



اوتوريٽي ڪيٿسائن ڪسلامتن
ڪصيتن دان عالم سڪيتر
Safety, Health and Environment
National Authority

SHENA

ANNUAL REPORT
FOR FINANCIAL YEAR
2020/2021

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CHAIRMAN'S FOREWORD

The 2020/2021 Financial Year marked a momentous and pivotal year for the Safety, Health and Environment National Authority (SHENA). On 30th November 2020, by consent of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam, the SHENA Board of Directors was formally established, and its members formally appointed. I would also like to take this opportunity to congratulate Haji Azhar bin Haji Yahya on his appointment as the Interim Chief Executive Officer of SHENA commencing on the same date. His professionalism, leadership and experience as the Authority for SHENA since 2018 will be instrumental in guiding SHENA towards milestones the organisation aims to achieve.

As Chairman of the SHENA Board of Directors, it is indeed an honour to lead a team of directors with a multitude of experiences to provide the necessary strategic direction for SHENA in setting policies, goals and performance targets to meet both the expectations of the public and to ensure SHENA's sustainability as a statutory body. In our role as the Board of Directors, we are also responsible for monitoring SHENA's internal performance and reviewing its performance regularly - taking into account changes in the landscape surrounding workplace safety and health as well as radiation matters - and ensure that risks that SHENA may be exposed to are identified with suitable processes in place to manage and mitigate those risks.

I am pleased to inform that the first SHENA Board of Directors Meeting was successfully held on Tuesday, 26th January 2021 where a number of key governance documents were considered, analysed and approved such as the revised SHENA Financial Policy and SHENA Manual of Authority. The Board of Directors also approved the formation of two (2) committees aimed at increasing further governance of SHENA financial and human resources affairs, namely the Tender Committee and the Human Resource Committee. The meeting also saw the SHENA Board of Directors approve SHENA's budget for the financial year of 2020/2021 aimed at ensuring the necessary resources are available for SHENA to achieve its goals.

It is important to stress that whilst SHENA continues its efforts in ensuring enforcement of the Workplace Safety and Health Order, 2009 and its regulations as well as the Radiation Protection Order, 2018 throughout Brunei Darussalam, increased awareness and education continues to play an integral part of inculcating a firm health and safety culture amongst the population. It starts with the simple common sense to always be alert, adhere to regulations and follow individual roles and responsibilities. It continues to be the responsibility of employers, occupiers and principals to ensure that the people who work for them are given the knowledge on basic safety awareness and information about health and safety which extends to measures to ensure a safe working environment and even basic safety features such as emergency arrangements and first aid. Even if laws are enforced, it is through individual behaviour that emphasises the need to be safe and cautious which will contribute towards better understanding of health and safety issues and the creation of a better HSE culture.

This year has indeed been a challenging one whereby the COVID-19 pandemic has had its impact on Brunei Darussalam and SHENA was also not immune from this. Nevertheless, in the midst of such adversity, it is encouraging to observe that SHENA continued to be active in its enforcement, investigation and outreach efforts. These would not be possible without the support from our stakeholders from both the Government Sector and Industry who engaged in close collaboration with SHENA and allowing us to foster our common vision to make Brunei Darussalam a safe place to work and live, of which we owe them much gratitude. To conclude, I would also like to thank my fellow directors, SHENA's senior management team and the employees of SHENA for their hard work, dedication and support given to achieve SHENA's goals and objectives. Thank you for your contribution in helping SHENA succeed.

DATO SERI PADUKA AR. HAJI MARZUKE BIN HAJI MOHSIN
Deputy Minister, Ministry of Development
Chairman of SHENA Board of Directors



CEO'S MESSAGE

For the year 2020-21, SHENA has made strides in improving its regulatory oversight across workplaces in the country. There have been significant steps taken by the team in driving the message of compliance to workplace safety, health and environment matters as well as handling of radiation safety. However, the risk profile across industry remains delicately poised due to the continued restrictions and concerns posed by the ongoing COVID-19 pandemic and the need remains to create a cultural change with increased HSE awareness across the community.

Having been appointed as the Interim CEO, it has been an honour to take on the reins of this organisation and see it grow from strength to strength. In November 2021, I witnessed the establishment of the SHENA Board of Directors with appointment of its Directors from various esteemed entities within the Government of Brunei. This is indeed a very positive step and ensures there is credibility in the processes of the organisation. One of the first decisions of the Board of Directors was to approve the setting up of the Tender Committee, Human Resource Committee, the Revised Financial Policy, and the Manual of Authority. This has underpinned the ongoing efforts of the organisation to streamline its internal processes.

The year has seen SHENA continue to strive to make a difference, through its various functional and regulatory activities, leading an HSE cultural change that will benefit the country in the medium to long term. Dealing with our various stakeholders, the SHENA team has continued to move the national agenda for compliance to workplace safety and health as well as radiation legislation. This has been effectively undertaken through regulatory inspections, enforcement actions and most of all through our outreach programmes, which saw a shift to the virtual platform with some success. During the year, SHENA Inspectors issued 10 Stop Work Orders and 8 Remedial Orders to address issues related to non-compliance to legislation. In addition, SHENA Inspectors have also conducted a total of 72 inspections and 162 monitoring visits.

As a part of SHENA outreach to its stakeholders, the team delivered 13 Notes to Industry, 6 Industry Guidance Notes, 2 Work Safety Notices and the first Approved Code of Practice on Electrical Safety matters. This in itself, is testimony of the efforts of the team to provide suitable and valuable information that not only has been seen as an aid to industry, but also, is an approach that is befitting of a regulatory authority that is willing and continues to work with its stakeholders to make a difference.

As I reflect on the past year, I would like to acknowledge the support of the SHENA Board of Directors, the professional and diligent efforts of the SHENA staff and the considerable efforts of the industry, including the workforce and the public, who have supported our efforts to deliver change and ensure that we continue to strive to make Brunei Darussalam a safe place to work and live. I am most proud of the efforts and achievements of SHENA, as it continues to remain forward focused and prepared to create a safer culture within the workplace.

HAJI AZHAR BIN HAJI YAHYA
Permanent Secretary, Ministry of Energy
Interim Chief Executive Officer



EXECUTIVE SUMMARY

The 2020-21 SHENA Annual Report provides an overview and summary of the Safety, Health and Environment National Authority (SHENA)'s workstreams, functional activities and general performance as the national regulator as we seek to ensure compliance across the country for workplace safety, health and environment as well as radiation matters. This Annual Report covers the reporting period between April 2020 and March 2021.

As previously attested, the year was extraordinary, in that SHENA faced challenges in meeting its objectives due to the onset of the pandemic and the restrictions imposed in dealing with the challenges of the COVID-19 virus. The year saw SHENA Inspectors and Authorised Officers continue to engage the stakeholders on various levels whilst maintaining some level of continuity and focus on seeking compliance within the industry and Government sector. SHENA continued to undertake several investigations into work-related fatalities as a precursor to identifying areas of concern and potential breaches of the law. The message remained consistent as SHENA continued to be committed whilst seeking the collaborative support of its stakeholders in achieving SHENA's mission and vision of ensuring Brunei is a safe place to work and live.

Numerous inspections and unannounced visits have been conducted across the various sectors of the industry, and SHENA Inspectors have continued to work closely with the ongoing major project developments both on Pulau Muara Besar (PMB) with its expansion planning commencing and the focused approach of dealing with Brunei Fertilizer Industries (BFI) in ensuring a safe conclusion to their construction and pre-commissioning phase, as well as acceptance of the BFI Safety Case and certification that followed.

SHENA's Radiation Department too was instrumental in further enhancing awareness and understanding across all its stakeholders as it identified with best practices whilst dealing primarily with International Atomic Energy Agency (IAEA) to strengthen radiation safety practices and collaborating with a growing number of licensees and applicants for ensuring compliance with regulatory requirements by radiation workers and activity operators. With an increasing awareness generated across our Government stakeholders, the Radiation Department saw strategic partnerships being formed with several key Government Departments and Agencies, who were most forthcoming in wanting to be compliant with the requirements of the Radiation Protection Order, 2018.

Towards the end of 2020, SHENA received the positive news that Haji Azhar bin Haji Yahya was appointed as the Interim Chief Executive Officer and the SHENA Board of Directors was also consented by His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam. On 26th January 2021, the SHENA Board of Directors convened for the first time and was able to deliberate and effectively progress various key operational policy matters pertaining to SHENA.

Due to the COVID-19 restrictions and related concerns, SHENA resumed its recruitment drive towards the later part of the year, with the aim of filling some critical roles within the Radiation, Major Accident Hazard, Industry and Non-Industry Departments. This process has continued into 2021 and there is a level of confidence that a majority of the advertised positions will be filled in due course. The total number of staff on-seat at the end of the financial year stood at 52.



EXECUTIVE SUMMARY

Through 2020-21, SHENA continued to engage its stakeholders through various media, though being restricted by the pandemic. In July 2020, SHENA conducted a Safety Month, for which webinars were published on a number of important topics covering workplace and radiation safety. Throughout the year, SHENA conducted a number of outreach programmes engaging with stakeholders whilst delivering the consistent message of compliance requirements to the law. SHENA commenced unannounced monitoring visits to workplaces to raise awareness about SHENA and to verify workplace safety practices.

As restrictions from the COVID-19 pandemic were reduced following the reduction of cases and improved controls within the country, SHENA increased its regulatory inspections which included inspections to training providers, offshore facilities and Government Building. Through 2020 -21, 8 Notes to Industry (NTI) notices were issued on various topics covering COVID-19 responses, registration requirements, radiation applications and matters concerning the COMAH regulations.

Additionally, 6 Industry Guidance Notes (IGN) and 5 Radiation Technical Notes (RTN) were also issued. During the year, SHENA also issued its first Approved Code of Practice (ACOP) on Electrical Safety targeting the Construction Industry. SHENA also issued 2 Workplace Safety Notices focusing on risks and dangers to Lone Workers and safety practices for dump trucks.

In terms of improvements to the Legal Framework, SHENA submitted 9 pieces of draft legislation to the Ministry of Energy and the Attorney General's Chambers for further review and discussion. These regulations involve key regulations touching on areas such as work at heights, confined spaces as well as the management of hazardous materials. Amendments were also proposed to the Workplace Safety and Health Order, 2009 and the Radiation Protection Order, 2018 to ensure the streamlining of payment of compound fines to the Authority as well as the Safety, Health and Environment National Authority Order, 2018 to provide for formal provisions for the establishment of the SHENA Board of Directors.

On the enforcement front, SHENA issued 10 Stop Work Orders (SWO) to businesses with a majority being issued to construction worksites. During the year, SHENA also issued 8 Remedial Order notices to improve matters concerning asset integrity and construction safety practices. Unfortunately, the year also saw 4 work-related fatalities that were reported to SHENA.

In enhancing the organisation's corporate social responsibility (CSR) efforts, SHENA officers also had the privilege to participate in blood donation drives, COVID-19 pandemic PPE collection and distribution drives, food donation drives and Sukarelawan Belia Underprivilege House Visits.

Within the international arena, SHENA continued to work with its regional partners as most meetings were held on virtual platforms, with travel restrictions firmly in place and borders closed due to the pandemic. SHENA representatives participated in and had presented during meetings of the ASEAN Network of Regulatory Bodies on Atomic Energy (ASEANTOM), ASEAN Regulatory Collaboration Project on Chemical Management, the ASEAN Occupational Safety and Health Network (ASEAN-OSHNET) Coordinating Body Meeting (CBM), the ASEAN Business Coalition on HIV-AIDS (ASEAN-BCA) and the ASEAN Red Ribbon for Outstanding Workplace (ARROW) Awards. SHENA was also active in meetings and technical workshops organised by the IAEA.



ABOUT SHENA

The Safety, Health and Environment National Authority (SHENA) is a statutory body responsible as the national regulator for matters pertaining to workplace safety, health and environment related to the Workplace Safety and Health Order, 2009 (WSHO, 2009) and its Regulations, as well as radiation matters related to the Radiation Protection Order, 2018 (RPO, 2018). SHENA's core functions include inspections, investigations, enforcement, reviews of safety management systems, Safety Cases, notifications, licensing and registration as well as provision of general HSE and Radiation Guidance to industry and the general public.

SHENA is headed by the CEO, assisted by Chief Inspectors – each responsible for his Department / Section which comprise of Major Accident Hazards (MAH), Industry and Non-Industry. There is also a Specialist Support Function which is the Radiation Department headed by a Chief Inspector. Supporting these Departments / Sections are the corporate functions of Finance, Human Resources and Legal.

HISTORY OF SHENA

The main catalyst for the establishment of SHENA was the structural collapse incident that took place at the Science College in Kuala Belait on 22nd October 2014 which resulted in the establishment of a Board of Inquiry (BOI). One of the BOI's key recommendations, as part of its findings, was to set up a single national Competent HSE Authority. On 6th October 2018, His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam graciously consented to the enactment of the Safety, Health and Environment National Authority Order, 2018, which saw the official establishment of the Safety, Health and Environment National Authority or SHENA. Duties related to the enforcement of Workplace Safety and Health Order (WSHO), 2009 - initially under purview of the Commissioner of Labour under the Ministry of Home Affairs – were handed over to SHENA. Accordingly, HSE matters in the oil and gas industry which were delegated to the former Energy and Industry Department, Prime Minister's Office (EIDPMO) were also placed under SHENA's portfolio.



OUR MISSION

We will maintain a robust fit for purpose national safety, health and environmental regulatory framework and ensure that risks to people, assets and the environment are controlled in compliance with:

- Laws and regulations
- Set by the Government
- Implemented by those who create the risk
- Underpinned by continuous improvement



OUR VISION

We are committed to making a difference and ensuring Brunei is a safe place to work and live.



OUR VALUES

All our employees are expected to adopt key values in their day-to-day engagements. Our employees will demonstrate the following values in all aspects of our activities:

- Integrity
- Reliable
- Respect
- Reasonability
- Professionalism



OUR PRINCIPLES

Our operational philosophy is governed by four key principles:

- Structured
- Auditable
- Focused
- Engaged

NATIONAL THEMES

As a new organisation, SHENA hopes to accomplish the target of reducing workplace fatalities and improving HSE standards and radiation safety within the country, with the support of all its stakeholders. SHENA has identified four (4) national themes to focus the organisation's efforts in improving workplace safety namely:



