

**Talk on “Occupational Safety and Health (Notification of Accident, Dangerous Occurrence, Occupational Poisoning and Occupational Disease) Regulation 2013**

by Ir. Ng Win Siau

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On the 10<sup>th</sup> December 2016, the Electrical Engineering Technical Division had invited Mr. Murugiah Suppiah to talk on Occupational Safety and Health (Notification of Accident, Dangerous Occurrence, Occupational Poisoning and Occupational Disease) Regulations 2013.

The talk is the fourth of a series of proposed “Law for Engineers” talks on principal industrial and employment legislation, covering Factories and Machinery Act and Regulations, The Electricity Supply Act and Regulations, The Employment Act and Regulations, The Industrial Relations Act, the Occupational Safety and Health Act and Regulations.

As Mr. Murugiah discussed the regulation, he emphasized on the need to refer to the original first, second, third and fourth schedules of the regulation for accuracy of interpretation. The regulation was made by the minister in compliance with Section 66 (2) G of the Occupational Safety and Health Act 1994 which states “PRESCRIBE THE PROCEDURE FOR EMPLOYERS TO NOTIFY ANY ACCIDENT, DANGEROUS OCCURRENCE, OCCUPATIONAL POISONING OR OCCUPATIONAL DISEASE”.

In order to have clarity of the regulation and the discussion, the interpretation of some of the specific terms and words of the regulation were discussed in detail and with reference to the Schedules. The wide range of application of the regulation from manufacturing, mining and quarrying, construction, agriculture, forestry and fishing to utilities and also commercial, public services and statutory authorities were discussed. The need for an electrical accident to be reported to both Department of Safety and Health (DOSH) and the Energy Commission, under the Occupational Safety and Health Act and Electricity Supply Act 1990 respectively was highlighted. The definition of the accidents to be reported under the two acts are notably different.

Mr. Murugiah brought up the type of accidents to be reported, the urgency of reporting and its relevance and requirement even to death occurring within the specified time after the accident. The exemption and application to a self-employed person, and the role of a Registered Medical Practitioner was also discussed. The regulation restricts any person from interfering with or disturbing the plant, substance, article or thing related to the incident, unless necessary to as described in the regulation. A proper maintenance of records for the specified duration and submission of the report to the director – General of DOSH is required. The Director General may ask in writing for further information on reports furnished. Last but not least, the penalty for conviction on offence under the regulation was mentioned.

