

**BSG LEGAL UPDATE**  
**MONTH : MARCH 2006**

No	Legal Requirement Name	DOCUMENT REFERENCE NO	Summary Of Changes	Remarks
1	Endangered Species (Import and Export) Act (Commencement) Notification 2006	S 97/2006	(1) This Notification states that the Endangered Species (Import and Export) Act 2006 shall come into operation on 1st March 2006.	Summary description self-explanatory
2	Endangered Species (Import and Export) (Fees) Rules 2006	S 99/2006	(1) The fees specified in the second column of the Schedule shall be payable to the Director-General in respect of the matters specified in the first column thereof. (2) The Endangered Species (Import and Export) (Fees) Rules (R1) has been <b>revoked</b>	Summary description is self-explanatory. The Endangered Species (Import and Export) (Fees) Rules 2006 shall come into operation on 1st March 2006. Please see attached for The Schedule
3	Endangered Species (Import and Export) (Exemption from Section 4(1)) Order 2006	S 98/2006	(1) Exemption from Section 4(1) of the Act, the importation of any artificially propagated plant listed in Appendices II or III of the Schedule of the Act, subject to prior presentation to the Director-General or an authorized officer of one or more of the following documents as appropriate, issued by the competent authority of the country of export or re-export, as the case may be: (a) a CITES export or re-export permit, license, certificate or written permission; (b) a certificate of artificial propagation; (c) a certificate of origin.	Summary description is self-explanatory. This Order shall come into operation on 1st March 2006.
4	Endangered Species (Import and Export) (Prohibition of Sale) Notification 2006	S 100/2006	(1) No person shall sell, offer or expose for sale or display to the public the readily recognizable parts and derivatives set out in the second column of the Schedule in respect of the animal specified in the first column thereof. (2) The Endangered Species (Import and Export) (Prohibition of Sale) Notification (N1) is cancelled.	This notification shall come into operation on 1st March 2006. Please see attached for The Schedule as mentioned in the summary description.
5	Workmen's Compensation (Amendment) Regulations 2006	S 143/2006	(a) Regulation 3 of the Workmen's Compensation Regulations (Rg1) is amended by deleting the words "Form A set out in the Schedule" and substituting the words "such form and manner as set out at the website <a href="http://www.mom.gov.sg/iReport">http://www.mom.gov.sg/iReport</a> ". (b) The Schedule to the Workmen's Compensation Regulations is amended by deleting Form A.	This Regulation shall come into operation on 1st March 2006. For reporting accidents and occupational diseases under the Workmen's Compensation Act (WCA), the e-system shall be used (web address as mentioned in summary description). Form A in the WC Regulations is void.
6	The Workplace Safety and Health Act - 2006		(a) This Act shall apply to workplaces within the class or description of workplaces specified in the First Schedule. (b) In this Act, "workplace" means any premises where a person is at work or is at work, for the time being works, or customarily works, and includes a factory. (c) Contents of the WSHA include: Application of the Act, General Interpretation, Administration of the Act, General Duties of Persons at Workplaces, Powers of Commissioner, Incident Reporting, Safety & Health Management Arrangements, Codes of Practices, Inspections and Other Powers of Enforcement, Offences, penalties and proceedings, Schedules.	Refer to the First Schedule for the workplaces that are subject to the Act which includes (a) any premises which is a factory (b) certain premises within an airport (c) any ship in a harbour (d) any railway area as per the Rapid Transit Systems Act (e) any premises which has a steam boiler, steam receiver or air receiver (f) any laboratory. For further details please refer to attached document.

7	Workplace Safety & Health (Composition of Offences) Regulations 2006	S 139/2006	Rg 2 - Any offence under the Act and the regulations, except Sec 21(7) and 53 of the Act, may be compounded by the Commissioner in accordance with Section 56(1) of the Act.	Sec 56(1) of the WSHA reflects on Composition of Offences. The Section states that any person who is reasonably suspected of having committed an offence (which the Commissioner may compound in his discretion), shall be subject to a sum not exceeding one half of the amount of the maximum fine that is prescribed for the offence or a sum of \$5,000 whichever is lower. Please refer to the attached for the Regulations.
8	Workplace Safety and Health (Exemption) Order 2006	S 142/2006	Order 2 - Any workplace wholly or partly owned or occupied by the Singapore Armed Forces is hereby exempted from the provisions of the Act. Order 3 - The exemption as per Order 2 is not applicable if the workplace is occupied by any other person under a lease or license granted by or on behalf of the Singapore Armed Forces; and any building operation or any work of engineering construction is carried out in the workplace by contractos engaged by the Government.	This Order shall come into operation on the 1st of March 2006. Please refer to attached for the Order.
9	Workplace Safety & Health (First-Aid) Regulations 2006	S 137/2006	Rg 2 - These Regulations shall apply to any premises which is a factory; certain premises within an airport, any ship in a harbour under certain conditions, any laboratory or analytical premises. Rg 4 - Provisions for first-aid boxes shall be as per Regulation 4(1). The contents of the first-aid boxes shall be as per Rg 4(3). Rg 5 - Where more than 25 persons are employed in a workplace, first-aiders shall be appointed with the ratio specified in the Second Schedule. Rg 6 - For workplaces where there are more than 500 persons working, a first-aid room shall be provided. Rg 9 - The Factories (First-Aid) Regulations are revoked.	Summary Description is self-explanatory. For further details, on contents of first-aid box, etc, please refer to attached WSH (First-Aid) Regulations. These regulations shall come into operations on 1st March 2006.
10	Workplace Safety and Health (Incident Reporting) Regulations 2006	S 136/2006	Rg 4(1) - Where any accident at a workplace occurs which leads to the death of any employee, the employer of the employee shall notify the Commissioner. Rg 3 - The employer or occupier shall submit a report within 10 days of the accident. Rg 6 - The employer of the employee shall submit a report to the Commissioner within 10 days if: (a) the employee is granted more than 3 consecutive days of sick leave (b) is admitted in a hospital for at least 24 hours. Rg 9 - Any notification or reporting shall be made through <a href="http://www.mom.gov.sg/iReport">http://www.mom.gov.sg/iReport</a> .	To take note that for reporting incidents, accidents, dangerous occurrences as per this Regulation, kindly report at the web address given in the summary description. For further details, please refer to attachment.