BOARD OF DIRECTORS



**YANG MULIA
DATO SERI PADUKA AR. HAJI MARZUKE
BIN HAJI MOHSIN**

DEPUTY MINISTER, MINISTRY OF DEVELOPMENT
CHAIRMAN OF BOARD OF DIRECTORS



**YANG MULIA
PENGIRAN HAJAH ZETY
SUFINA BINTI PENGIRAN
DATO PADUKA HJ SANI**

PERMANENT SECRETARY
(INDUSTRY), MINISTRY OF
FINANCE AND ECONOMY



**YANG MULIA
PENGIRAN DR HAJI
MD KHALIFAH BIN
PENGIRAN HAJI ISMAIL**

DIRECTOR GENERAL OF HEALTH
AND MEDICAL SERVICES,
MINISTRY OF HEALTH



**YANG MULIA
AWANG LIM HOCK
GUAN**

DIRECTOR OF FIRE
AND RESCUE DEPARTMENT



**YANG MULIA
AR. DAYANG HAJAH
HASLINAWATI BINTI
HAJI ABD HALIM**

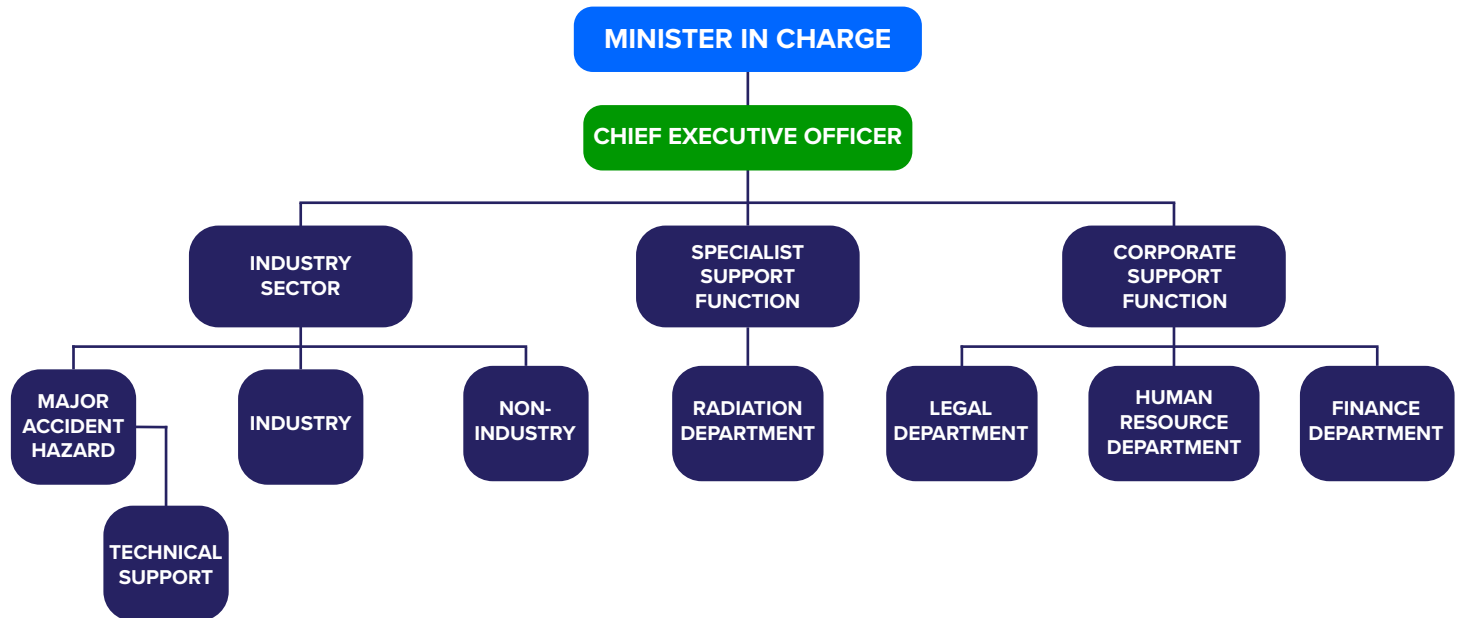
HEAD OF AUTHORITY FOR
BUILDING CONTROL AND
CONSTRUCTION INDUSTRY
(ABCI), MINISTRY OF
DEVELOPMENT



**YANG MULIA
HAJI AZHAR BIN
HAJI YAHYA**

INTERIM CHIEF EXECUTIVE
OFFICER, SAFETY, HEALTH AND
ENVIRONMENT NATIONAL
AUTHORITY (SHENA)

INSTITUTIONAL FRAMEWORK AND ORGANISATION STRUCTURE



The organogram above demonstrates the structure within the Safety, Health, and Environment National Authority (SHENA)

CORPORATE GOVERNANCE

BOARD OF DIRECTORS

The Board of Directors provides strategic direction and oversight of functions and goals and steers SHENA in fulfilling its vision and mission. SHENA Board of Directors consists of 6 members with diverse and extensive experience, with the Authority for Building Construction and Industry (ABCI) acting as Secretariat to the Board of Directors. All members were appointed by the consent of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam on 30th November 2020. The Chairman of the Board of Directors is Dato Seri Paduka Ar. Haji Marzuke bin Haji Mohsin, Deputy Minister of Development.

TEAMS AND COMMITTEES

The following Teams and Committees report to the Interim Chief Executive Officer:

SENIOR MANAGEMENT TEAM

The Senior Management Team is led by the Interim Chief Executive Officer, Haji Azhar bin Haji Yahya and comprises all heads of SHENA internal divisions. Together, they are responsible for implementing and operationalising SHENA's business plan as well as nurturing operational excellence to achieve SHENA's mission and roles.

CORPORATE GOVERNANCE

TENDER COMMITTEE

The SHENA Tender Committee was previously known as Financial Control Committee (FCC) and has been established in 2018. The Tender Committee comprises of three (3) officers from SHENA and one (1) representative from the Ministry of Finance and Economy. The Tender Committee is led by Zubaidah binti Haji Mahmud who was appointed as Chair of the Tender Committee. The Tender Committee's roles are to:

- To deal with any tender proposals involving goods, services or works;
- Make recommendations for awards where the value exceeds Brunei Dollar Fifty Thousand (B\$50,000); and

HUMAN RESOURCE COMMITTEE

The Human Resource Committee is a newly established committee, following the 1st SHENA Board of Directors Meeting held on 26th January 2021. It comprises of the SHENA CEO as Chairman of the Committee, three (3) officers from SHENA and one (1) representative from the Ministry of Energy. The HRC was established for the purposes of considering and deciding on matters pertaining to Human Resources (HR) which includes, but is not limited to HR Strategy, Performance and Talent Management, Recruitment, Promotion, Retirement, Organisational Structure Change, Succession Planning, Salary Increments, Rewards, Bonuses and Remunerations as well as to inform the Board and obtain endorsement from the Board where necessary on decisions pertaining to the above HR matters.

The following key documents concerning corporate governance were approved in the financial year of 2020/2021, endorsed by SHENA Board of Directors on 26th January 2021

1. MANUAL OF AUTHORITY

SHENA's Manual of Authority (MOA) provides a comprehensive framework for the delegation of the authorities within SHENA and facilitates the smooth, effective and expeditious running of SHENA's day-to-day operations.

2. REVISED FINANCIAL POLICY

The newly revised SHENA Financial Policy serves as a guideline for SHENA's financial operations for its financial reporting based on the International Financial Reporting Standards (IFRS) and builds on recommendations provided by SHENA's external auditors during Financial Year 2019/2020. This revised Financial Policy replaces the previous Financial Policy which was formulated during the setting up of SHENA in 2017.

- To deal with any single source tender proposals (negotiable or non-negotiable) for goods services and works.

THE YEAR AT A GLANCE

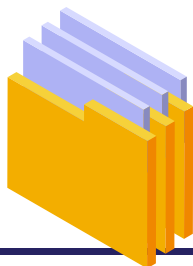
ENFORCEMENT NOTICES ISSUED



08 REMEDIAL
ORDER

10 STOP WORK
ORDER

GUIDANCE DOCUMENTS ISSUED



08 NOTE TO
INDUSTRY

02 WORKPLACE
SAFETY NOTICE



06 INDUSTRY
GUIDANCE
NOTE

REGISTRATION AND LICENCES



110 WSH OFFICERS
REGISTERED

70 RADIATION
LICENCES ISSUED

374 RADIATION
WORKERS
REGISTERED



NUMBER OF INSPECTIONS CONDUCTED



18 COMAH
FACILITIES

25 GENERAL
INDUSTRIES

15 NON-
INDUSTRIES

14 RADIATION



INVESTIGATIONS

As part of our functional activities, SHENA inspectors also undertook a total of 8 regulatory investigations. Summary details of the investigations and high-level findings are provided below:

NO	INCIDENT DATE	INCIDENT DETAILS	HIGH LEVEL FINDINGS
01	15 th April 2020	While doing repair work, a compressor pipe hit Deceased Person (DP) on back of the head leading to fatality	Training and awareness were not communicated to the workers. Taking short cuts impacted the DP
02	06 th May 2020	During unloading stocks from store cargo lift, the cable broke and the cargo lift fell three storeys together with DP who subsequently died of fatal injuries	Use of homemade lift and use of unauthorised lift maintenance company
03	15 th May 2020	Freelancer was working with a modified electrical cutter when improper electrical wiring came into contact with wet ground causing fatal electrocution of DP	The DP was not a trained worker and poor awareness on the defective electrical grinder has caused the DP to lose his life
04	28 th May 2020	Submission of forged/tampered certificate of qualification by a suspect who was required by SHENA to produce a proof of qualification to act as a scaffolding inspector at a construction site	The investigation revealed a wilful act of forgery, where the suspect knowingly submitted expired certificates that he had tampered by removing the expiry dates
05	05 th June 2020	LPG gas leakage led to explosion at a public school, no injuries sustained since incident took place at night	Sub-standard hose utilized and poor awareness on LPG system maintenance
06	26 th September 2020	SWO breach by construction company	Failure to stop work activities onsite as per the SWO schedule
07	28 th October 2020	Stop Work Order (SWO) breach by construction company	Failure to stop work activities onsite as per the SWO schedule
08	09 th February 2021	A landscape worker fell from height of approximately 5 metres while trimming the branches of a tree at Masjid RPN Kg Pandan, KB. As a result, he suffered craniocerebral injuries and was hospitalised for two weeks before he passed away on 22 nd February 2021.	Key finding from the investigation revealed that there was no proper system or the resources for managing HSE on the activities carried out at the worksite

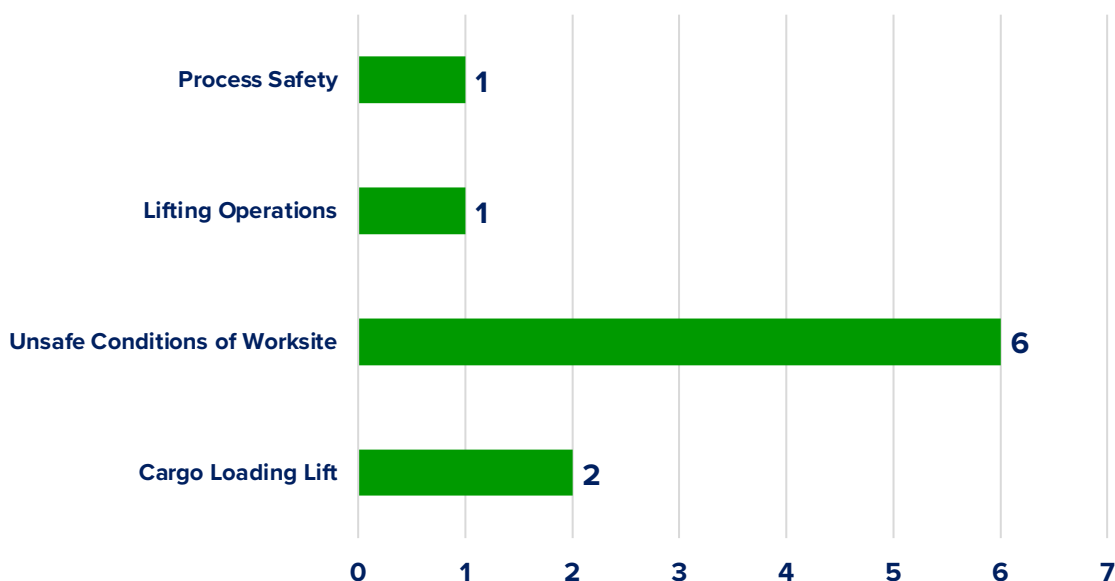
ENFORCEMENT NOTICES

10 Stop Work Orders (SWO) and 8 Remedial Orders (RO) were issued to various organisations between the period of April 2020 and March 2021.

STOP WORK ORDERS ISSUED

NO	LOCATION OF WORKPLACE	TYPE OF INDUSTRY	DATE SWO ISSUED
01	Brunei-Muara	Non-Industry	22 nd May 2020
02	Brunei-Muara	Non-Industry	29 th May 2020
03	Brunei-Muara	Construction	16 th June 2020
04	Belaït	Construction	18 th June 2020
05	Belaït	Construction	10 th July 2020
06	Belaït	Construction	13 th July 2020
07	Temburong	Construction	13 th July 2020
08	Belaït	Oil & Gas, Petrochemical	24 th August 2020
09	Belaït	Oil & Gas, Petrochemical	04 th September 2020
10	Brunei-Muara	Oil & Gas, Petrochemical	04 th September 2020

SUMMARY OF STOP WORK ORDERS ISSUED

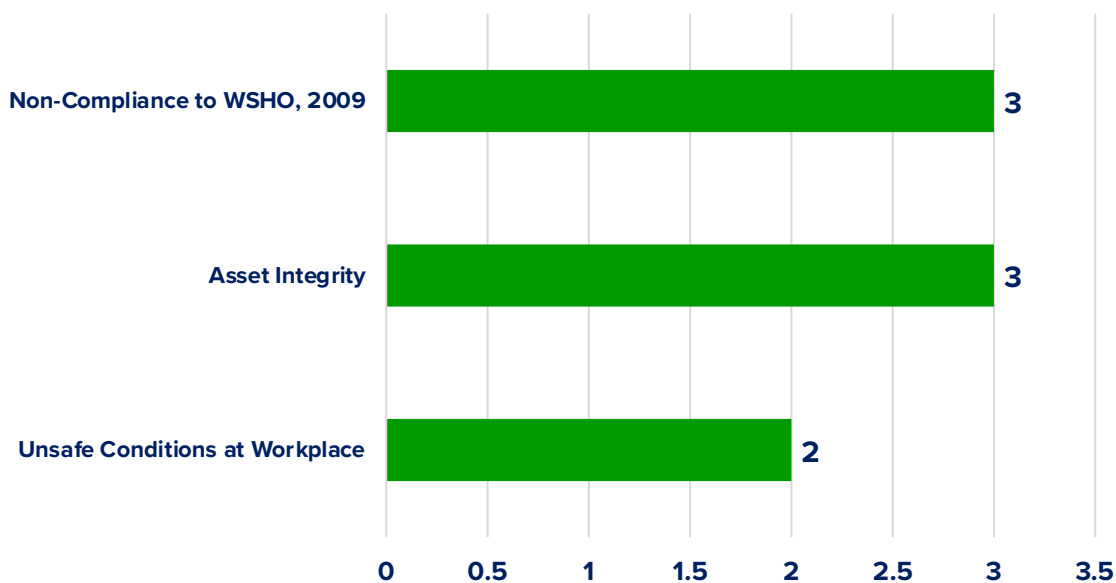


ENFORCEMENT NOTICES

REMEDIAL ORDERS ISSUED

NO	LOCATION OF WORKPLACE	TYPE OF INDUSTRY	DATE RO ISSUED
01	Belait	Oil & Gas, Petrochemical	22 nd May 2020
02	Belait	Oil & Gas, Petrochemical	29 th May 2020
03	Brunei-Muara	Construction	16 th June 2020
04	Belait	Construction	18 th June 2020
05	Belait	Construction	10 th July 2020
06	Belait	Construction	13 th July 2020
07	Temburong	Construction	13 th July 2020
08	Belait	Oil & Gas, Petrochemical	24 th August 2020

