vehicle
2022	Crushed by vehicle, tree felling, electrocution / <u>fall from height</u>
2021	<u>Fall from height</u> , hit by falling object, hit by vehicle
2020	Grass cutting, hit by object, left failure, electrocution
2019	<u>Fall from height</u> , struck by object, crushed by object, electrocution
2018	<u>Fall from height</u> , struck by objects, boat collision, electrocution
2017	<u>Fall from height</u> , struck by falling objects, drowning, fire
2016	<u>Fall from height</u> , hit / crushed by machine, electrocution, drowning
2015	<u>Fall from height</u> , hit by objects, landslide
2014	<u>Fall from height</u> , inhalation of smoke, fire
2013	<u>Fall from height</u> , hit/crushed by machine or objects, electrocution



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# IMPACT OF UNETHICAL DECISION

- Lead to **accidents, injuries, and even fatalities.**
- **Legal liabilities** (fines, penalties, Stop Work Order)
- **Reputation** damage
- **Financial loss:** property damage, regulatory fines, legal fees,
- **Operational disruption:** productivity loss





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# SAFETY IS EVERYONE'S RESPONSIBILITIES

- **Why? Think of how a responsible driver – one driver's mistakes can lead to injuries or fatalities to others**
- **Every decision or action in engineering, construction or any other field can have a significant impact on the safety of workers, the public, assets and environment.**
- **Most important asset: human life**



**This is why  
I work safe**





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# KEY TAKEAWAYS

- Importance of understanding and knowledgeable of relevant laws and regulations are part of an ethical decision making.
- Commitment to ensure the safety and well-being of employees, public and the environment.
- Considering the broader ethical implications of actions and decisions on individual's safety.





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THANK  
YOU