

HSE Regulatory Update OSHA (Amendment) Act 2022



EFFECTIVE 1 JUNE 2024

Key Changes – OSHA Amendment Act 2022



Existing OSHA	OSHA Amendment 2022		
	Removed	Amended	New
67 Sections 3 Schedules	2 Sections	35 Sections	27 Sections 2 Schedules
	Total Sections: 92 Sections and 5 Schedules		

Extension to “all workplaces in Malaysia”

Responsibility of a Principal
...ensure that any contractor they hire, as well as the contractor's employees, remain safe and healthy while on the job...

Risk Assessment
...encourage to use HIRARC Guidance...

OSH Coordinator
...required for workplace with >5 workers...

“Stop Work”
...workers' rights to avoid/ remove themselves from imminent danger...

Increased fines
...RM50k to RM500k (employers), RM20k to RM200k (manufacturers etc.)...

OSHA Amendment Act 2022 – What's Next

The following subsidiary legislation, gazetted on 2 April 2024, will also come into operation on the date when the Amendment Act comes into operation:

- Occupational Safety and Health (Plant Requiring Certificate of Fitness) Regulations 2024 [P.U.(A) 99/2024]; and
- Occupational Safety and Health (Licensed Person) Order 2024 [P.U.(A) 100/2024].



New Regulations expected:

- Special Inspection Scheme
- Exemption Order Relating to Certified Machinery
- Order of Classes and Types of People Who Need OSH Training
- OSH Regulations for Construction (Management Design)
- OSH Risk Management in the Workplace
- Working at Heights
- Safety, Health and Welfare
- Amendment of some existing Regulations under OSHA

Any registration made, or order, notice, direction, written authority, approval, certificate of fitness, special scheme of inspection or certificate of competency given or issued, under the repealed Act shall be dealt with under the Occupational Safety and Health Act

The following shall be dealt with under the repealed Act:

- Application of competency
- Written permission on use of premises
- Written approval for installation of machinery
- Inspection, appeal & approval

Factories and Machinery (Repeal) Act 2022

JKJ Notice 110 (Subsection 19(2)) or JKJ Notice 26 (subsections 39(3) and 40(4)) are managed under FMA until completed

Any pending legal proceeding, criminal prosecution or investigation, or any sentence imposed or action taken, before the coming into operation of this Act in respect of an offence or breach under the repealed Act, may be instituted, continued or enforced as if the repealed Act had not been repealed.

Contact Us



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