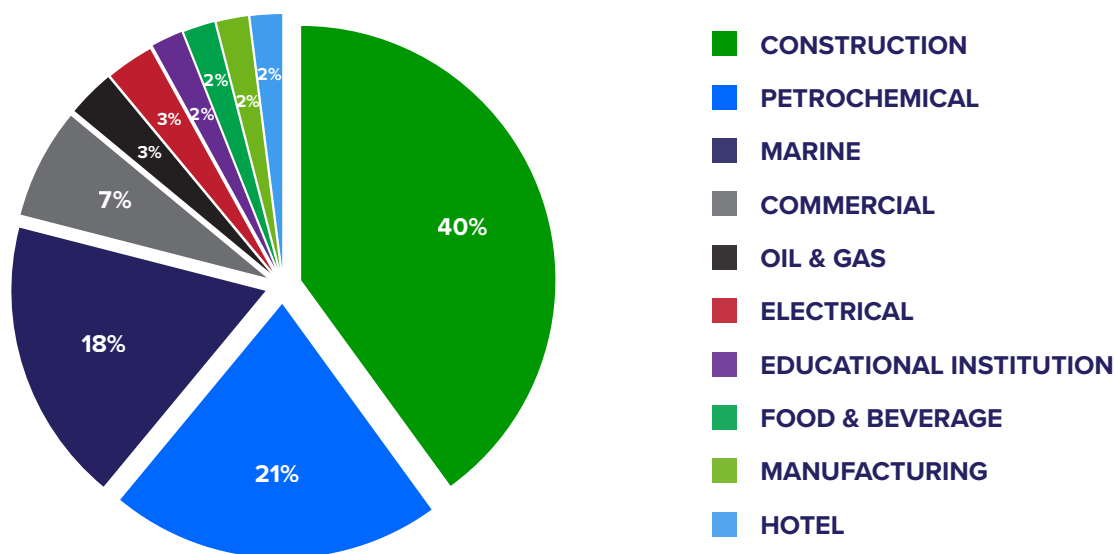
SUMMARY OF REMEDIAL ORDERS ISSUED



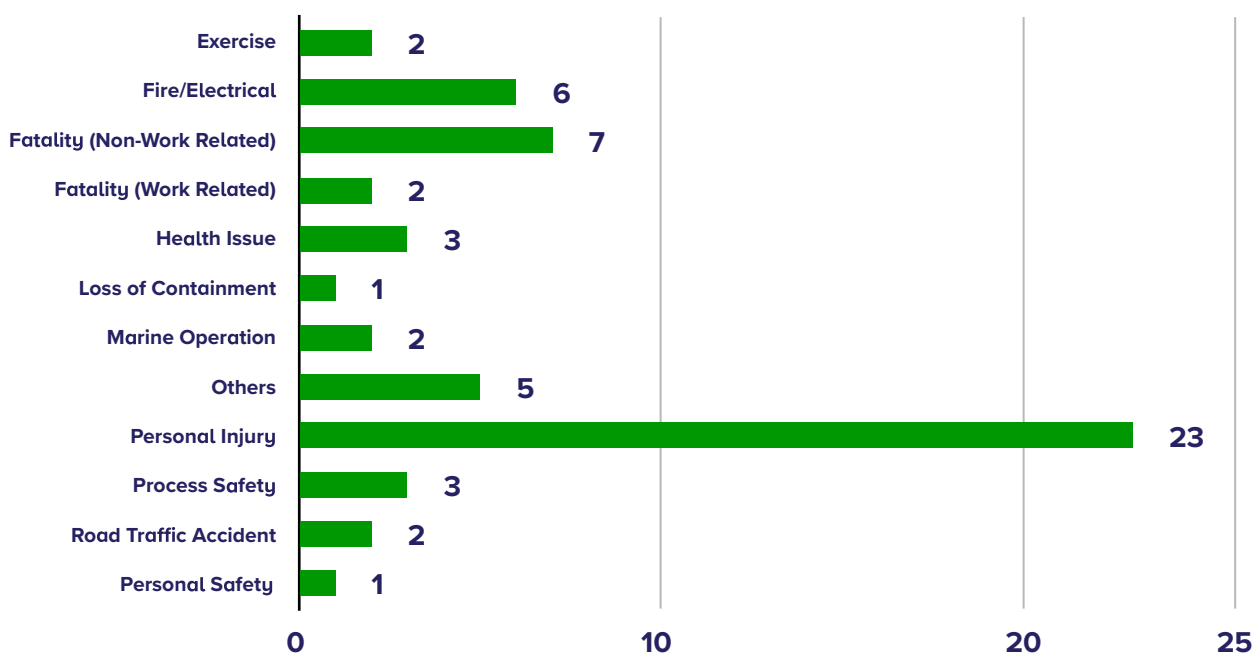
INITIAL INCIDENT NOTIFICATIONS

For the year 2020-2021, SHENA had received a total of 57 Initial Incident Notifications (IINs). These are summarised by sector and type of concern reported to SHENA, as below:

INITIAL INCIDENT NOTIFICATIONS (IIN) RECEIVED BY SECTOR



INITIAL INCIDENT NOTIFICATIONS (IIN) CATEGORISATION



INDUSTRY

MAJOR ACCIDENT HAZARDS



SAFETY CASES

In 2020/2021, MAH Sector has received and conducted an assessment review and certification of 173 Safety Cases across Fixed Facilities, Mobile Facilities and Combined Operations, including material changes. The Safety Case regime is important to ensure that all major accident hazards are identified and ensure that adequate, effective and reliable risk reduction control measures are implemented for As Low As Reasonably Practicable (ALARP).

NOTIFICATIONS

SHENA also undertook reviews of 2 Design Notifications, 8 Decommissioning and Restoration (D&R) Notifications and 96 Notification of Wells Operations (NOWO) which were submitted by Duty Holders from Petrochemical, Oil and Gas industries to SHENA for review, assessments and acceptance.

REGULATORY INSPECTIONS

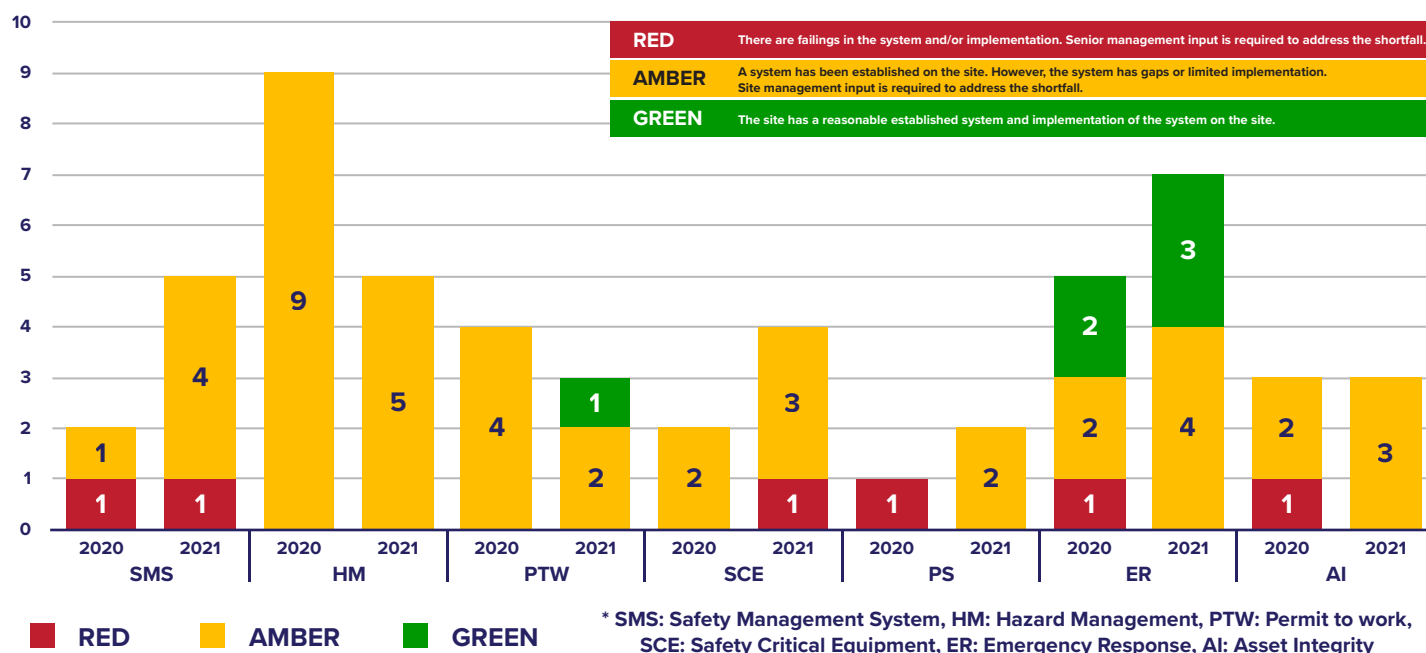
During the financial year, amidst the pandemic situation, the Major Accident Hazards sector has successfully conducted 20 regulatory inspections as part of the enforcement activities focusing on the Petrochemical, Oil and Gas facilities.

Among the fixed facilities inspected were BSP West Asset, BSP HP Asset and Refinery, BSP East Asset Salman Major Project, BSP Offshore Reliability Mechanical Construction (ORMC) worksite, Brunei LNG, Brunei Fertiliser Plant and Hengyi Refinery & Petrochemical Plant. Major Accident Hazard sector also inspected mobile facilities in early 2021, namely, QESS USV1 and ELITE Rig 12B.



INDUSTRY

As a result of the inspections conducted, there are a total of 7 areas of concerns pertaining to Safety Management System, Process Safety, Emergency Response, Asset Integrity, Safety Critical Equipment, Hazard Management and Permit to Work. Below are the high-level areas of concern reflected in a graph:



The number of regulatory inspections conducted had significantly increased from 8 inspections for the Financial Year (FY) 2019 – 2020 to 20 inspections for FY 2020 – 2021.

DECOMMISSIONING AND RESTORATION

Following the declaration of cessation of production from BSP's oil refinery in July 2020, the Duty Holder has submitted the Decommissioning and Restoration (D&R) notification in April 2020 which consisted of Phase 1 – Make it Ready (June 2020) and Phase 2 – Removal (2023 – 2025).

BSP has engaged SHENA and other stakeholders in November 2020 that there will be a D&R team to be set up and conduct a D&R project on BSP's Darat, West and East Assets. The project looks to decommission wells, facilities, and pipelines. The scope and timeline of the project are to be updated by BSP D&R team in future engagements that will be arranged accordingly. BSP and PA collaboratively conducted a Wells Abandonment Course as part of the D&R programme on 26th November 2020. BSP had submitted a total of 8 D&R notifications for the financial year 2020/2021.

SAFETY IN PROJECTS

Brunei Fertilizer Industries (BFI) located in SPARK, Sungai Liang submitted their Design Notification followed by the submission of Safety Case. The Safety Case was assessed and accepted by SHENA on 15th December 2020. BFI continues to do Engineering, Procurement, Installation, Construction and Commissioning (EPICC) work until Q4 2021 with contracted service provider, Thyssenkrupp. Commissioning to start in Q4 2021 and full start-up planned for Q1 2022.

Brunei Energy Services & Trading (BEST) Sdn Bhd has also engaged SHENA on an upcoming project to build an LPG Bottling plant in Q1 2021. Based on discussions with SHENA, BEST is required to provide technical information about the LPG Bottling plant to categorize the project to be under Workplace Safety and Health (Facilities) (Control of Major Accident Hazards) Regulations, 2013 (COMAH Regulations) or otherwise, and to determine the final location of the plant. The project is planned to commence in 2022, and BEST plans to continue engagement with SHENA and other relevant authorities.

INDUSTRY

BSP East Asset Salman Project submitted their Design Notification which was accepted on 4th November 2020. The Salman field is a new field development in the BSP East Asset. It will be a wellhead jacket that will accommodate up to a maximum of 17 wells. The well jacket will be expected to be normally unmanned. Base Case Phase I will consist of 4 Oil well Producers and 4 Water Injector wells. High Pressure Oil evacuation from Salman platform will be routed to CP07 High Pressure Separator V-730 via Selangkir Well jacket, SKWJ-1.

A new evacuation pipeline will be installed from Salman platform to SKWJ-1. From SKWJ-1, High Pressure Oil will be evacuated to CP07 V-730 via the existing 16-inch High Pressure pipeline PID2356. Treated water will be sourced from the existing water plant at CPWA-7. The water will be transported to Salman platform via a new 10" flexible pipeline. The new Salman platform can be accessed via helideck or vessel transfer using boat landing. BSP and SHENA will continue to engage to update on the project progress and ensure the compliance of Salman Project as stipulated under Workplace Safety and Health Order, 2009 and the regulations made thereunder.



Hengyi Industries Sdn. Bhd. Phase I plant operations commenced in November 2019. The plant capacity is planned to be expanded with an additional processing capacity of 306,000 barrels of crude oil per day and aspires to start its operations by 2026.

The coverage of the expansion will further occupy an area of 660 hectares comprising of additional land reclamation to expand the PMB coastline to accommodate a large scale of refinery and petrochemical processing units. The preparation of the Construction Project for Dredging and Reclamation has commenced in January 2021.

Hengyi and SHENA will conduct further engagements to ensure the compliance of the expansion project as stipulated under Workplace Safety and Health Order, 2009 and the regulations made thereunder.

PEOPLE

One (1) MAH Junior Inspector was sent for a Short-Term Assignment (STA) to Brunei Shell Petroleum (BSP) for one (1) month in September 2020. The objective of the STA is to gain oil and gas field exposure on an awareness level.



In 2020/2021 Major Accident Hazard (MAH) Sector welcomed 1 Senior Inspector

On 22nd - 23rd September 2020, two (2) Inspectors from MAH Sector has attended the ASEAN Regulatory Cooperation Project (ARCP) Workshop which was held virtually as part of Brunei Darussalam's delegation. ARCP is an industry-led effort to drive greater engagement and build capacity involving all the regulators and industry representatives from all the 10 ASEAN Member States (AMS). The 2-day workshop that was held at the Design and Technology Building focused its discussions on regulatory updates on chemical management, chemical inventories, capacity building as well as new substance notification processes.



INDUSTRY

The workshop involved the participation of 33 representatives from various Government Departments and Industry Stakeholders on behalf of Brunei Darussalam who then collaborated on discussions with counterparts from the other ASEAN Member States through a Webinar. The active participation by AMS representatives in past ARCP workshops has helped facilitate the progress in achieving their goal for greater regulatory coherence through enhanced cooperation and coordination efforts.



Three (3) Inspectors from MAH Sector attended Wells for Non-Wells Engineer Course held from 17th to 19th November 2020. The main objective of the course is to explain what the engineering of a well entails, what the design decisions are, the reasons behind them and how the subsurface data are used in the well design process, with what consequences and what impacts on the well.

In December 2020, two (2) Inspectors from MAH Sector enrolled in the NEBOSH International General Certificate in Occupational Health and Safety held from 7th to 18th December 2020.

In January 2021, all the MAH Sector's Inspectors have attended a 4-day Safety Case training workshop hosted by DNV Singapore. The main objective of the workshop, held from 18th to 21st January 2021, is to enhance the competency and capability of the MAH Sector's Inspectors in reviewing Safety Cases.

Throughout the Financial Year 2020/2021, the MAH Sector has demonstrated its full commitment by ensuring all Inspectors are competent, have adequate information, and have been trained on how to safely carry out their duties as necessary.



NO	DATE	NAME OF TRAINING	NO. OF INSPECTORS ATTENDING
01	25 th – 29 th Jan 2021	Nurturing Effective Workforce Relationship	09 Inspectors
02	25 th Feb 2021	ISO9001:2015 Quality Management System Training (In-house)	02 Inspectors
03	10 th Mar 2021	Shallow Water Compressed Air Emergency Breathing System (CA-EBS) Initial Deployment Training	03 Inspectors
04	23 rd Mar 2021	Safe Use of Electricity in Construction Site Training (In-house)	07 Inspectors
05	03 rd – 04 th Mar 2021	Defensive Driving	03 Inspectors
06	25 th – 26 th Mar 2021	Defensive Driving	02 Inspectors
07	08 th – 09 th Mar 2021	First Aid Training	03 Inspectors
08	15 th – 16 th Mar 2021	First Aid Training	02 Inspectors