11	Workplace Safety and Health (Offences and Penalties) (Subsidiary Legislation Under Section 67(14)) Regulations 2006	S 138/2006	Rg 2(1) - In the event of any contravention in, or in connection with, or in relation to, a factory of any subsidiary legislation made under the repealed Act which continues to be in force in factories by virtue of section 67(14) of the Act - (a) where the subsidiary legislation expressly imposes any requirement, duty or prohibition on any person, that person shall be guilty of an offence; and (b) in any other case, the occupier of the factory shall be guilty of an offence.	These regulations will come into operation on 1st March 2006. Please refer to attachment for further details on the penalties and fines imposed if found guilty of an offence.
12	Workplace Safety and Health (Registration of Factories) Regulations 2006	S 135/2006	Rg 4 - Any person who desires to occupy or use any premises as a factory shall apply to register the premises as a factory. Rg 5 - The Commissioner may, instead of registering any premises as a factory, issue a factory permit, with or without conditions, authorizing the applicant to occupy the premises as a factory. Rg 9 - The Factories (Registration and Other Services-Fees and Forms) Regulations are amended by deleting Rg 3 and Part 1 of the First Schedule. The Factories (Exemption from Registration) Order is revoked.	Summary description is self-explanatory. For the fees for registering the factories, please refer to attached regulations. These regulations shall come into operation on 1st March 2006.
13	Workplace Safety and Health (Risk Management) Regulations 2006	S 141/2006	Rg 3 - In every workplace, the employer, self-employed person and principal shall conduct a risk assessment in relation to the safety and health risks posed to any person who may be affected by his undertaking in the workplace. Rg 4 - In every workplace, the employer, self-employed person and principal shall take all reasonably practicable steps to eliminate any foreseeable risk to any person who may be affected by his undertaking in the workplace. Rg 5 - All records of risk assessment shall be retained for a period of not less than 3 yrs. Rg 7 - The risk assessment shall be reviewed at least once every 3 yrs.	All workplaces as defined by the WSHA are required to perform a risk assessment and set up risk control measures to bring down the high-risks. The MOM Risk Assessment Guidelines can be used for assessing the risks. These Regulations shall come into operation on 1st March 2006.
14	Workplace Safety and Health (Transitional Provision) Regulations 2006	S 140/2006	Rg 2 - Notwithstanding section 66 of the Act - (a) Section 86 of the repealed Act shall continue to apply to (i) any charge, information, complaint or other proceedings arising under the Act or any subsidiary legislation made thereunder which has taken place before 1st March 2006; and (ii) any offence under that Act or any subsidiary legislation thereunder which is committed before 1st March 2006. (b) Section 88, 89, 90, 91 and 92-99 of the repealed Act shall continue to apply in respect of any act or subsidiary legislation which took place before 1st March 2006.	These Regulations shall come into operation on 1st March 2006. To take note of those section of the repealed Act (Factories Act) that are still applicable to those events that took place before the 1st March 2006.
15	Workplace Safety and Health Act (Commencement) Notification 2006	S 133/2006	The Workplace Safety and Health Act 2006 shall come into operation on 1st March 2006.	Summary description is self-explanatory.

16	Workplace Safety and Health (General Provision) Regulations 2006	S 134/2006	<p>The contents of general provision are: General provisions relating to health, General provisions relating to safety, special provisions relating to health, safety and welfare, Offences.</p> <p>Rg 44 - The Safety and Health Management System shall apply to factories engaged in the processing or manufacturing of petroleum, petroleum products, petrochemicals or petrochemical products; factories engaged in manufacture of semiconductor wafers; and factories engaged in the manufacture of fabricated metal products, machinery or equipment and in which 100 or more persons are employed.</p>	<p>For details on general provision, please refer to attached regulations. These regulations shall come into operation on 1st March 2006.</p>
17	Environmental Pollution Control (Vehicular Emissions) (Amendment) Regulations 2006	S 158/2006	<p>Regulation 17 is amended by deleting paragraph (2) and substituting it by: A reference to the bankruptcy of an individual in paragraph (1)(a) shall be read as a reference to the making of a bankruptcy order against him, his filing a bankruptcy application or his making an arrangement with or assignment in favour of his creditors.</p>	<p>The Environmental Pollution Control (Vehicular Emissions) (Amendment) Regulations 2006 shall come into operation on 1st April 2006. Summary description is self-explanatory.</p>