

## **TOPIC 7**

# **Laws and legislations related to Landscape Operation and Management**

**LAWS OF MALAYSIA Act 171 LOCAL  
GOVERNMENT ACT 1976**

# Act 171 LOCAL GOVERNMENT ACT 1976

- An Act to revise and consolidate the laws relating to local government.
- ***WHEREAS it is expedient for the purpose only of ensuring uniformity of law and policy to make a law with respect to local government: NOW, THEREFORE, pursuant to the provisions of Clause (4) of Article 76 of the Constitution BE IT ENACTED, by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:***

# Safety Legislations in Malaysia

# Factory & Machinery Act 1967

- In the year 1967, the Factory and Machinery Act was approved by the Parliament of Malaysia.
- In 1970, the Factory and Machinery Act and eight regulations under the act were enforced.
- This act was legislated to overcome the weaknesses in the Machinery Ordinance 1953,
  - They were not protected if they are working in a workplace that doesn't use machinery.

# OSHA 1994

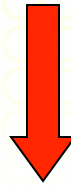
- This legislation was made considering the fact that the Factory and Machinery Act 1967 **only covers** occupational safety and health in the **manufacturing, mining, quarrying and construction industries**, whereas the other industries are not covered.
- The purpose of Occupational Safety and Health Act 1994 is to promote and encourage occupational safety and health awareness among workers and to create organization along with effective safety and health measures.

# Objectives of OSHA 1994

1. To secure the safety, health and welfare of persons at work against risks
2. To protect persons at a place of work other than persons at work against risks
3. To promote an occupational environment for persons at work which is adapted to their physiological and psychological needs.
4. To provide the means whereby the associated occupational safety and health legislations may be progressively replaced by a system of regulations and approved industry codes of practice operating in combination with the provisions of this Act designed to maintain or improve the standards of safety and health.

Act 514

Occupational Safety and Health Act 1994

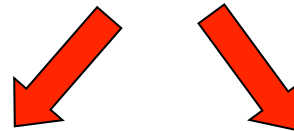


Regulations under OSHA 1994



Occupational Safety and Health (Safety and Health Officer) Order 1997

Occupational Safety and Health (Prohibition of Use of Substance) Order 1999



Guidelines

Code of practice

# General Duties of Employees

## **Duty not to interfere or misuse things provided pursuant to certain provisions**

- » If found guilty, be liable to a fine not exceeding RM20,000 or to imprisonment for a term not more than two years or both.

## **Duty not to charge employees for things done or provided**

- » No employer shall levy or permit to be levied on any employee of his any charge in respect of anything done or provided in pursuance of this Act or any other regulation made thereafter.



# Safety and Health Organizations

## Safety and health officer

- » Safety and health officer shall be appointed to such class of industries as the Minister may published in the Gazette.
- » Shall employ a competent person to act as safety and health officer.
- » Safety and health officer employed for ensuring this Act and any regulation thereafter is followed.
- » The safety and health officer shall possess such qualifications or have received such training as the Minister may from time to time prescribe.
- » Penalty for person contravenes this section is fine not exceeding RM 5,000 or to imprisonment for a term not more than six months or both.

# Safety and Health Organizations

## Establishment of safety & health committee at place of work

- » Every employer shall establish a safety and health committee at the place of work in accordance with this section if :-
  - ~ there are 40 or more persons employed at the place of work; or
  - ~ the Director General directs the establishment of such a committee at the place of work.
- » Every employer shall consult the safety and health committee to the making and maintenance of arrangements which will enable him and his employees to co-operate in promoting and developing

# More Information

Ministry of Human Resources

Department of Occupational Safety and Health  
(DOSH)

<http://dosh.mohr.gov.my>



# References

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*Risk Management Code of Practice 2007 (Hazard identification Supplement 1) Workplace Health and Safety, Queensland, Australia*