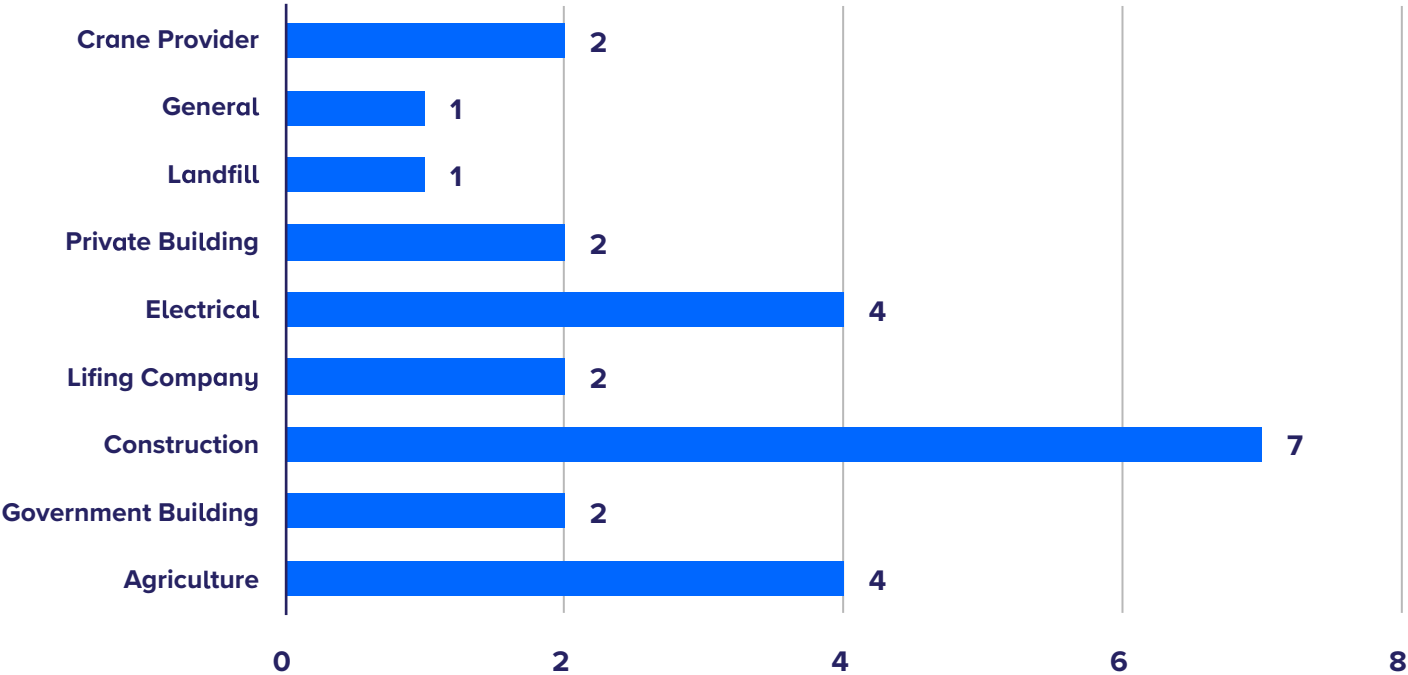
GENERAL INDUSTRY

GENERAL INDUSTRY KEY HIGHLIGHTS FOR FINANCIAL YEAR 2020/2021



INSPECTIONS


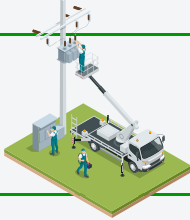

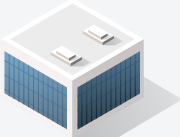
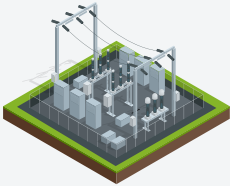
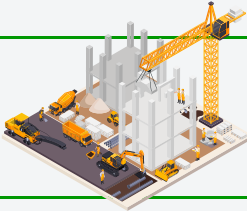


The industry team was able to undertake a total of 25 regulatory inspections across the industry. By sector, the inspections undertaken are discussed below with high-level areas of concern reflected:



INSPECTIONS BY CATEGORIES

GENERAL INDUSTRY

Areas of concerns are tabulated below:

NO	INDUSTRY SECTOR	MAIN CONCERNS
01	CRANE PROVIDER 	<ul style="list-style-type: none"> ■ Uncertified cranes and operators ■ Dilapidated cranes still in use
02	 GENERAL	<ul style="list-style-type: none"> ■ Inconsistent PPE standards and compliance ■ Lack of training ■ Lack of supervision
03	LANDFILL 	<ul style="list-style-type: none"> ■ Cut and fill embankment concerns ■ Safety of public access to limited landfill ■ Hazardous chemicals and gases possibly present
04	 PRIVATE BUILDING	<ul style="list-style-type: none"> ■ Lack of safety for the public users ■ Poor maintenance of the premises for structural integrity
05	 ELECTRICAL	<ul style="list-style-type: none"> ■ Lack of intervention culture ■ Quality of routine toolbox talk needs to improve – to focus on risks assessment and control ■ Emergency response plan/procedure (ERP) not tested
06	CONSTRUCTION 	<ul style="list-style-type: none"> ■ Non-compliance to working at height safety requirements ■ Use of unsafe, non-standard and non-certified equipment ■ Lack of safety supervision onsite
07	 GOVERNMENT BUILDING	<ul style="list-style-type: none"> ■ Lack of maintenance for lifts and escalators ■ Lack of maintenance - falling objects such as wall tiles ■ Slip and trips unsafe conditions for the public ■ Defective electrical energised points and circuits ■ Aged building with poor conditions structural defects
08	AGRICULTURE 	<ul style="list-style-type: none"> ■ Defective machineries used ■ Lack of suitable risk assessment when handling chemicals and machineries ■ Training and instructions not communicated to the farmers

GENERAL INDUSTRY

MONITORING VISITS

As an opportunity for continuous improvement, SHENA inspectors had undertaken Monitoring Visits to workplaces across the four districts. Throughout the year, a total of 162 monitoring visits were performed to workplaces where a majority of these visits had focused on workshops and construction sites - as industries that are considered high-risk in terms of number of serious accidents and fatalities. Monitoring visits performed by SHENA officers had benefited from collaboration with relevant regulatory Government agencies such as the Land Transport Department and the Authority for Building Control and Industry (ABCI). Other workplaces and industry sectors visited had included timber and sawmills, petrol stations, laundry businesses, fabrication and manufacturing sites, food and beverages-related, electrical-related, educational institutions, commercial stores, and accommodation & hospitality businesses.

General findings from Monitoring Visits are as listed below:

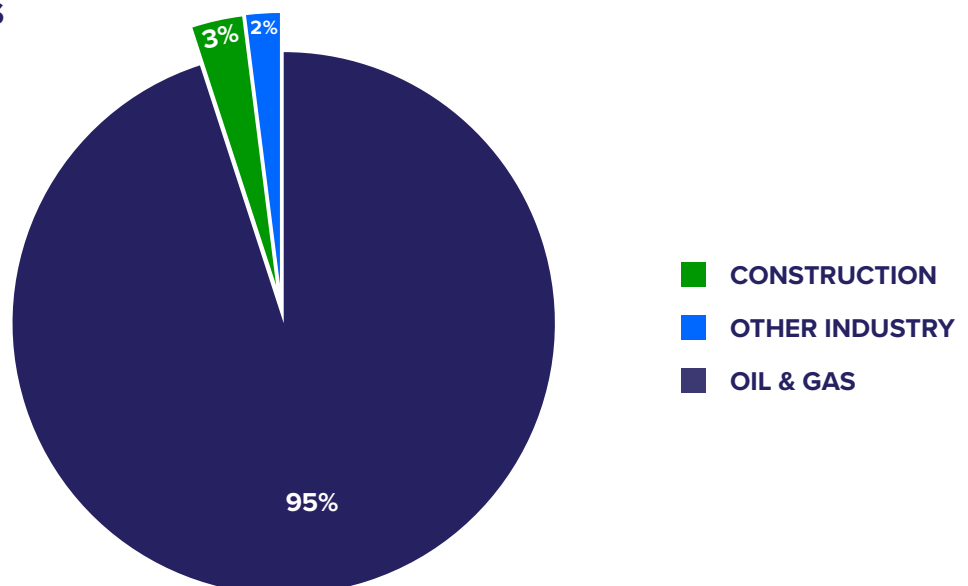
- Lack of Competent Supervision
- Lack of Risk Management
- Weak HSE Awareness and Supervision

SHENA has increased its focus on issuing suitable guidance information and outreach programmes to raise awareness across the workforce.

REGISTRATION OF WORKPLACE SAFETY AND HEALTH OFFICERS

Throughout the year, SHENA has continued to register WSH Officers though it has been noted that most of the applicants have been from the Oil & Gas sector. A total of 231 applicants have been registered as WSH Officers as of the beginning of April 2021. As of 3rd May 2021, all applications for approval of the person to act as a WSH Officers shall be accompanied by the appropriate fees prescribed in the first schedule of WSH (WSH Officer) Regulations, 2014. With the new fees implementation, all WSH Officers registered will be issued with a card certificate. SHENA is also in the process of digitalizing the registration process for the WSH Officer via Online Registration Portal.

PERCENTAGE OF WSH OFFICER REGISTRATION ACCORDING TO INDUSTRIES



GENERAL INDUSTRY

REGISTRATION OF WSH COORDINATOR

SHENA is in the process of developing the registration process for Workplace Safety and Health Coordinators. This has been discussed in the MISC (Construction) Committee manpower and skill development meetings. There is a plan to initiate the registration process later in 2021.

REGISTRATION OF THIRD-PARTY INSPECTION AGENCIES

Historically, certification for lifting equipment has been seen to be better complied within the oil and gas sector in Brunei. Inconsistencies in service quality by crane providers and ageing equipment have also been noted by SHENA through the various inspections conducted. In this regard, SHENA has approached the various local and international-linked inspection agencies in Brunei to have them registered with SHENA. The process of registration will commence later in 2021.

REGISTRATION OF AUTHORISED EXAMINERS

SHENA has developed a process for the registration of authorised examiners. Discussions were held with the Board of Architects, Professional Engineers & Quantity Surveyors (BAPEQS) to identify suitably qualified engineers to register with SHENA. SHENA has also engaged the Inspection Agencies to identify the registration process for inspectors who are employed by the various inspection agencies. The process of registration will commence later in 2021.

STAKEHOLDER ENGAGEMENTS

As a new authority, SHENA has worked to increase its presence within the Government and Industry. Some of the noticeable interfaces on workplace safety and health matters that are being established and managed are: the Royal Brunei Police Force; Fire and Rescue Department, Department of Labour, Municipal Department and District Offices, Ministry of Home Affairs; ABCi, JASTRe and Public Works Department (PWD), Ministry of Development; Maritime and Port Authority of Brunei Darussalam and Land Transport Department, Ministry of Transport and Infocommunications; ROCBN and DARE, Ministry of Finance and Economy; Agriculture and Agrifood Department, Tourism Department and Forestry Department, Ministry of Primary Resources and Tourism; Department of Electrical Services and Autoriti Elektrik Negara Brunei Darussalam (AENBD), Ministry of Energy; and Department of Youth and Sports, Ministry of Culture, Youth and Sports.

INDUSTRY HSE GROUP (iHSEg)

The iHSEg Committee was set up with representation from key industry players from around the country. It has a common vision of developing and strengthening strategies to raise workplace safety, health and environment standards and awareness. It has met every quarter throughout the year and applied for Registration of Society towards the end of 2020. Currently, approval is pending for the official logo. Earlier in 2021, the committee members convened to plan and decide the strategic objectives and way forward for the committee and its extended members in terms of outreach, development of guidance and raising of HSE awareness across the industry. Four (4) thematic working committees have been formed with the support of industry experts, who have given their time freely. The topics are:

- H&S in Educational Institutions
- Personal Protective Equipment
- Work At Height
- Crane Operations

GENERAL INDUSTRY

SHENA representatives have also supported the iHSEg by being involved in the sub-committees also known as Thematic Area Working Groups, in particular, the Educational Safety and Work at Height sub-committees. This has aided the process of delivering guidance and information, that is being prepared for the launch of the committee.

GOVERNMENT INFORMATION GROUP (GIG)

The Government Information Group (GIG), which was formed at the end of 2019, are officers appointed by their respective Ministries to interface with SHENA to identify areas for improvement in HSE practices and general awareness among public servants. The GIG Focal Points from all Ministries convened at Design and Technology Building on 25th March 2021. It was the first meeting held since the group was formed as no meetings were held in 2020 due to COVID-19 pandemic restrictions. Various topics were discussed, including the opportunity to improve and standardise HSE standards and procedures with the support of SHENA. Lines of communication remain open, and the next meeting will be in September 2021.

CONTRACTORS EXCELLENCE AWARDS

SHENA is a member of the committee for the awarding of the “Anugerah Cemerlang Industri Pembinaan” (ACIP), which is an initiative led by the Authority for Building Control and Construction Industry (ABCI). The safety and health criteria are part of the assessment of scoring for selecting the best contractor for the ACIP. The committee has convened and is in the process of working towards the issuance of the Award.

EPMO NOTIFICATIONS

SHENA Inspectors provide support to the Department of Environment, Parks and Recreation with a review of Written Notification as per the Environmental Protection and Management Order, 2016 (EPMO). Between April 2020 to March 2021, SHENA has assisted in reviewing 4 Written Notifications and its associated documents.

NON-INDUSTRY

NON-INDUSTRY KEY HIGHLIGHTS FOR FINANCIAL YEAR 2020/2021

INSPECTIONS

15

REGISTRATION
OF ATP

12

INSPECTIONS

Over the course of the year, SHENA inspectors undertook a total of 15 regulatory inspections of educational institutions that cover both government and private primary schools, secondary schools, sixth form centres, religious/Arabic schools and higher institutions. A summary list of these inspections with high-level findings is provided below:

YEAR	TYPE OF EDUCATIONAL INSTITUTION	NUMBER OF INSPECTIONS
2020	Government Institution	04
	Private Institution	03
	Religious Institution	03
	Higher Institution	01
2021	Government Institution	0
	Private Institution	01
	Religious Institution	02
	Higher Institution	01

High Level Findings:

- Lack of competency training for safety and health personnel appointed for educational institutions such as HSE representatives, first aider and fire marshals;
- Absence of HSE Policy;
- Lack of awareness on health and safety matters amongst the staff;
- No proper safety induction programme for staff;
- No written procedures for reporting accidents and incidents;
- Lack of awareness on risk assessment;
- Lack of proper arrangements for controlling the safety and health matters for contractors who are working within educational institution premises;
- Traffic concerns and lack of control measures during peak hours especially for institutions situated near the main road;
- Concerns with storage of LPG cylinders inside classrooms (for institutions that conduct Food & Nutrition lessons); and
- Poor housekeeping in the storage facilities.

NON-INDUSTRY

REGISTRATION OF APPROVED TRAINING PROVIDERS (ATP)

The registration of ATPs has been an ongoing activity for SHENA whereby this process continues to involve a desktop review followed by the site verification inspection to ascertain the level of preparedness and compliance to declared process and procedures, as well as the availability of facilities to ensure the sustainability of the training provider. 12 training providers are registered with SHENA as listed below:

NO	NAME OF TRAINING PROVIDER	NO	NAME OF TRAINING PROVIDER
01	SRS Emergency & Rescue Solutions Sdn. Bhd.	07	Poni Group Sdn. Bhd.
02	Institute of Brunei Technical Education (IBTE), Jefri Bolkiah Campus	08	Best Integrated Engineer Solution and Supplies Sdn. Bhd.
03	Ashcore Sdn. Bhd.	09	Cortex Training & Development Company
04	Tutelage Sdn. Bhd.	10	Ayzin Sdn. Bhd.
05	BIACC Sdn. Bhd.	11	Brunei Asia Pacific Shell Learning Hub (BAPSLH)
06	EX-TG Zones Consultant & Services	12	Begawan International

DEVELOPMENT OF GUIDANCE DOCUMENTS

The Non-Industry Sector was also active in the drafting and publishing of guidance documents to support industry stakeholders in better complying with health and safety standards. Of notable importance are the industry guidance notes of “Minimum Standards for Approved Training Provider (ATP)” and “Managing Health and Safety in Educational Institutions”. These have been instrumental in guiding the training providers to improve standards and supporting the Ministry of Education and schools in Brunei in identifying processes for improvement within their own established practices.

STAKEHOLDER ENGAGEMENTS

Still in its infancy, the non-industry team has made in-roads into improving its collaboration efforts on workplace safety and health matters with some key stakeholders. These primarily are the Occupational Safety and Health Division, Ministry of Health; Brunei Darussalam National Accreditation Council (BDNAC), Ministry of Education; In-Country Value Division, Ministry of Energy; and Manpower Industry Steering Committee. Additionally, SHENA inspectors have collaborated with the Ministry of Religious Affairs (MORA) with the intention of undertaking inspections and monitoring visits to schools under MORA. Dialogues were also held with the Ministry of Education (MOE) to develop standards and HSE practices for educational institutions under MOE.

Preliminary engagements were held with Jerudong Park Medical Centre and Pantai Jerudong Specialist Centre on developing standard compliance process requirements for healthcare institutions as well as discussing occupational health-related matters. SHENA has also collaborated with the HSE Division, MOE to provide an awareness session for MOE staff on Workplace Safety and Health legislation and the Industry Guidance Note pertaining to Managing Health and Safety in Educational Institutions.

MISC BDNAC ACCREDITATION INITIATIVE

SHENA officers have been working closely with the Manpower Industry Steering Committee (MISC) for Energy and Construction sectors and the BDNAC to align the training and educational framework for workers in the country as well as to ensure HSE-related training is recognized and provided with formal acceptance with mandatory training being stipulated for certain levels of the workforce. SHENA was also involved with one of the outreach events facilitated by the MISC Energy.

