WSH (Design for Safety) Regulations
- An Overview -

Commencement

- Enacted - 10 July 2015
- Come into force – 1 Aug 2016
WSH (Design for Safety) Regulations

Apply to

(a) project that –
   (i) is undertaken by a **developer** in the course of the developer’s **business**;
   (ii) involves or is intended to involve any **construction work** of a contract sum of **$10 million or more**; and
   (iii) involves **development** under section 3(1) of the **Planning Act (Cap. 232)**;

(b) a project to **modify** a permanent structure, in respect of which –
   (i) a **DfS register** has been kept under regulation 7; and
   (ii) that involves **development** under section 3(1) of the Planning Act.

i.e. structures covered in (a) which will undergo modification in future, e.g. A&A

Note:

(a) These Regulations **do not apply** to a projects in respect of which the developer has **appointed a designer before 1 August 2016.**

(b) Do **refer to the Planning Act** on definition of ‘**development**’ and what is **included or excluded under ‘development’**
Parts in the Regulations

PART 1 - PRELIMINARY
1. Citation and commencement
2. Definitions
3. Application

PART 2 - DUTIES OF DEVELOPER
4. Design of structure for safety and health of affected persons
5. Developer’s duties in respect of designers and contractors
6. Design-for-safety review meeting
7. Design-for-safety register
8. Delegation of developer’s duties

PART 3 - DUTIES OF DESIGNER AND CONTRACTOR
9. Duties of designer
10. Duties of contractor

PART 4 - MISCELLANEOUS
11. Duty of registered proprietors and subsidiary management corporations
12. Offences
1) Design risks

- as far as it is reasonably practicable, **ensure** all foreseeable **design risks** are **eliminated**

- if not reasonably practicable to eliminate, then **ensure** that the **design risk** must be **reduced to as low as reasonably practicable**

2) Competency

- **ensure** designers and contractors engaged by developer are competent to perform their duties
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3) **Time & resources**

- Project must be properly planned and managed to ensure all designers and contractors appointed have sufficient time and resources to perform their duties.

4) **Information**

- Provide relevant information to designers and contractors to enable them to perform their duties.
5) DfS Review Meetings

- **convene** DfS review meetings as are necessary to –

  (i) **identify** all **foreseeable design risks** in the project; and

  (ii) **discuss** how each of the foreseeable design risks can be **eliminated or reduced**.

- **ensure all relevant designers and contractors** **attend the DfS meetings**
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DEVELOPERS

6) DfS Register

- **keep** an updated DfS register
- **accessible** to designers and contractors appointed
- **available** for inspection by an inspector

DfS register contain information and records on –

- DfS review **meeting** convened; and
- residual design **risk** in the project.
Developer may delegate two duties to DfS professional

5) DfS Review Meetings

6) DfS Register

provide DfS Professional with all information necessary for the person to perform these duties

provide developer –

- all relevant information on –
  - identified design risks; and
  - how design risks can be eliminated or reduced.

- updated copy of DfS register
1) Design Plan

- as far as it is reasonably practicable, *design plan* must **eliminates** foreseeable design risks

- if not reasonably practicable to eliminate, then designer must **propose modification** to *design plan* that reduces the design risk to as low as reasonably practicable

2) Competency

- **designers appointed by the designer** *(delegated designer)* must be competent to perform their duties
3) Information

- Provide **relevant information** on the design, construction or maintenance to **person who appointed the designer**
- **Provide** to the **delegated designer** all **relevant information** to enable the delegated designer **to perform his duties as a designer**
1) Competency

- designers and subcontractors engaged by the contractor must be competent to perform their duties

2) Information

- provide all relevant information to designers and subcontractors appointed by contractor to enable them perform their duties
- inform the person who appointed the contractor of any foreseeable design risk that the contractor knows
Current owner

- give DfS register to the new owner;
- inform new owner of the nature and purpose of the DfS register.

New owner

- ensure DfS register is made available for inspection by an inspector.
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**DEVELOPERS**
1) Design risks
2) Competency
3) Time & resources
4) Information
5) DfS Review Meetings
6) DfS Register

**DESIGNERS**
1) Design Plan
2) Competency
3) Information

**CONTRACTORS**
1) Competency
2) Information

**OWNER**
DfS register
- available for inspection
- give to new owner

**DfS PROFESSIONAL**
1) DfS review meetings
2) DfS Register
3) Information to developer
Thank You for your Time