



NOTE TO INDUSTRY (NTI)

TOPIC ENFORCEMENT OF COMPOUNDING OF OFFENCES FOR FAILURE TO APPOINTMENT OF WORKPLACE SAFETY AND HEALTH (WSH) OFFICER, WSH CO-ORDINATOR AND BREACHES OF FIRST-AID REQUIREMENTS				Reference Number: 2024/NTI/01
Approved by: Acting Director of Compliance & International Division	Endorsed by: Acting Interim CEO	Issue date: 29 th Feb 2024	Expiry date: None	Revision No: 1.0

Purpose: This Note to Industry (NTI) serves as an announcement to inform all relevant stakeholders with regards to the commencement date of compounding of offences for failure to appoint of Workplace Safety and Health (WSH) Officer, WSH Co-ordinator and breaches of First-Aid requirements.

With reference to the NTI issued on 29th September 2023 on the Commencement of Compound Fines for WSH Officer, WSH Co-ordinator and First-Aid Requirements (NTI Ref. No. 2023/NTI/09), the Safety, Health and Environment National Authority (SHENA) hereby notifies all Principals, Occupiers, Employers and Self-Employed Persons on the commencement date of compounding of offences to the Occupier of their workplace for any contraventions to the following:

WORKPLACE SAFETY AND HEALTH (WORKPLACE SAFETY AND HEALTH OFFICERS) REGULATIONS, 2014			
NO	OFFENCE CRITERIA - (FAILURE)	REG	COMPOUNDING OF OFFENCE(S)
	Workplace Safety and Health Officer	8	
1	Occupier to appoint workplace safety and health officer within the following workplaces: <ol style="list-style-type: none">Shipyards in which any ship, tanker and other vessels are constructed, reconstructed, repaired, refitted, finished or broken up.Factories used for processing petroleum or petroleum products.Factories in which building operations or works of engineering construction of a contract sum of \$10 million or more are carried out.Any other factories in which 100 or more persons are employed, except those which are used for manufacturing garments.	8(1)	Any person reasonably suspected of having committed such offence(s) may be compounded with a sum not exceeding one-half of the amount of the maximum fine that is prescribed for the offence or a sum of \$5,000, whichever is the lower.

WORKPLACE SAFETY AND HEALTH (CONSTRUCTION) REGULATIONS, 2014

Workplace Safety and Health Co-ordinator		6	Any person reasonably suspected of having committed such offence(s) may be compounded with a sum not exceeding one-half of the amount of the maximum fine that is prescribed for the offence or a sum of \$5,000, whichever is the lower.
1	Occupier to appoint workplace safety and health co-ordinator for every worksite where the contract sum of the building operation or works of engineering construction carried out therein is less than \$10 million.	6(1)(2)	

WORKPLACE SAFETY AND HEALTH (FIRST-AID) REGULATIONS, 2021

NO	OFFENCE CRITERIA - (FAILURE)	REG	COMPOUNDING OF OFFENCE(S)
Provision of first-aid boxes		4	Any person reasonably suspected of having committed such offence(s) may be compounded with a sum not exceeding one-half of the amount of the maximum fine that is prescribed for the offence or a sum of \$5,000, whichever is the lower. These regulations do not apply to any hospital, any medical clinic and any ambulance as specified under Regulation 2 of Workplace Safety and Health (First-Aid) Regulations, 2021
1	Occupier to ensure sufficient number of first-aid boxes are provided at every workplace. Where a workplace is located in a building, each floor of the building shall be provided with sufficient number of first aid boxes.	4(1)(2)	
2	Occupier to ensure first-aid boxes in a workplace are adequately equipped, properly maintained, checked frequently to ensure that it is adequately equipped and that all the items in it are usable, clearly identified as a first-aid box, placed in a location that is well-lit and accessible and under the charge of a person appointed by the occupier.	4(3)	
3	Occupier to ensure nothing except appliances or requisites for first-aid shall be kept in a first-aid box in a workplace.	4(4)	
First-aiders		5	
4	Occupier to appoint first-aider at workplace with more than 25 persons are employed in a workplace. (Ratio of one first-aider for every 50 persons) and to be readily available during working hours	5(1)(a)	
5	Occupier to appoint first-aider at workplace that has machinery, equipment or hazardous substances specified in the Fifth Schedule to the Order. (even if less than 25 person) and to be readily available during working hours	5(1)(b)	

6	Occupier to ensure that every person appointed as first-aiders have undergone and successfully completed such training in first aid treatment and undergo such subsequent re-training in first-aid treatment. (Not exceeding 3 years)	5(2)	
7	Occupier to ensure that every first-aiders maintain a record of all treatment rendered by him and submit such record to the occupier of the workplace.	5(4)	
8	Occupier to keep the record for a period of not less than 5 years.	5(5)	
9	Occupier to ensure that a notice shall be affixed in every workplace stating the names and photographs of the first-aiders appointed.	5(6)	
First-aid room		6	
10	Occupier to provide and maintain first-aid room for more than 100 persons at work in a workplace.	6	
First-aid for exposure to toxic or corrosive substances		7	
11	Occupier to ensure that where any person in a workplace may be exposed to toxic or corrosive substances, the occupier of the workplace shall make provision for the emergency treatment of the person	7(1)	
12	Occupier to ensure that where the eyes or body of any person in a workplace may come into contact with toxic or corrosive substances, the occupier of the workplace shall ensure that suitable facilities for quick drenching or flushing of the eyes and body are provided and properly maintained within the work area for emergency use.	7(2)	

For any clarifications or questions on the matter, please submit your questions via the “General Enquiries” on the SHENA website: www.shena.gov.bn or contact the SHENA office on the general number +673 238 2000 at any time during office hours.

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