GUIDANCE DOCUMENTS

Throughout the year, SHENA was able to draft and publish a number of guidance documents related to Workplace Health and Safety, which are now available on the SHENA website for all stakeholders to consider when deciding on ways to improve occupational health and safety within their workplace. Documents drafted are listed below:

NOTE TO INDUSTRY (NTI)

NTI FOLIO	TOPIC	DATE OF ISSUE
2020/NTI/03	General Advisory for Workplace in Response to COVID-19 / Nasihat Umum bagi Tempat Kerja berikutan Penularan COVID-19	03 rd Apr 2020
2020/NTI/08	Workplace Assessment Checklist for COVID-19	03 rd Apr 2020
2020/NTI/10	Workplace Safety and Health Order, 2009: Registration and Approval of Third-Party Inspection Agencies	23 rd Apr 2020
2020/NTI/11	Submission of COMAH Related Documents as Related under Workplace Safety and Health (Facilities) (Control of Major Accident Hazards) Regulations, 2013	29 th Jun 2020
2020/NTI/12	Scaffolding Training Organisations: Announcement of New Training Organisation	29 th Jul 2020
2020/NTI/13	Workplace Safety and Health Officer – Extension of Validity Period of Certificates of Approval to Act to 30 th June 2021	23 rd Dec 2020
2021/NTI/01	Submission of COMAH related documents as required under Workplace Safety and Health (Facilities) (Control of Major Accident Hazards) Regulations, 2013	13 th Jan 2021
2021/NTI/02	Workplace Safety and Health Order, 2009: Announcement of the Official Registration and Approval of Third-Party Inspection Agencies and Authorised Examiners	04 th Mar 2021

INDUSTRY GUIDANCE NOTE (IGN)

IGN FOLIO	TOPIC	DATE OF ISSUE
IGN/2020/03	Guidance to Permit to Work	03 rd Apr 2020
IGN/2020/04	Guidance to Risk Management	05 th Aug 2020
IGN/2021/01	Guidance on Safe Use of Grass Cutting Machine	12 th Jan 2021
IGN/2021/02	Minimum Standards for Approved Training Provider	19 th Jan 2021
IGN/2021/03	Managing Health and Safety in Educational Institution	09 th Feb 2021
IGN/2021/04	Guidance to Personal Protective Equipment (PPE)	03 rd Mar 2021

GUIDANCE DOCUMENTS

WORKPLACE SAFETY NOTICE (WSN)

WSN FOLIO	TOPIC	DATE OF ISSUE
2020/WSN/01	Risk and Dangers to Lone Workers	16 th Jul 2020
2021/WSN/01	Safety Precautions to be taken when working under Dump Trucks	15 th Mar 2021

APPROVED CODE OF PRACTICE (ACOP)

TOPIC	DATE OF ISSUE
Approved Code of Practice and Guidance for the Safe Use of Electricity at Construction Sites	01 st Feb 2021

SPECIALIST FUNCTION

RADIATION

NAVIGATING THROUGH THE DISRUPTION

The year 2020 brought the world face to face with the first wave of the COVID-19 pandemic that also did not spare Brunei Darussalam from her first case in March. These unprecedented challenges and disruptions brought the Radiation Department team together to push the transformation and the digitalization efforts in maintaining its client charter on authorization services rendered to the industries that involve radiation activities.

Adapting and innovating to the situation at hand is one positive way of staying prepared and agile in ensuring the health and safety of radiation workers remain protected. The SHENA Business Continuity Plan (BCP) was implemented and the period of having to manage the surge in workload did not deter our commitment to our partners and stakeholders. A new dimension to our work processes ensures that radiation safety and health is not overlooked as Brunei embarks on a new norm and ways of working amidst the pandemic. Technology became an invaluable tool in maintaining our activities effectively while staying safe.

REGULATORY DEVELOPMENTS

To ensure our stakeholders fully understand the impact of the Radiation Protection Order, 2018, several new guidelines were produced and uploaded onto the SHENA website for easy access.

RADIATION PROTECTION PROGRAMME (RPP) REQUIREMENT GUIDELINES

Guidelines for applicants in the development of a Radiation Protection Programme (RPP) to ensure that they meet the minimum regulatory requirements specific to their activities.



GENERAL REQUIREMENTS FOR RADIATION LICENCE APPLICATIONS

Guidelines for applications who wish to apply for licence(s) to conduct any or all types of radiation activities in Brunei Darussalam



SPECIALIST FUNCTION

STREAMLINING AND ENHANCING OUR PROCESSES

Delivering value to our stakeholders is always a top priority. Document submission process was streamlined by introducing full electronic submission of radiation licence and workers registration applications. This is a milestone achieved by the Authorization Unit in that a total of 1,050 applications were received from both industry and non-industry sectors including schools, government agencies, private clinics and hospitals.

Despite the challenges brought by the pandemic, applications were processed as efficiently as possible so as not to disrupt the industrial activities in the country.



STAYING VIGILANT

Compliance of licensees was monitored by the Enforcement Unit where 14 planned physical inspections were successfully conducted for the year, as activities resumed in Q3 and Q4 of 2020.

An encounter of non-compliance was dealt with according to standards provided by the International Atomic Energy Agency (IAEA) and the provisions in the Radiation Protection Order, 2018. The year 2020 did not record any major non-compliance that warranted a remedial or stop work order.



SPECIALIST FUNCTION

BUILDING OUR KNOWLEDGE AND CAPABILITIES

Background Radiation Levels

The Regulatory Support Section is newly established and is responsible for performing regulatory research and technical data collection, maintain technical equipment, provide awareness programs to users and to implement scientific and technical cooperation projects.

First of its kind in Brunei Darussalam, the Environmental Monitoring Programme was initiated and conducted to determine the background radiation level in the country. To support this Programme in planning and recording of monitoring sites, collaboration was sought from the Survey Department at the Ministry of Development earlier in the year.

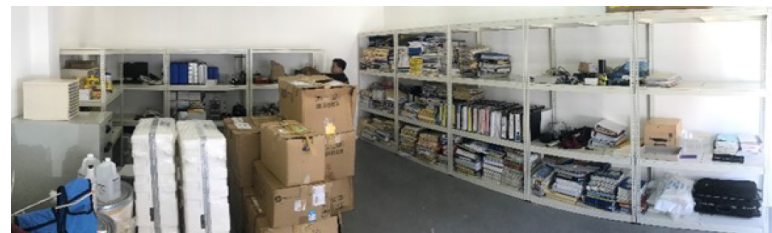


Emergency Preparedness and Response

The Radiation Department introduced a new function that aims to provide technical support to first responders during radiological incidences and emergencies. Building capacity and capabilities of a team on Emergency Preparedness and Response (EPR) to the related events were initiated early in the year.

Participation in the numerous virtual workshops and technical meetings under the ASEAN-EU Project “Establishing a Regional Early Warning Radiation Monitoring Network (EWRMN) and Data Exchange Platform in ASEAN” occurred throughout the year. The Department also participated in the IAEA ConvEx-2c tabletop exercise (TTX) to test arrangements for a transnational radiological emergency and a separate TTX to test the decision support system (DSS), JRODOS.

Procurement of Level C Personal Protective Equipment (PPE), necessary radiation detectors and consumables for use by EPR situations was initiated. A storage depot for radiation items was acquired to ensure proper storage of the assets and consumables procured for use by the department.



A new radiation emergency hotline was introduced with the aim to establish an appropriate channel for reporting any radiation-related incidents by licensees on incidences at their workplace premises and members of the public on suspicious encounters.

In developing the national response to any radiological and nuclear incidents, a major contributing element is to cultivate a close relationship with our stakeholders. We have fostered a relationship with some main players in the Government sector namely the Chemical Biological Radiological Explosives (CBRE) Unit, Royal Brunei Police Force (RBPf); Ministry of Health (MOH); Department of Civil Aviation (DCA), Ministry of Transport and Infocommunications; and Royal Customs and Excise Department (RCED), Ministry of Finance and Economy.

SPECIALIST FUNCTION

COMMUNICATING THE IMPORTANCE OF RADIATION SAFETY

To increase public awareness of radiation safety, an article titled 'SHENA cautions against the unauthorized use and possession of radioactive materials and radiation-emitting equipment (controlled apparatus)' was published in Borneo Bulletin (15th August 2020 issue). It also acts as a reminder to users of the importance of radiation safety as stated in the licence requirement.

The Radiation Protection Order, 2018 is also acknowledged by government offices with the distribution of official letters to all Ministries urging those dealing with radiation to apply for a license.

FOSTERING OUR INTERNATIONAL COLLABORATION

One of the significant international events of the year within the radiation regulatory community is the 64th IAEA General Conference in which Brunei Darussalam was represented by delegates from SHENA and the Ministry of Energy.

This year saw the activation of the IAEA Technical Cooperation (TC) Project BRU9002 on Strengthening Regulatory Radiation Control and Emergency Preparedness and Technical Monitoring Capability to Handle Any Radiological Accident worth EUR300,000.

More dialogues were held throughout the year with the IAEA TC project teams to push the implementation of the project that promised supply of essential equipment and building of human resource capacity.

SHENA also appeared in the international domain through the publication of the book on the success story of Pantai Jerudong Specialist Centre (PJSC) released by the IAEA book via the National Liaison Office at the Ministry of Energy.



MAINTAINING THE MOMENTUM

With international travel being restricted in most parts of the world, the virtual platform was heavily relied on in communicating with our international stakeholders. Utilizing by means of Microsoft Teams, Cisco Webex and Zoom gave Radiation Department opportunities to attend technical meetings, workshops and training courses that would not otherwise be attended. In total, participation was in almost 40 of these activities in the year alone.



BUILDING RESILIENCE

Maintaining our business during the BCP period provided us with an opportunity to learn a unique lesson on the importance of building resilience in the execution of our processes when challenged to handle changes in circumstances or environment, structure and political climate. Radiation safety and security processes must be maintained since businesses and activities could not afford the halt for long amidst the modern world's economy.

The unpredictability owing to the pandemic has encouraged us to think further ahead of time in a more creative manner to enable rapid adaptation to a new norm.

SPECIALIST FUNCTION

This is important to grasp when there is a need to maintain safety at the workplace using the right PPE and the necessary equipment. To counteract the challenges of delay in receiving procured items due to COVID-19 affecting the international supply chain, adaptation to longer delivery time was required and resilience was inculcated when managing the expectations of stakeholders.

This year demonstrated an appreciation of the need for radiation safety education within Brunei Darussalam. The pandemic made it challenging for many Radiation Protection Officers and Radiation Workers to attend the required training as they are only available overseas. Fortunately, virtual training sessions have now become the norm which the applicants were able to access from their workplace.

LOOKING AHEAD

As Brunei Darussalam embarks on the ASEAN Chairmanship in 2021, so will Radiation Department within the ASEANTOM community as the ASEANTOM Chairmanship was handed over from Vietnam at the 7th ASEANTOM Annual Meeting held in November 2020. The Radiation Department in collaboration with the Ministry of Energy has been given the honour to lead activities conducted under ASEANTOM throughout the year 2021 as well as the hosting of the 8th ASEANTOM Annual Meeting.



SHENA is looking ahead to concluding two (2) international agreements with the IAEA, namely, the Revised Supplementary Agreement Concerning the Provision of Technical Assistance by the IAEA (RSA), and the Modified Small Quantities Protocol (mSQP) which is an annex to the Comprehensive Safeguards Agreement (CSA) that was signed by Brunei Darussalam in 1987.

Another upcoming project that stems from the establishment of the National Database System on Licensee and Registered Radiation Worker within this Financial Year is the Online Registration Portal which will further enhance the work processes of the Authorization Unit.

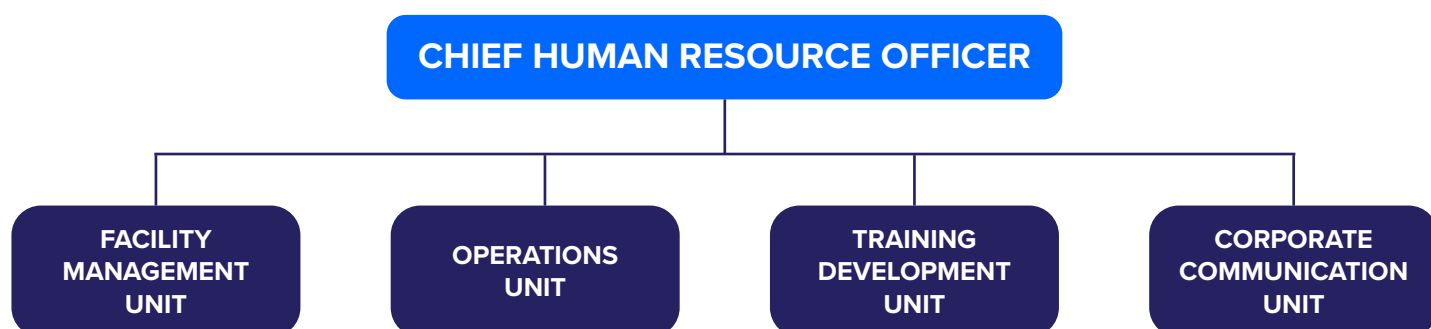
Although the COVID-19 pandemic has defined the 'new normal', the Radiation Department remains committed to protecting the people and the environment from the harmful effects of ionising radiation for the benefit of socio-economic development.

It is important to restore normal activities as much as possible to remain on track, hence activities, meetings, and projects that had to be halted were re-initiated and ramped up. With the rest of the world still grappling with the pandemic, we watch closely and maintain our diligence and resilience to focus on our mandates.

