



LAWS OF MALAYSIA

Act A1648

**OCCUPATIONAL SAFETY AND HEALTH
(AMENDMENT) ACT 2022**

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LAWS OF MALAYSIA

Act A1648

**OCCUPATIONAL SAFETY AND HEALTH
(AMENDMENT) ACT 2022**

An Act to amend the Occupational Safety and Health Act 1994.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Occupational Safety and Health (Amendment) Act 2022.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

Amendment of section 1

2. The Occupational Safety and Health Act 1994 [*Act 514*], which is referred to as the “principal Act” in this Act, is amended in section 1—

(a) by substituting for subsection (2) the following subsection:

“(2) Subject to subsection (3), this Act shall apply to all places of work throughout Malaysia including in the public services and statutory authorities.”; and

(b) by substituting for subsection (3) the following subsection:

“(3) Nothing in this Act shall apply to the work specified in the First Schedule.”.

Amendment of section 3

3. Section 3 of the principal Act is amended—

(a) in subsection (1)—

(i) by deleting the definition of “industry”;

(ii) by inserting after the definition of “self-employed person” the following definition:

‘ “serious bodily injury” means any injury as specified in the Fourth Schedule;’;

(iii) by inserting after the definition of “Council” the following definition:

‘ “Director General” means the Director General of Occupational Safety and Health appointed under subsection 5(1);’;

(iv) by inserting after the definition of “contract of service” the following definition:

‘ “contractor” means any person who contracts with a principal to carry out in whole or in part any work undertaken by the principal in the course of or for the purposes of the principal’s trade, business, profession or undertaking;’;

(v) by substituting for the definition of “employer” the following definition:

‘ “employer” means any person who has entered into a contract of service to employ any other person as an employee;’;

(vi) by deleting the definition of “immediate employer”;

(vii) by deleting the definition of “principal employer”;

(viii) by inserting before the definition of “occupier” the following definition:

‘ “licensed person” means a person who is granted a licence under subsection 7A(1);’;

(ix) by inserting before the definition of “contract of service” the following definition:

‘ “competent person” means a competent person registered under section 31c;’;

(x) in the definition of “self-employed person”, by substituting for the word “employment” the word “service”;

(xi) by substituting for the definition of “officer” the following definition:

‘ “officer” means the officer appointed under subsection 5(1) or (3);’;

(xii) by substituting for the definition of “employee” the following definition:

‘ “employee” means any person who has entered into a contract of service with an employer;’;

(xiii) by inserting after the definition of “prescribed” the following definition:

‘ “registered medical practitioner” means a medical practitioner registered under the Medical Act 1971 [*Act 50*];’;

(xiv) by inserting before the definition of “self-employed person” the following definition:

‘ “registered training provider” means a training provider registered under section 31c;’;