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No. S 471

WORKPLACE SAFETY AND HEALTH ACT 2006

WORKPLACE SAFETY AND HEALTH (GENERAL PROVISIONS) (AMENDMENT NO. 2) REGULATIONS 2024

In exercise of the powers conferred by section 65 of the Workplace Safety and Health Act 2006, the Minister for Manpower makes the following Regulations:

Citation and commencement

1. These Regulations are the Workplace Safety and Health (General Provisions) (Amendment No. 2) Regulations 2024 and come into operation on 1 June 2024 at 12.01 a.m.

New regulations 36A and 36B

2. In the Workplace Safety and Health (General Provisions) Regulations (Rg 1), after regulation 36, insert —

“Definitions for purposes of regulation 36B

36A. In regulation 36B —

“construction work” means any building operation or work of engineering construction;

“contract value”, in relation to any construction work undertaken by an occupier, means —

- (a) where there is a single contract for construction work entered into between the occupier and a developer, regardless of whether the construction work is to be carried out at one or more than one worksite of the occupier — the value specified in that contract; or

(b) whether there are 2 or more contracts entered into between the occupier and a developer for construction work to be carried out at a worksite — the aggregate value specified in those contracts,

including the goods and services tax payable in relation to the supply of the construction work;

“developer”, in relation to any construction work, means the person for whom or on whose behalf the construction work is carried out;

“relevant worksite”, in relation to an occupier, means —

(a) in the case of a single contract of construction work entered into by the occupier with a developer with a contract value of \$5 million or more — every worksite where the construction work under that contract is carried out or to be carried out; or

(b) in the case of 2 or more contracts of construction work entered into by the occupier with a developer with an aggregate contract value of \$5 million or more — the worksite where the construction work under those contracts is carried out or to be carried out;

“reportable incident” means any accident or dangerous occurrence at a workplace for which —

(a) the Commissioner must be notified under regulation 4 or 5 of the Workplace Safety and Health (Incident Reporting) Regulations (Rg 3); or

(b) a report must be submitted to the Commissioner under regulation 6 of the Workplace Safety and Health (Incident Reporting) Regulations;

“video surveillance system”, in relation to a relevant worksite —

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- (a) means any equipment or device (including any software) or a collection of such equipment and devices (including any software) that is capable of monitoring and recording visual images of activities (with or without recording any sound) occurring within the relevant worksite and the immediate vicinity of the relevant worksite; and
 - (b) includes cameras, monitors or display units, transmission systems, recording equipment and storage devices;

“worksite” means any premises where any construction work is carried out and includes any line or siding which is used in connection with the construction work.

Video surveillance system

36B.—(1) Subject to paragraphs (2) and (3), every occupier of a relevant worksite must ensure that —

- (a) a video surveillance system is installed to monitor each location in the relevant worksite mentioned in Part 1 of the Third Schedule, and its immediate vicinity; and
- (b) the video surveillance system is in good working order and operational at all times.

(2) The video surveillance system mentioned in paragraph (1) must be capable of —

- (a) recording colour images at the resolution of at least HD 1080: 1920×1080 pixels or equivalent;
- (b) recording images of at least 12 frames per second;
- (c) supporting the export of recorded images or video footages in *.avi, *.mp4 or an equivalent format; and
- (d) making recordings with a date stamp, time stamp and camera identification code, which do not materially obstruct the recorded images.

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- (3) The occupier of a relevant worksite must —
- (a) take all reasonably practical measures to ensure that each recording made using the video surveillance system is not tampered with; and
 - (b) keep each recording for a period of —
 - (i) at least 30 days after the date the recording is made unless sub-paragraph (ii) applies; or
 - (ii) where a reportable incident has taken place at the worksite, at least 180 days after the date of the reportable incident.
- (4) An occupier of a relevant worksite mentioned in paragraph (1)(a) must immediately, if requested by an inspector, do either or both of the following:
- (a) provide a copy of any recorded image or recording by the video surveillance system;
 - (b) answer such questions or provide such information with respect to the recorded image or recording as the inspector may consider necessary.
- (5) An occupier of a relevant worksite who, without reasonable excuse, fails to comply with paragraph (1), (3) or (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 2 years or to both.”.

New Third Schedule

3. In the Workplace Safety and Health (General Provisions) Regulations, after the Second Schedule, insert —

“THIRD SCHEDULE

Regulation 36B(1)

PART 1

LOCATIONS TO BE MONITORED BY VIDEO SURVEILLANCE SYSTEM

1. Every area, including every floor of a building under construction, where relevant work is carried out or intended to be carried out.
2. Every area where lifting operations are carried out or intended to be carried out or lifting machines are used (for example, cranes, gondolas or mobile elevated working platforms).
3. Every area where industrial trucks (for example, forklifts, excavators or steam rollers) are used.
4. Every area where vehicular traffic may cause danger to persons carrying out any work.
5. Every loading or unloading area.
6. Every confined space where any work is carried out or intended to be carried out, if a video surveillance system can be safely installed.

PART 2

DEFINITIONS

In this Schedule —

“confined space” has the meaning given by regulation 2 of the Workplace Safety and Health (Confined Spaces) Regulations 2009 (G.N. No. S 462/2009);

“excavation work” has the meaning given by regulation 2 of the Workplace Safety and Health (Construction) Regulations 2007 (G.N. No. S 663/2007);

“formwork structure” has the meaning given by regulation 2 of the Workplace Safety and Health (Construction) Regulations 2007;

“relevant work” means any of the following works:

- (a) work at height where a person may fall off or through a distance of more than 2 metres;
- (b) erection, dismantling and maintenance of scaffolds and formwork structures;

(c) excavation works and shoring;

“scaffold” has the meaning given by regulation 2 of the Workplace Safety and Health (Scaffolds) Regulations 2011 (G.N. No. S 518/2011);

“work at height” has the meaning given by regulation 2 of the Workplace Safety and Health (Work at Heights) Regulations 2013 (G.N. No. S 223/2013).”.

[G.N. Nos. S 463/2009; S 609/2009; S 517/2011; S 277/2014; S 989/2022; S 119/2024; S 434/2024]

Made on 31 May 2024.

JEFFREY SIOW CHEN SIANG
*Second Permanent Secretary,
Ministry of Manpower,
Singapore.*

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(To be presented to Parliament under section 65(8) of the Workplace Safety and Health Act 2006).