CORPORATE SUPPORT

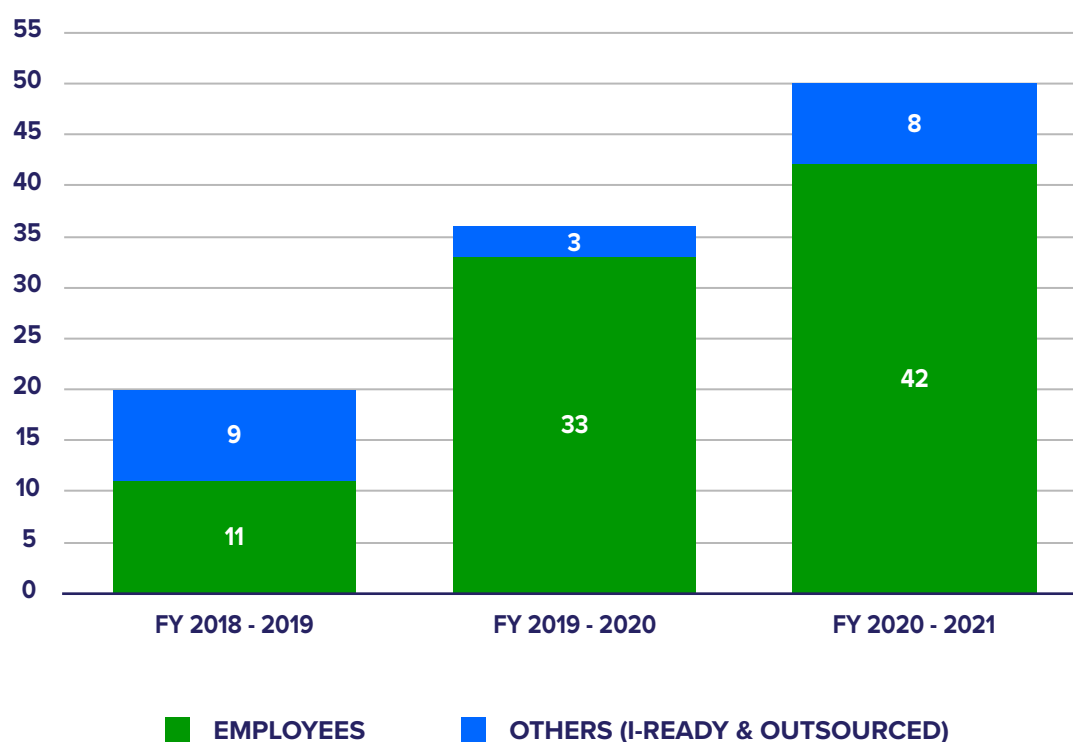
HUMAN RESOURCES

100% OPERATIONALISED SHENA HUMAN RESOURCE (HR) DEPARTMENT AND FUNCTIONS

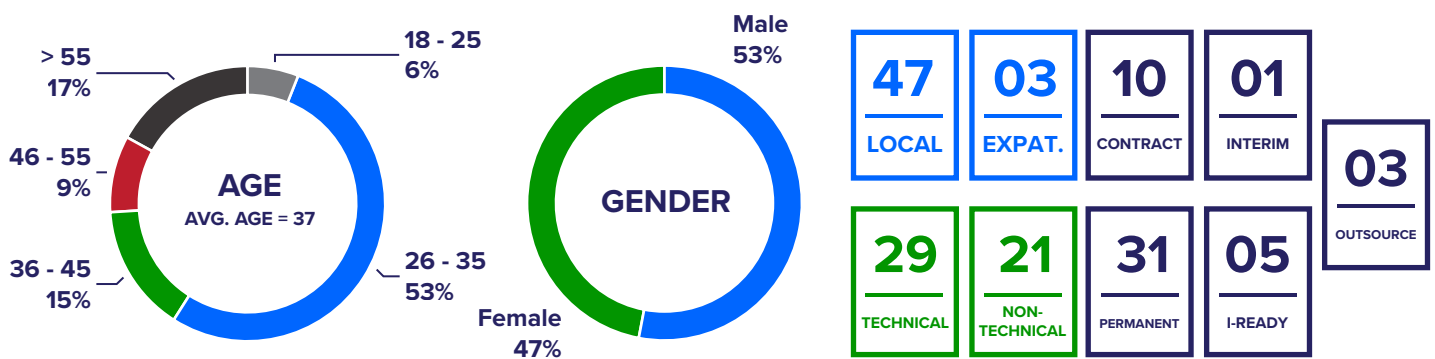
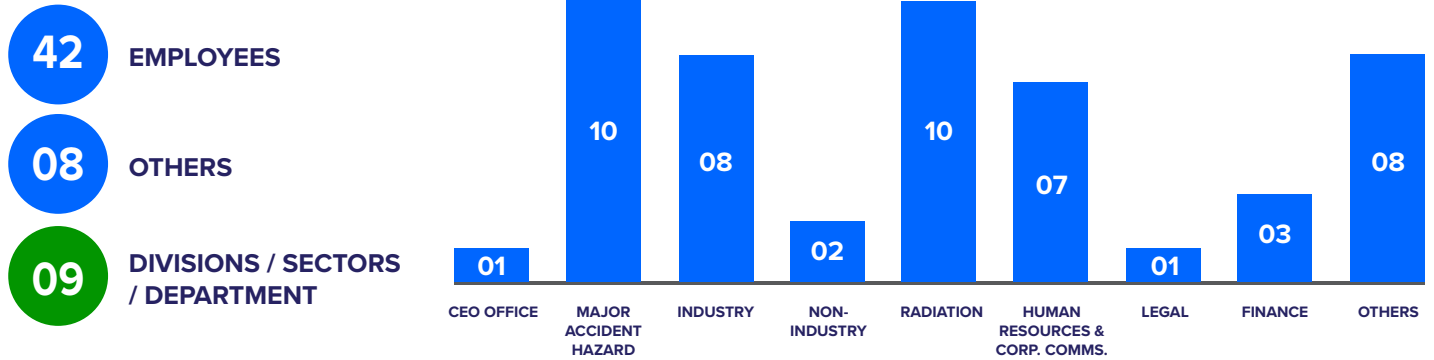


RECRUITMENT

The table below summarised SHENA's manpower growth trend up to Financial Year ending 31st March 2021. The recruitment exercise for this period focuses on filling critical roles within the operational department and sectors, mainly in Radiation Department, MAH, IND and NIND, to cater to their increasing operational activities. SHENA has also continued to show its support towards the Government's initiatives to enhance the employability of new graduates and in the capacity building of locals, by recruiting five (5) i-Ready personnel to be part of its workforce.



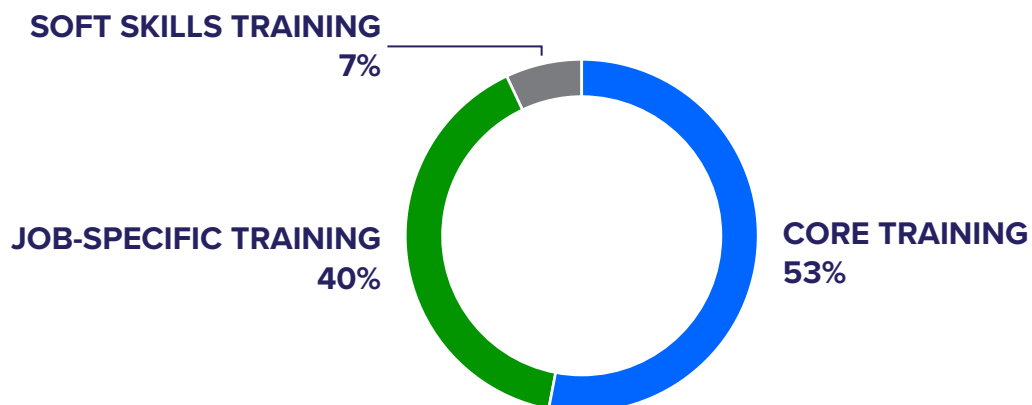
CORPORATE SUPPORT



TRAINING AND DEVELOPMENT

Learning and Development activities for Financial Year 2020/2021 continued to focus on building the personal and professional growth of SHENA employees through education, technical and soft-skills training. Accomplishment highlights include:

- Conducted core training courses such as First Aider, Defensive Driving and Tropical BOSIET
- Conducted soft skills courses for all employees i.e. Nurturing Effective Workplace Relationships
- Completed Inspectorate Training for all inspectors
- Professional certification completed for 6 employees



CORPORATE SUPPORT

TOWARDS ACHIEVING HIGH PERFORMING ORGANISATION (HPO)

HR aspires towards an HPO through achieving operational excellence from the perspective of people, process and technology. Below are some of the activities executed in pursuit of this:

(i) STRATEGIC PLANNING DEVELOPMENT

This year saw the Strategic Planning exercise and workshop to develop SHENA strategic objectives as well as to introduce Maqasid Syariah into the SHENA Strategic Plan. This includes reviewing the SHENA Values and Principles and incorporating them in SHENA assessment from Training and Development framework to Performance Assessment.

(ii) HUMAN RESOURCE POLICY

Development of compiled Human Resource Policies was prepared for the approval and endorsement of the SHENA Board of Directors.

(iii) HR COMPETENCY FRAMEWORK

The Human Resource Department began the development of SHENA Competency profiles and mapping for Core competencies comprising the Leadership, Functional and HSSE competencies. This is expected to be rolled out in FY2021/22.

(iv) SHENA LOGO

His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam has consented through the Ministry of Home Affairs (MOHA) to the use of the SHENA logo on 16th March 2020.

(v) PERFORMANCE-BASED ASSESSMENT

A performance-based assessment was introduced and implemented for all SHENA employees aimed to establish a high-performance culture by identifying performance requirements, within an agreed framework of objectives and standards. The performance criteria incorporated the assessment for both delivery of tasks and targets and exhibiting SHENA's values and principles.

(vi) DEVELOPMENT OF HR STANDARD OPERATING PROCEDURES (SOPs)

Critical to achieving operational excellence was having HR's SOPs in place. 26 SOPs were developed and rolled out to ensure transparency, promote best practices and process standards, and facilitate the monitoring and measurement of tasks and targets.

(vii) DIGITALIZATION INITIATIVE THROUGH SHENA HUMAN RESOURCE MANAGEMENT SYSTEM - 1SHENA

The 1SHENA Human Resource Management System (HRMS) is the digitalization of HR processes to enable the HR Department to work more effectively independent of location and ease manual work processes. It also provides a data repository for SHENA to analyse and synthesise for future requirements. The system allows a self-service system for all employees, for instance, to update personal data, requests for amenities and other existing benefits.

The system also provides a seamless workflow from start to end with notification functionality to ensure an efficient and effective service. Automation of HR business process includes the implementation of e-leave application and approval, electronic payslip, attendance recording online, HR reporting and HR databases.

CORPORATE SUPPORT

(viii) PAPERLESS INITIATIVES

To cut down the use of paper and to promote e-registration, all SHENA event registrations and invitations are now paperless by using QR Codes and online registration platform. An e-booking system was established for the bookings of SHENA conference rooms and usage of SHENA corporate vehicles.

(ix) SHENA CORPORATE VEHICLES AND DRIVERS

SHENA Corporate Vehicles are used exclusively for SHENA's business-related activities operated by outsourced drivers. This includes, but is not limited to, general administration tasks, inspections and monitoring visits, delivery of incoming and outgoing mail, the collection of office products, equipment and materials required.

(x) INTRODUCTION OF VIRTUAL REALITY (VR) AND AUGMENTED REALITY (AR) FOR OUTREACH PROGRAMMES TO SCHOOLS

To move away from traditional teaching, SHENA's outreach programme includes the introduction of the use of interactive platforms such as VR and AR for educational institutions. These enable the students to participate in activities and games that include role-playing and provide them with an opportunity to identify and be aware of potential hazards inside and outside the classroom.

(xi) COVID-19 AS KEY DRIVER FOR CHANGE IN 2020

- Development and implementation of Business Continuity Plan (BCP) aligning with MOH guidelines
- Formation of Crisis Management Team (CMT) for SHENA and Anggerek Desa Technology Park (ADTP) tenants
- Adherence to Standard Operating Procedures from MOH in workplace practices which includes the provision of sanitizers and masks for employees and stakeholders, and requirements for facilities sanitizing as required
- Communication strategy, posters for awareness and social media postings for awareness and education
- Work from Home (WFH) Protocols



CORPORATE SUPPORT

LEGAL

Despite the onset of the COVID-19 pandemic which began in March 2020, the Legal Department, SHENA continued its role in providing support to SHENA officers and staff for the effective delivery of SHENA's core functions. During the reporting year, the Legal Department continued its efforts to improve the legal framework governing workplace safety and radiation through engagement with various stakeholders. The Legal Department is manned by with 2 staff namely the Chief Legal Officer and Legal Counsel.

ESTABLISHMENT OF SHENA BOARD OF DIRECTORS

On 30th November 2020, His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam has consented to the establishment of the SHENA Board of Directors and the appointment of the members of the Board of Directors. In this respect, the Legal Department worked closely with the appointed secretariat from the Authority for Building Control and Construction Industry (ABCI), Ministry of Development to make preparation for the 1st SHENA Board Meeting.

The 1st SHENA Board of Directors Meeting was held on 26th January 2021 at the Arap Gagati Meeting Room, Ministry of Development and chaired by Yang Mulia Dato Seri Paduka AR. Haji Marzuke bin Haji Mohsin, Deputy Minister of Development in his capacity as Chairman of the SHENA Board of Directors. The meeting saw a number of key documents relating to SHENA's Governance being approved such as the revised SHENA Financial Policy and the SHENA Manual of Authority. The SHENA Board of Directors also approved the establishment of SHENA's Tender Committee and SHENA's Human Resource Committee as well as approved SHENA's Financial Budget for 2021/2022. A number of updates concerning legislation, SHENA's Strategic Plan and International Instruments being addressed by the Radiation Department were also presented to the Meeting.

INITIATION AND DRAFTING OF LEGISLATION

The Legal Department completed internal discussions and reviewed external comments from various stakeholders pertaining to a number of draft legislations, aimed at improving the workplace safety legal framework in Brunei Darussalam. Following such review, the following legislation was submitted to the Ministry of Energy and the Attorney General's Chambers for vetting and approval:

LIST OF DRAFT LEGISLATIONS SUBMITTED

- | | | | |
|----------|--|----------|--|
| 1 | WORKPLACE SAFETY AND HEALTH (WORK AT HEIGHTS) REGULATIONS | 6 | PERINTAH AUTORITI KESELAMATAN, KESIHATAN DAN ALAM SEKITAR KEBANGSAAN (PINDAAN) |
| 2 | WORKPLACE SAFETY AND HEALTH (WORKPLACE SAFETY AND HEALTH OFFICERS) (AMENDMENT) REGULATIONS | 7 | WORKPLACE SAFETY AND HEALTH (FACILITIES) (CONTROL OF MAJOR ACCIDENT HAZARDS) (AMENDMENT) REGULATIONS |
| 3 | WORKPLACE SAFETY AND HEALTH (CONFINED SPACES) REGULATIONS | 8 | WORKPLACE SAFETY AND HEALTH (AMENDMENT) ORDER |
| 4 | WORKPLACE SAFETY AND HEALTH (GENERAL PROVISIONS) (AMENDMENT) REGULATIONS | 9 | NOTIFICATION OF APPOINTMENT OF AUTHORITY RESPONSIBLE FOR RADIATION PROTECTION ORDER, 2018. |
| 5 | SAFETY, HEALTH AND ENVIRONMENT NATIONAL AUTHORITY (AMENDMENT) ORDER | | |

CORPORATE SUPPORT

CONTRACTUAL MATTERS

The Legal Department continued its role in reviewing a number of key contractual agreements pertinent towards SHENA's functions. These included contracts involving consultancy services, agreements for the provision of training, outsourcing agreements and contracts related to information technology and essential equipment.

SUPPORT FOR INVESTIGATION FUNCTION

As SHENA increased its involvement in investigations, particularly in response to the breaches of the Workplace Safety and Health Order, 2009, the Legal Department provided support on a number of matters to assist SHENA Inspectors in the discharge of their duties. Some of these matters included:



The Legal Department also focused on the creation of a number of templates and forms for the purposes of improving and recording investigation related functions.

INTERNATIONAL MATTERS

During the reporting year, the Legal Department worked closely with the Radiation Department in laying the foundation for the consideration of accession by Brunei Darussalam to two (2) international nuclear instruments namely the Revised Supplementary Agreement with the International Atomic Energy Agency which aims to facilitate the provision of technical assistance by the Agency to Brunei Darussalam, and the Amended Small Quantities Protocol. In this regard, the Legal Department assisted the Radiation Department in briefings and the coordination of meeting with relevant stakeholders within the Government of Brunei Darussalam to obtain views on the instruments.

The Legal Department participated with representatives from the Radiation Department in the 10th meeting of the representatives of Competent Authorities identified under the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the case of a Nuclear Accident or Radiological Emergency that took place from 15-19 June 2020, as well as the 7th Annual Meeting of the ASEAN Network of Regulatory Bodies on Atomic Energy (ASEANTOM), hosted virtually by the Socialist Republic of Viet Nam.

SHENA's Legal Counsel was also nominated and appointed as Brunei Darussalam's representative to the Secretariat of the 8th Annual Meeting of the ASEANTOM to assist in preparation for Brunei Darussalam's hosting of the 8th Annual Meeting of the ASEANTOM later in 2021.



CORPORATE SUPPORT

RENDERING OF LEGAL ADVICE AND REVIEW OF INTERNAL AND EXTERNAL DOCUMENTATION

In support of the functions of other sectors and departments in SHENA, the Legal Department was involved in the rendering of legal advice on a number of matters which raised legal issues, particularly in the application of the Workplace Safety and Health (Facilities) (Control of Major Accident Hazards) Regulations, 2013 and the Workplace Safety and Health (Workplace Safety and Health Officers) Regulations, 2014. In addition to this, the Legal Department continued its exercise in reviewing all SHENA internal documentation such as standard operating procedures and internal policies as well as external documentation such as Notes to Industry, Industry Guidance Notes and Enforcement Notices such as Stop Work Orders and Remedial Orders prior to issuance.

TRAINING AND DEVELOPMENT

The Legal Department was instrumental in the organisation of a 3-day workshop on the introduction to Police Investigation Techniques for SHENA Inspectors and Authorised Officers, organised by the Royal Brunei Police Force on 24-26 August 2021 where a total of 25 SHENA staff attended. In addition, the Legal Department also delivered talks on statement taking and exhibit collection to SHENA inspectors.

