

**WORKPLACE SAFETY AND HEALTH ACT  
(CHAPTER 354A, SECTION 65)**

**WORKPLACE SAFETY AND HEALTH  
(REGISTRATION OF FACTORIES)  
REGULATIONS**

**ARRANGEMENT OF REGULATIONS**

Regulation

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[1st March 2006]

**Citation**

**1.** These Regulations may be cited as the Workplace Safety and Health (Registration of Factories) Regulations.

**Application**

**2.** These Regulations shall not apply to —

- (a) any factory in which building operations (other than excavation or piling works) or works of engineering construction are being carried out for a period not exceeding 2 months; and
- (b) any premises where —
  - (i) the number of persons at work within the premises is normally less than 10 (whether or not they are all at work at those premises at the same time); and

(ii) none of the following is used or created:

- (A) any mechanical power, steam boiler, steam container, steam receiver, air receiver, refrigerating plant pressure receiver or gas plant; and
- (B) any highly flammable or noxious substance.

### **Register of factories**

**3.** The Commissioner shall cause to be kept and maintained a register of factories, in such form as he may determine, which shall contain the building names (if any) and addresses of all premises registered as factories or in respect of which any factory permit has been issued under these Regulations, and such other particulars of those premises as the Commissioner may determine.

### **Registration of factories**

**4.—**(1) Any person who desires to occupy or use any premises as a factory shall apply to register the premises as a factory.

(2) An application to register any premises as a factory shall be —

- (a) in such form as the Commissioner may determine;
- (b) accompanied by such information, statements and documents as the Commissioner may require; and
- (c) made at least one month before the factory starts operation.

(3) On receipt of an application under paragraph (2), the Commissioner may —

- (a) register the premises as a factory and enter such other relevant particulars in the register of factories in such form as the Commissioner may determine and, on payment of the fee specified in the Schedule, issue to the applicant a certificate of registration;
- (b) issue a factory permit in respect of the premises on payment of the fee specified in the Schedule; or
- (c) refuse to register the premises or refuse to issue any factory permit in respect of those premises.

(4) Where the Commissioner refuses to register the premises and refuses to issue any factory permit in respect of any premises which is the subject of an application under paragraph (2), he shall give the applicant notice in writing of the reasons for his refusal.

(5) A certificate of registration shall be valid for a period of one year, or for such other period as the Commissioner may determine, unless it is earlier revoked in accordance with these Regulations.

(6) A certificate of registration may, on payment of the renewal fee specified in the Schedule, be renewed by the Commissioner for such period as the Commissioner may determine, from the date immediately following that on which, but for its renewal, the certificate of registration would have expired.

(7) Where a certificate of registration is revoked or expires, the premises to which the certificate of registration relates shall immediately cease to be registered under these Regulations.

### **Factory permit**

**5.—**(1) The Commissioner may, instead of registering any premises as a factory under regulation 4, issue a factory permit, with or without conditions, authorising the applicant to occupy the premises as a factory.

(2) The Commissioner may, at any time, vary or revoke any of the conditions of a factory permit imposed under paragraph (1) or impose new conditions.

(3) A factory permit shall be valid for such period not exceeding 6 months as the Commissioner may specify in the permit, unless it is earlier revoked in accordance with these Regulations.

(4) A factory permit may, on payment of the extension fee specified in the Schedule, be extended for such period not exceeding 6 months as the Commissioner may determine, from the date immediately following that on which, but for its extension, the factory permit would have expired.

### **Change of occupier or use of factory**

**6.—(1) Where —**

- (a) any person named in a certificate of registration or factory permit as the occupier of a factory ceases to be the occupier thereof; or
- (b) there is any change in the particulars of a factory which have been entered in the register of factories under regulation 3,

the person named as the occupier of the factory shall, not later than 14 days after the cessation or change, furnish particulars of the cessation or change to the Commissioner in such form and manner as the Commissioner may determine.

(2) Any person named in a certificate of registration or factory permit as the occupier of a factory who contravenes paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(3) The occupier of any premises registered as a factory or in respect of which a factory permit is in force shall, at least one month before there is any change in the nature of the work for which the premises are registered as a factory or for which the factory permit is in force, as the case may be, inform the Commissioner of the proposed change in writing and provide the Commissioner with the relevant documents showing the change and such other information as the Commissioner may require.

(4) The occupier of any premises registered as a factory or in respect of which a factory permit is in force who contravenes paragraph (3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000.

### **Revocation of registration or permit**

**7.—(1)** If any premises registered as a factory, or in respect of which a factory permit is in force, become unfit for occupation as a factory by reason of —

- (a) any change in the nature of the work for which the premises are registered as a factory or for which the factory permit is in force;

(b) any structural change to the premises or any change in the layout of the premises; or

(c) any fact or circumstance not present when the premises were registered or the factory permit was issued,

the Commissioner may, by notice in writing, direct the occupier of the premises to comply with such requirements as may be specified in the notice.

(2) Where the occupier of any premises to whom any notice under paragraph (1) is given fails to comply with the notice, the Commissioner may revoke the certificate of registration or factory permit of those premises.

(3) Where the Commissioner is satisfied that there has been a contravention of any condition of a factory permit, he may revoke the factory permit.

