

SAFE  TIME

## Staying Within the Line



by Ir. Shum Keng Yan

**AN** understanding on how the law impacts our business is crucial. I am sure not many company directors have a good understanding of the Occupational Safety and Health Act. So where shall we start?

The main idea is to establish a process whereby we can be updated on the changes in regulations and take appropriate actions to meet the requirements. We then need to communicate these to the relevant stakeholders in the organisation.

In larger organisations, you might be able to tap the legal department for advice. Some even subscribe to sites that provide regulatory updates. However, the regulator's website remains one of the best sources.

Fortunately in Malaysia, we can obtain the safety legislations online (<http://www.dosh.gov.my/doshv2/>). In many countries, you can only obtain part of the legislations for free. There will be other legislations which are specific to your industry.

Many companies use Legal Registers to monitor compliance to the legislations. The Legal Register lists out the laws and legislations applicable to the respective business. The current state of compliance is then determined. Actions are then assigned to the Person in Charge with the agreed due dates. The Table of Contents lists out all the legislations applicable to the business and the current status of where it is applicable or not applicable (refer to Table 1 below).

In the most basic way, an Excel sheet can be used. In more complex organisations, online applications are utilised. Let me share a format which I found to be useful. Please do note that Legal Registers are by no means an end to itself.

Each key requirement in the legislation is checked for applicability. If it is currently not applicable but can be applicable in the future (e.g. in cases where headcount is stated as a threshold before a certain action needs to be taken), then a note is included.

Any licences or approval that is stated in the legislation should be obtained. The requirements are then communicated to the relevant stakeholders or affected parties. A Person in Charge is assigned to action as required. This register is reviewed whenever there is a change in the regulations, when the organisation crosses the threshold or at a defined interval (refer to Table 2 below).

I would like to caution that the Legal Register is just a tool, but one that is widely used in the industry. I am also interested in gathering a list of safety-related legislations (especially from different industry sectors). If you are keen to share, just drop your list off at [pub@iem.org.my](mailto:pub@iem.org.my). ■

*Merry Christmas and a Happy New Year 2012!  
May you have a safe and healthy year ahead!*

Table 1: Environmental, Health and Safety Legal Register

No	Legislation	Title	Status	Current Update	Comments	Next Review Date	Status
1							
2							
3							
4							

Table 2: Each of the legislations is then analysed in more detail

Legislation	Key Requirements	Reference document	Applicability (Y/N) (if N- provide reason)	Key thresholds to note in the future	Licences / Permits / Approvals Required	Affected Parties	Compliance status (Compliant / Need improvement) - put in comments	Action(s) required (if "Need improvement")	Person in charge	Date Due