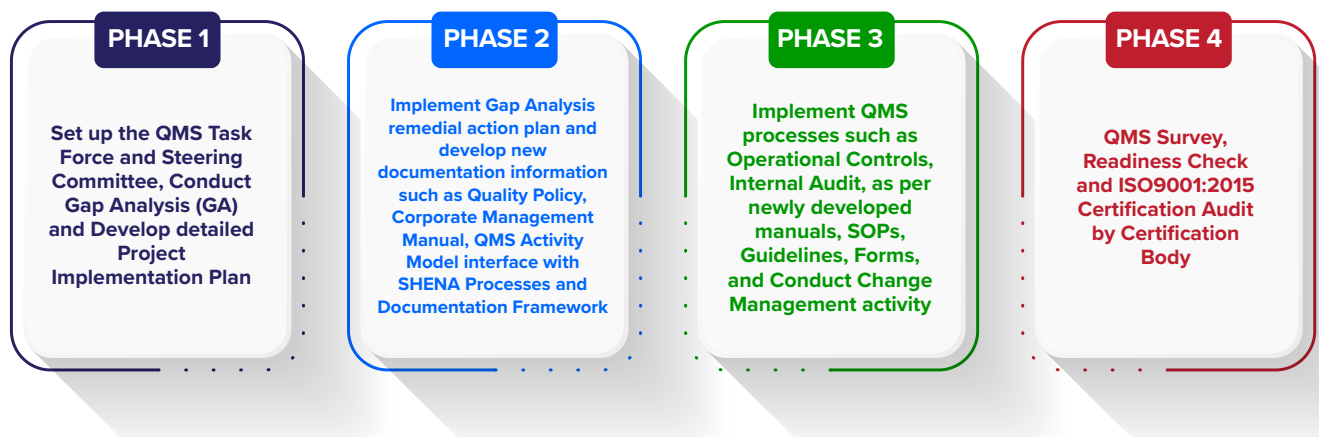


Due to COVID-19 travel restrictions, opportunities for overseas training were limited. Nevertheless, the Legal Department was fortunate to be able to attend the Nuclear Law Webinar Series that took place between October – December 2020 which increased the Department's knowledge concerning aspects of nuclear law and the application of international nuclear instruments. The training was also undergone for Occupational First-Aid and Defensive Driving by Legal Counsel.

SHENA'S QUALITY MANAGEMENT SYSTEM (QMS) PROJECT

SHENA's Quality Management System (QMS) Project is an initiative borne out of the "SHENARGY" program designed at inspiring ideas aimed at making improvements to SHENA as an organisation. The project was spearheaded by the Standard Operating Procedure (SOP) Improvement Group who presented their proposed solutions to address issues pertaining to the SOPs governing SHENA, with a focus on areas such as Quality, Standardization, Alignment and Effective Implementation. Following the presentation of the QMS Project to SHENA's Senior Management Team (SMT), the Project was supported for SHENA to embark to improve internal procedures, manuals, processes towards the attainment of ISO9001: 2015 certification which deals with the Requirements for QMS.

An in-house QMS Project Task Force was established in November 2020 led by Haji Mohd Yusof bin Haji Mohd Taufik, Senior Inspector, Major Accident Hazards Sector, who has considerable experience in guiding organisations towards the QMS certification. This Taskforce comprised representatives from each sector and department reporting to the Project Steering Committee, which is made up of the SHENA's Senior Management Team (SMT). The Terms of Reference (TOR) of the QMS project and road map/project implementation plan were established and subsequently endorsed by SMT. The road map consists of four (4) phases, and among the QMS project activities to be executed were as follows:



To measure the QMS project activity, its key performance indicator (KPI) was incorporated into SHENA's 2021 KPI to enable the performance monitoring and appreciation of the project progress. The project's key milestone to attain the ISO9001:2015 certification is expected by early 2023.

In realizing SHENA's SAFE (Structure, Auditable, Focus and Engaged) principles, the intended objectives of the QMS Project will further benefit internal controls and processes, hence improving the overall business performance. Among the benefits that can be realized are:

- The prevention of any deficiencies in the products or services while ensuring customer / key stakeholders' satisfaction. As the standard takes a process-based approach, the need to take corrective action to make necessary improvements is essential;
- It can help an organization define the overall context of the organization and who exactly is affected by its work;
- It can align the goals of the organization with what is expected by the customers / key stakeholders. Therefore, it can open the possibility for new business opportunities and help the organization operate in an overall more efficient way;
- Allowing for an organization to meet necessary statutory and regulatory requirements; and
- The use of risk-based thinking in all aspects of the processes while creating a quality management system.

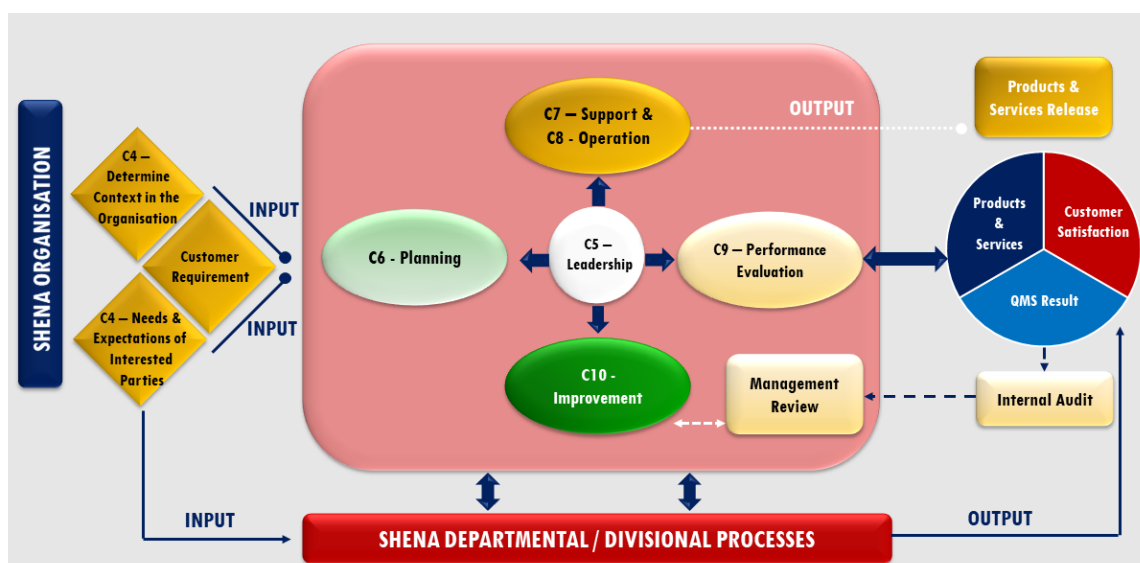
SHENA'S QUALITY MANAGEMENT SYSTEM (QMS) PROJECT

As part of the early phase of project initiation, members of the QMS Taskforce were provided with weekly briefings which touched on the overview of QMS processes and their relationship with departmental activities and procedures. In addition, challenges faced were also discussed together with internal actions for tracking non-conformity and corrective actions.



In order to further the understanding of members of the QMS Taskforce and increase SHENA's organisational knowledge on the issue, a delegation of 16 SHENA staff visited the Brunei Gas Carriers Sdn Bhd (BGC) at their Office in Jerudong on 17th November 2020 to learn more about BGC's journey towards accreditation, the challenges faced in implementation as well as the methods used to increase participation and organisational "buy-in" to the project. The visit was a fruitful one that saw an active discussion between SHENA and BGC staff and also served to increase the working relationship between the two organisations.

Despite the QMS project being in its early phase, significant efforts have been made to improve SHENA staff's understanding of the QMS project and it is hoped that with the establishment of the QMS Roadmap, SHENA will be on track to attain certification in the foreseeable future.



QMS ACTIVITY MODEL INTERFACE WITH SHENA PROCESSES

PROSECUTION

PUBLIC PROSECUTOR V QESS USV SDN BHD; KENYALANG MARINE OFFSHORE SDN BHD AND QESS ENERGY SUPPORT SERVICES SDN BHD [MCCT/KB/104/2017]

The prosecution of 3 local companies for breaches of the Workplace Safety and Health Order, 2009 commenced at the end of March 2020 and concluded in July 2020. The case involved an incident that occurred on 3rd December 2016 whereby a crew member of a vessel used a wooden plank to cross between two vessels. Whilst stepping on the wooden plank, the plank broke and the crew member fell into the river, resulting in his death. The case represents the first case whereby offences under Workplace Safety and Health Order, 2009 were prosecuted in Brunei Darussalam as well as the first case referred by SHENA to the Public Prosecutor as the Authority.

QESS Energy Support Sdn Bhd was charged for an offence under Section 11 (a) of the Workplace Safety and Health Order, 2009 for failing to take as far as reasonably practicable measures to ensure a safe workplace and prevent risk to persons within the premises of the jetty. As occupier of the Rasau Belait Jetty, the company failed to maintain a well-lit and adequately secured facility. The company was also charged for another offence under Section 14 (1) (c) of the Workplace Safety and Health Order, 2009 for failure to take as far as reasonably practicable measures to ensure the safety of the employees of Kenyalang Marine Offshore Sdn Bhd or employees of Emas Laut Sdn Bhd, a sub-contractor of Kenyalang Marine Offshore Sdn Bhd by failing to ensure the implementation of a suitable gangway to and from the QESS USV1 vessel as well as failing to ensure a system of reporting in relation to non-compliance with a safe system of work procedures.

Kenyalang Marine Offshore Sdn Bhd was charged for two offences under the Workplace Safety and Health Order, 2009. The company, as the occupier of a workplace located in the vessel, was charged firstly for an offence under Section 11 (b) for failing to take as far as reasonably practicable measures to ensure that all means of access to and from the workplace were safe and without risks to the persons within its premises, as they failed to ensure that the designed gangway on QESS USV1 was used as a proper means to transfer from the said vessel as well as to prevent the practice of the use of wooden planks as a means of transfer from the vessel. The company also faced a second charge for failure to take as far as reasonably practicable measures to ensure the safety and health of persons (not being their employees) who may have been affected by their undertaking, in that they failed to ensure compliance of Kenyalang Marine Offshore Sdn Bhd's safety management procedures in the use of the designed gangway of the QESS USV1, as well as permitted the practice of the use of the wooden planks as a means of egress from the QESS USV1 vessel.

The third company, QESS USV Sdn Bhd, as the owner of the QESS USV1 vessel, was charged for an offence in contravention of Section 123 (3) of the Merchant Shipping Order, 2002 for failing to take all reasonable steps to ensure that the said vessel was operated in a safe manner.

The trial commenced before Magistrate Pg Shahyzul Khairuddin Pg Abd Rahman in the Kuala Belait Magistrate's Court and was prosecuted by Deputy Public Prosecutors, Aminudin Zaki bin Dato Paduka Hj Abd Rahman, Dr Mohd Hussin Ali bin Idris and Hj Atiyah Azzahra binti POKLSDSLJ Hj Abas. The QESS Companies were represented by Defence Counsels Eric Siow and Jonathan Cheok whereas Kenyalang Marine Offshore Sdn Bhd was represented by Defence Counsel Ahmad Basiuni Abas.



PROSECUTION

Overall, the Prosecution called a total of 12 witnesses to prove the offences whereas the Defence called a total of 3 witnesses to defend against the allegations. The prosecution produced investigator and expert reports from the Royal Brunei Police Force, Maritime and Port Authority of Brunei Darussalam and SHENA together with evidence from the crew on board as well as management from the 3 companies. CCTV footage of the vessels' deck on the day of the incident was also tendered in court.

After consideration of the testimony of these witnesses, Magistrate Pengiran Shahyzul Khairuddin bin Pengiran Abdul Rahman delivered a 35-page written judgement stating that the prosecution had failed to prove the case against the companies on the charges of alleged failure to maintain a safe workplace that contributed to the death of the employee. The Court in particular found that planks were used instead of the provided gangway and concluded that it was from the laziness of employees to install the gangway that resulted in the incident occurring. The court also found that the employees themselves chose to ignore safety procedures despite knowing about it and that the witness testimony indicated that the management was not aware of the use of planks to cross between vessels.

There were also no reports of safety and health procedures reported prior to this incident. Based on this, the Magistrate's Court found that the Prosecution was unable to prove that the 3 companies had failed in their duty to ensure safe practices were followed on the vessel at all times. Ultimately, all 3 companies were acquitted of all charges against them.

The prosecution of this case encountered a number of difficulties experienced by both prosecutors and investigators which are summarised as per below:



There was a delay of almost 4 years between the incident and the eventual trial hearing in court whereby there were a number of changes involving the prosecuting team as well as the Magistrate.

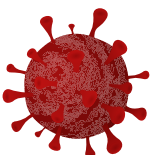


The investigators from SHENA and the prosecutors encountered difficulties in securing witness attendance such as the fact that most of the prosecution witnesses were employees of the defendants and were afraid of repercussions for their employment. Another problem encountered was the difficulty in securing interviews due to witnesses being out at sea for long periods.



Statement Taking by SHENA investigators could have been improved and more training was required for SHENA investigators to be knowledgeable in this area.

The need for an independent 3rd party expert to confirm SHENA's findings was not obtained.



The trial occurred in the wake of the COVID-19 pandemic where restrictions hampered the smooth flow of the trial. The Prosecution for example was unable to successfully cross-examine one of the defence witnesses as the trial was adjourned due to COVID-19 restrictions as the witness was unable to return to Brunei Darussalam from Malaysia and whereby she ultimately had to provide her testimony via video conference. The number of SHENA investigators assisting in the case also had to be reduced due to restrictions on the number of individuals being allowed to enter the court room during the pandemic.

The case underscored the importance of continuous consultations and cooperation that are required between SHENA and Attorney General's Chambers (AGC), especially in the early stages of the investigations and for complex cases. SHENA currently awaits the decision from AGC as to whether the acquittal of the 3 companies will be appealed to the High Court of Brunei Darussalam.

PROSECUTION

OVERVIEW OF FIRST HSE PROSECUTION



OUTREACH PROGRAMMES

SHENA SAFETY MONTH 2020 WEBINAR

As part of the SHENA outreach programme and in conjunction with the World Day for Safety and Health at Work 2020, SHENA organised a Safety Month webinar which aimed to create awareness among relevant stakeholders and the general public on the following topics:

1. Chemical Management in the workplace
2. Work at Height
3. Radiation Safety: Part 1 & 2
4. Educational Institution Safety



SAFETY MONTH
WORLD DAY FOR SAFETY AND HEALTH AT WORK 2020

JAIME REBELO
CHEMICAL MANAGEMENT IN THE WORKPLACE
17 JULY

JUSTINA LIEW VUN CHING
WORK AT HEIGHT
21 JULY

ALDRIN MELAYU
RADIATION SAFETY: PART 1
24 JULY

DK NAZIRAH PG ABD RAHMAN
RADIATION SAFETY: PART 2
28 JULY

ZAHARUDDIN RAHMAN
EDUCATIONAL INSTITUTION SAFETY
30 JULY

WEBINAR
9:00 AM

YouTube, Facebook, Instagram icons
@SHENA.GOV.BN

ENSURING BRUNEI A SAFE PLACE TO WORK & LIVE
WWW.SHENA.GOV.BN



HEALTH AND SAFETY AWARENESS TO LOCAL SAWMILLS AND DOWNSTREAM TIMBER COMPANIES

SHENA in collaboration with the Forestry Department, Ministry of Primary Resources and Tourism, held an outreach event entitled "BETTER SAFE THAN SORRY, THE SHENA STORY" on 21st October 2020 at the Design and Technology (D&T) building, which saw the attendance of more than 40 participants from local sawmills and downstream timber companies registered with the Forestry Department.

The event is part of SHENA's ongoing Outreach Programme which includes an open HSE Forum targeting general industry and non-industry sectors, awareness campaigns and engagements with relevant stakeholders as well as the general public in pursuit of its mission in making Brunei Darussalam a safe place to work and live. The event concluded with an interactive question and answer session and received positive responses from the stakeholders.

OUTREACH PROGRAMMES



#SAFEKIDSBN PROGRAMME AT YAYASAN SULTAN HAJI HASSANAL BOLKIAH (YSHHB) SECONDARY SCHOOL

On 9th November 2020, SHENA has started its awareness drive to schools and branded its programme with the hashtag “#SAFEKIDSBN”. More than 80 students from Year 7 of Yayasan Sultan Hassanal Bolkiah (YSHHB) Secondary School participated in the event which took place at Multi-Purpose Hall, YSHHB Secondary School, Jalan Kebangsaan.

Aimed at increasing awareness and engaging students concerning the importance of health and safety, SHENA used interactive platforms and Virtual Reality (VR) applications to allow the students to increase their knowledge and learn more about safety through activities and games.