(4) The Commissioner shall, before revoking any certificate of registration or factory permit relating to any premises —

(a) give notice to the occupier of those premises of his intention to revoke the certificate of registration or factory permit; and

(b) give the occupier concerned a reasonable opportunity to submit reasons why such revocation should not take place.

(5) Where the Commissioner has revoked any certificate of registration or factory permit relating to any premises under this regulation, he shall give notice in writing of the revocation to the occupier of those premises.

(6) The revocation of any certificate of registration or factory permit in respect of any premises shall not take effect until the expiration of 21 days from the date on which the Commissioner's decision to revoke the certificate of registration or factory permit was communicated to the occupier of the premises or, where an appeal against the decision is made to the Minister under regulation 8, until the appeal has been determined or withdrawn.

### **Appeal to Minister**

**8.—**(1) Any applicant who is aggrieved by the Commissioner's refusal —

(a) to register any premises as a factory; or  
(b) to renew the registration of any premises as a factory,  
may, within 21 days after the date he is notified of the Commissioner's refusal, appeal in writing to the Minister against that refusal in such form and manner as the Commissioner may determine.

(2) Any occupier of any premises who is aggrieved by the Commissioner's decision —

(a) to revoke any certificate of registration of those premises as a factory; or  
(b) to revoke any factory permit relating to those premises,  
may, within 21 days after the date he is notified of the Commissioner's decision, appeal in writing to the Minister against that decision in such form and manner as the Commissioner may determine.

(3) Any occupier of any premises who is aggrieved by any direction of the Commissioner under regulation 7 (1) may, within 7 days after the date he receives the direction, appeal in writing to the Minister against that direction in such form and manner as the Commissioner may determine.

(4) Where an appeal is lodged under paragraph (1) (b), the registration of the premises as a factory shall continue to remain in force until the appeal has been determined or withdrawn.

(5) Where an appeal is lodged under paragraph (3), the direction appealed against shall not take effect until the appeal has been determined by the Minister or withdrawn.

(6) The Minister may determine an appeal under this regulation by confirming the refusal, decision or direction of the Commissioner or substituting that refusal, decision or direction with his decision in the appeal.

(7) The decision of the Minister in any appeal under this regulation shall be final.

## THE SCHEDULE

Regulations 4 (3) and (6)  
and 5 (4)

## FEES

1. Issue of a certificate of registration or renewal of registration for a validity period of not more than one year —
  - (a) for a construction worksite or a shipyard where the number of persons employed is —
 

(i) not more than 5 persons	\$90
(ii) more than 5 persons but not more than 10 persons	\$260
(iii) more than 10 persons but not more than 50 persons	\$540
(iv) more than 50 persons but not more than 100 persons	\$1,300
(v) more than 100 persons but not more than 500 persons	\$1,830
(vi) more than 500 persons	\$2,340
  - (b) for any factory (other than a construction worksite and a shipyard) where the number of persons employed is —
 

(i) not more than 5 persons	\$45
(ii) more than 5 persons but not more than 10 persons	\$130
(iii) more than 10 persons but not more than 50 persons	\$270
(iv) more than 50 persons but not more than 100 persons	\$650
(v) more than 100 persons but not more than 500 persons	\$915
(vi) more than 500 persons	\$1,170
2. Issue of a certificate of registration or renewal of registration for a validity period of more than one year but not more than 2 years —
  - (a) for a shipyard where the number of persons employed is —
 

(i) not more than 5 persons	\$180
(ii) more than 5 persons but not more than 10 persons	\$520
(iii) more than 10 persons but not more than 50 persons	\$1,080
(iv) more than 50 persons but not more than 100 persons	\$2,600
(v) more than 100 persons but not more than 500 persons	\$3,660
(vi) more than 500 persons	\$4,680

THE SCHEDULE — *continued*

- (b) for any factory (other than a construction worksite and a shipyard) where the number of persons employed is —
- |   |         |
|---|---------|
| (i) not more than 5 persons                             | \$90    |
| (ii) more than 5 persons but not more than 10 persons   | \$260   |
| (iii) more than 10 persons but not more than 50 persons | \$540   |
| (iv) more than 50 persons but not more than 100 persons | \$1,300 |
| (v) more than 100 persons but not more than 500 persons | \$1,830 |
| (vi) more than 500 persons                              | \$2,340 |
3. Issue or extension of a factory permit for a validity period of not more than 6 months —
- (a) for a construction worksite or a shipyard where the number of persons employed is —
- |   |         |
|---|---------|
| (i) not more than 5 persons                             | \$90    |
| (ii) more than 5 persons but not more than 10 persons   | \$260   |
| (iii) more than 10 persons but not more than 50 persons | \$540   |
| (iv) more than 50 persons but not more than 100 persons | \$1,300 |
| (v) more than 100 persons but not more than 500 persons | \$1,830 |
| (vi) more than 500 persons                              | \$2,340 |
- (b) for any factory (other than a construction worksite and a shipyard) where the number of persons employed is —
- |   |          |
|---|----------|
| (i) not more than 5 persons                             | \$45     |
| (ii) more than 5 persons but not more than 10 persons   | \$130    |
| (iii) more than 10 persons but not more than 50 persons | \$270    |
| (iv) more than 50 persons but not more than 100 persons | \$650    |
| (v) more than 100 persons but not more than 500 persons | \$915    |
| (vi) more than 500 persons                              | \$1,170. |

[G.N. No. S 135/2006]