SHENA AND PUJA COLLABORATE TO RAISE HSE AWARENESS IN THE CONSTRUCTION INDUSTRY

On 24th March 2021, SHENA as part of its strategy to enhance stakeholder collaboration recently engaged with Pertubuhan Ukur Jurutera & Arkitek Negara Brunei Darussalam (PUJA) Academy Sdn Bhd to deliver an awareness talk entitled "Health, Safety, Environment & The Construction Industry". The briefing took place on Wednesday 24th March 2021 at the Atria Simpung Hall, Public Works Department Headquarters at Jalan Lapangan Terbang Lama.

Delivering the briefing were two speakers from SHENA, Awang Jaime Oscar Richard Rebelo, Chief Inspector of Industry, and Ir. Dayang Justina Liew, Senior Inspector, Industry Sector. Attendees were briefed that aside from ensuring HSE standards are enforced in the construction industry, SHENA's jurisdiction also extends to a number of other sectors including the Oil, Gas and Petrochemical Industry as well as educational and medical institutions.

OUTREACH PROGRAMMES

The briefing covered various topics including Brunei Darussalam's legal framework under the Workplace Safety and Health Order, 2009 and its regulations, the role of SHENA as the national regulatory agency mandated to enforce workplace safety standards in Brunei Darussalam, the need for compliance to minimum HSE standards by the construction industry as well as best practices to be employed when carrying out work to ensure the safety of persons at work and the general public. The briefing concluded with a Question and Answer session.

The collaboration between SHENA and PUJA Academy Sdn. Bhd. represents a positive step in ensuring PUJA members and fellow professionals from the construction industry obtain greater awareness concerning HSE matters in light of Health and Safety being one of the core competencies required of professionals in the construction industry.

The briefing was attended by over 80 professionals consisting of PUJA members as well as other professionals from Brunei Darussalam's construction industry and forms part of PUJA's continuing professional development and educational series. The event ended with the presentation of certificates and tokens of appreciation to speakers from SHENA by the current PUJA Association President, Ir. Haji Mohamad Zin Bin Haji Awang Salleh.

SHENA AND MINISTRY OF HEALTH COLLABORATE ON OUTREACH TO RELIGIOUS EDUCATIONAL INSTITUTIONS

On 25th March 2021, SHENA held an awareness briefing entitled "BETTER SAFE THAN SORRY: THE SHENA STORY" to principals and heads of religious educational institutions under the Ministry of Religious Affairs. The talk was attended by around 100 participants and took place at Sekolah Ugama Arab Menengah Perempuan Raja Isteri Pengiran Anak Hajah Saleha, Kampong Katok in Bandar Seri Begawan.

The event is part of SHENA's ongoing Outreach Programme to engage relevant stakeholders and raise awareness on issues pertaining to workplace safety and health in pursuit of its mission to make Brunei Darussalam a safe place to work and live. The briefing, which was delivered by inspectors from the Non-Industry Sector of SHENA, touched on a variety of topics such as the roles and functions of SHENA, the legal framework as well as the roles and responsibilities of principals and management in educational institutions in ensuring the health and safety of their staff and students.

This was followed by a presentation by a representative from the Department of Otorhinolaryngology (ORL), Ministry of Health on "Safe Listening in Noise" whereby participants were briefed on issues pertaining to hearing loss caused by noise, promoting behaviour change in listening activities as well as steps to safeguard hearing to prevent early-onset hearing loss.

SHENA's collaboration with the Ministry of Health represents part of its efforts to work closely with relevant authorities to drive and strengthen workplace safety and health in all workplaces across all industries and raise awareness of such issues to promote better understanding and compliance.



NOTABLE EVENTS

DONATION DRIVE FOR YASEEN BOOKLETS DISTRIBUTION TO HOSPITAL, EMERGENCY ROOMS & NATIONAL ISOLATION CENTRES

On 12th May 2020, in conjunction with the holy month of Ramadhan and the World Day for Safety and Health at Work 2020, which falls on 28th April 2020, as well as to support the recitation of Yaseen during the COVID-19 pandemic, SHENA employees organized a successful donation drive for the distribution of 300 pieces of Surah Yaseen and Doa Pilihan booklets to hospital wards, emergency wards and National Isolation Centres, together with the support of employees from the Ministry of Energy (ME) and the Petroleum Authority of Brunei Darussalam (PA).



The Surah Yaseen and Doa Pilihan booklets were handed over by Dayang Umi Khadijah binti Hj Mohd Zaini, Chief Human Resource Officer of SHENA to Awang Haji Khadil As'sari bin Haji Azahari, Chief Executive Officer, RIPAS Hospital on behalf of the Ministry of Health. Also present during the handover ceremony were, Dayang Siti Norashikin binti Haji Mohd Salleh, Acting Human Resource and Corporate Director of ME, and Awang Haji Kula bin Haji Metasan, Human Resource and Administration Director of PA. The presentation of donations took place at the Al-Afiah Hall of the Ministry of Health.

ME, DES, SHENA, AND PA COLLABORATE ON RAMADHAN CHARITY DRIVE FOR UNDERPRIVILEGED FAMILIES

On 15th and 17th May 2020, in conjunction with the holy month of Ramadhan, the Ministry of Energy (ME), Department of Electrical Services (DES), SHENA and Petroleum Authority of Brunei Darussalam (PA) with the support of the Persatuan Kereta Tahan Lasak Brunei (PKTLB) Welfare Committee and Brunei Youth Volunteers reached out to underprivileged families through a Ramadhan Charity Drive.

Coordinated by PA, the two-day event saw a total of 70 underprivileged families across all four districts receiving in-kind donations in the form of basic daily necessities and hygiene products to provide assistance and help alleviate the burden of the recipients during the holy month of Ramadhan.

The distributions to the recipients were led by Yang Mulia Awang Haji Azhar bin Haji Yahya, Permanent Secretary (Energy) and Yang Mulia Pengiran Haji Jamra Weira bin Pengiran Haji Petra, Deputy Permanent Secretary (Energy and Power) of the Ministry of Energy.



NOTABLE EVENTS



CHEMICAL MANAGEMENT AND CHEMICAL REGULATORY PARTICIPATION WEBINAR WORKSHOP

SHENA has successfully hosted a workshop on topics related to chemical management and chemical regulatory. SHENA was designated as the local host for Brunei Darussalam by the ASEAN Regulatory Cooperation (ACRP) Organising Committee comprises representatives from the Government and Industry from all ASEAN Member States, who act as the facilitators of the workshop in collaboration with the Singapore Chemical Industry Council (SCIC) and other regional and global partners.



MINISTRY OF ENERGY HOSTS DIKIR CEREMONY, RELIGIOUS TALK AND DONATIONS

On 5th November 2020, the Ministry of Energy; SHENA and Petroleum Authority of Brunei Darussalam held a Dikir ceremony, religious talk and donations to commemorate Maulidur Rasul, the birthday of Prophet Muhammad Sallallahu 'Alaihi Wasallam at the Musyawarah Hall, International Convention Centre (ICC), Berakas. Present as the Guest of Honour was Yang Berhormat Dato Seri Setia Dr Awang Hj Mat Suny bin Haji Md Hussein, the Minister of Energy.

Also present were Yang Mulia Awang Haji Azhar bin Haji Yahya, Permanent Secretary at the Ministry of Energy, Yang Mulia Pengiran Haji Jamra Weira bin Pengiran Haji Petra, Deputy Permanent Secretary at the Ministry of Energy; officers and staff from the Ministry of Energy, SHENA and Petroleum Authority of Brunei Darussalam.

The ceremony began with the recitation of Surah Al Fatihah and Doa Selamat, followed by a Dikir Ceremony. This was ensued by a special religious talk titled "Rasulullah Sebagai 'Role Model' Yang Sempurna" delivered by Yang Mulia Ustaz Awang Ahmad Rashidi bin Haji Ansanawi from Nadi Quranic Learning Centre. The ceremony then proceeded with the Minister of Energy handing over waqaf (donation) to the Imam of Ash-Shaliheen Mosque. It was held in adherence to the guidelines set by the Ministry of Health to prevent the spread of COVID-19.

NOTABLE EVENTS



CORPORATE SOCIAL RESPONSIBILITY (CSR) TO FLOOD-AFFECTED FAMILIES

On 20th December 2020, SHENA with the support of the Persatuan Kereta Tahan Lasak Brunei (PKTLB) Welfare Committee, reached out to flood-affected families in Kampong Sukang in Belait District.

The event saw a total of 11 flood-affected families receiving in-kind donations in the form of basic daily necessities and hygiene products to aid. The distribution to the recipients was led by Dayang Umi Khadijah binti Haji Mohd Zaini, Chief Human Resource Officer of SHENA.

37TH NATIONAL DAY PARADE

In celebrating Brunei Darussalam's 37th National Day, which falls on 23rd February every year, SHENA joined other organisations in the March Past, which provided a valuable opportunity for SHENA to show its unwavering support to the Nation and the Monarch as well as introduce itself to the rakyat.



LOOKING AHEAD

GENERAL

FUTURE SHENA HEADQUARTERS (BUILDING)

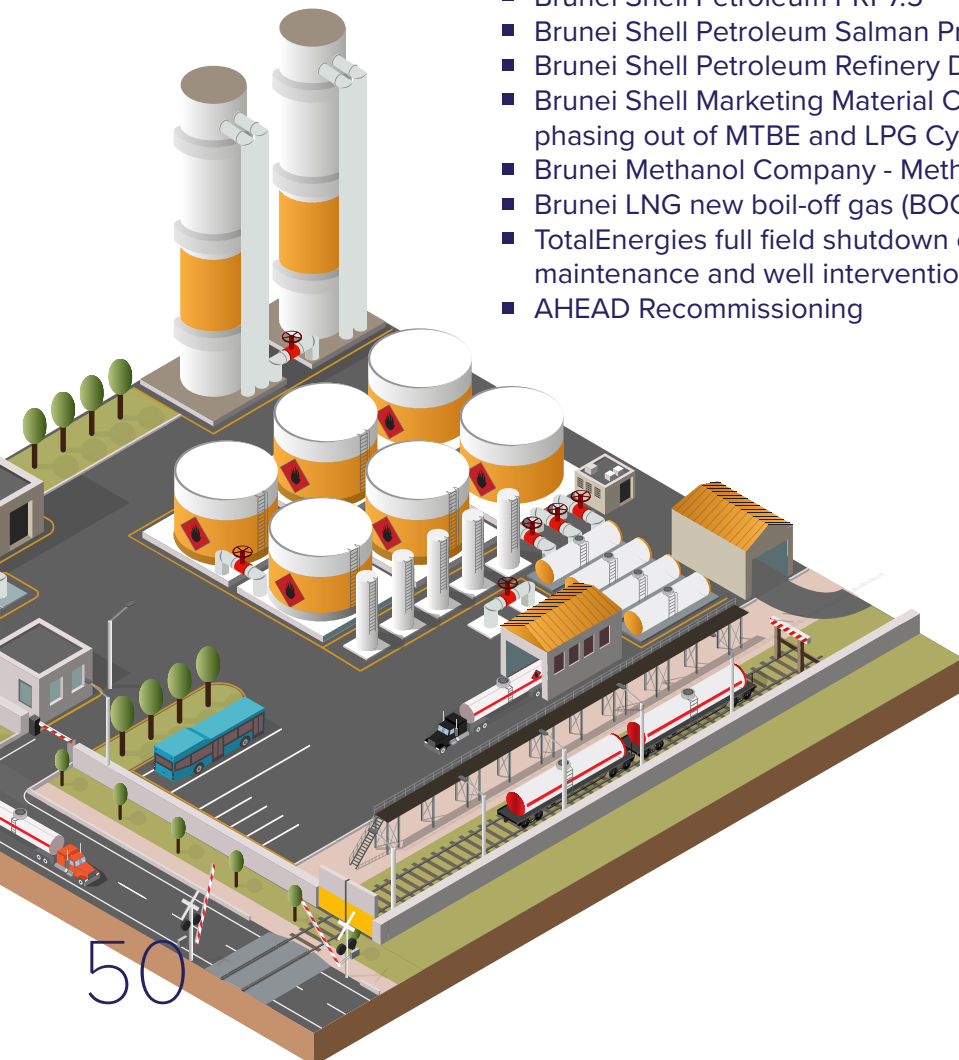
With its growing personnel and responsibilities, SHENA plans to move into its own office building which will house, inter alia, a laboratory centre for analysis of radiation dosimeters and calibration of radiation detectors as well as research and development that will aid SHENA in investigation evidence analysis and simulations, training and assessment rooms, a crisis room, syndicate rooms for interview and investigation purposes, exhibit rooms, etc.



MAJOR ACCIDENT HAZARD

FUTURE PROJECTS

- Hengyi Phase 1 Material Change - addition of Chlorine Detreater Plant
- Hengyi Phase 2
- Brunei Energy Services & Trading Liquefied Petroleum Gas (LPG) Bottling Plant in Pulau Muara Besar
- Brunei Fertiliser Industry Commissioning
- Brunei Shell Petroleum PRP7.5
- Brunei Shell Petroleum Salman Project
- Brunei Shell Petroleum Refinery Decommissioning and Restoration
- Brunei Shell Marketing Material Change on addition of NEMO 2016 and phasing out of MTBE and LPG Cylinders from operations
- Brunei Methanol Company - Methanol export facility maintenance
- Brunei LNG new boil-off gas (BOG) compressor K4102
- TotalEnergies full field shutdown onshore and offshore for engineering maintenance and well intervention
- AHEAD Recommissioning



LOOKING **AHEAD**

GENERAL INDUSTRY & NON-INDUSTRY

COMMITTEE

- Chemical Management Committee - working with MOFE
- Setting up of the Occupational Health Working Group Committee (SHENA, MOH, BSP, JPMC, YONG CLINIC, BV, UBD)

TRAINING

- Ministry of Manpower, Singapore Incident Investigation Training for SHENA Inspectors
- Investigation Training by HSE, UK for SHENA Inspectors
- AGC Training for Court Preparation for SHENA Inspectors

PROJECTS

- Regulatory Management System project
- HSE Performance Reporting by companies through IBE, MOFE reporting portal
- Securing International Association of Labour Inspection Membership

ENFORCEMENT

- Issuance of Warning Letters
- Compound Fines

REGISTRATION

- Registration of Third Party Inspection Agencies
- Registration of Workplace Safety and Health Coordinators



IONISING RADIATION



CONCLUDING INTERNATIONAL AGREEMENTS

- Revised Supplementary Agreement Concerning the Provision of
- Technical Assistance by the IAEA (RSA)
- Amendment to Small Quantities Protocols (ASQP)

FUTURE PROJECT

- Online Registration Portal

CHAIRMANSHIP OF THE 8TH ASEANTOM ANNUAL MEETING



LOOKING AHEAD

FINANCIAL

IMPLEMENTATION

- Implementation of Finance Accounting System
- Implementation of Charging Mechanism on Workplace Safety & Health Officer (WSHO)
- Fully Implementation of Procurement Function Unit under Finance Division

DEVELOPMENT

- Development and Implementation of Manual of Authority
- Development and Implementation of Tender Committee Term of Reference
- Development and Implementation of Procurement Guidelines
- Development and Implementation of Contract Management Guidelines
- Development of RFXs guidelines
- Development of Fixed Asset Disposal
- Development and Implementation of Cash Advance Process

LEGAL

GUIDELINES

- Publication of SHENA Legal Guidelines

DELIVERY OF LEGAL OPINIONS

- Early Notification and Assistance Conventions
- Convention on the Physical Protection on Nuclear Material and its Amendment

LEGISLATION DEVELOPMENT

- Workplace Safety and Health (Noise) Regulations
- Workplace Safety and Health (Abrasive Blasting) Regulations
- Workplace Safety and Health (Asbestos) Regulations
- Workplace Safety and Health (Operation of Cranes) Regulations



LOOKING AHEAD

HUMAN RESOURCES

TRAINING & DEVELOPMENT

- Coaching & Mentoring
- Leadership Development
- Professional Certification

POLICY ROLL OUT & IMPLEMENTATION

- Succession Planning Framework
- Competency Framework
- Manpower Planning

MANPOWER GROWTH

- CEO Onboarding
- SHENA Employees

OUTREACH PROGRAMME

- Forums / Conference
- Corporate Social Responsibility
- Articles
- Website
- Press Releases
- Awareness to School



