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WORKPLACE SAFETY AND HEALTH ACT (CHAPTER 354A)

WORKPLACE SAFETY AND HEALTH (COVID-19 SAFE WORKPLACE) REGULATIONS 2021

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In exercise of the powers conferred by section 65(1) of the Workplace Safety and Health Act, the Minister for Manpower makes the following Regulations:

PART 1
PRELIMINARY

Citation and commencement

1. These Regulations are the Workplace Safety and Health (COVID-19 Safe Workplace) Regulations 2021 and come into operation on 1 January 2022.

Scope of Regulations

2.—(1) These Regulations do not apply to or in relation to any place of residence of any of the following:

- (a) a self-employed person, an employer or a principal when and at which he or she is carrying on his or her trade, business, profession or undertaking;
- (b) an employee of an employer when and at which the employee performs work in connection with his or her employer's trade, business, profession or undertaking;
- (c) a worker of a principal when and at which the worker performs work in connection with his or her principal's trade, business, profession or undertaking.

(2) These Regulations (except Part 3) do not apply to or in relation to any of the following whose work premises are defined premises:

- (a) any employer, and any employee of an employer;
- (b) any principal, and any worker of a principal;
- (c) any self-employed person.

(3) For the purposes of paragraph (2), defined premises are any of the following:

- (a) a hospital or clinic, or other healthcare institution or facility for the reception, lodging, treatment or care of individuals requiring medical treatment;
- (b) an early childhood development centre specified in a licence granted under the Early Childhood Development Centres Act 2017 to operate the early childhood development centre;

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- (c) a school in receipt of grant-in-aid under the Education (Grant-in-Aid) Regulations (Rg 3);
 - (d) a school specified in paragraph 2 of the Schedule to the Compulsory Education (Exemption) Order (O 1);
 - (e) a school specified in Part II of the Schedule to the Education Endowment and Savings Schemes (Edusave Pupils Fund) Regulations (Rg 1);
 - (f) any of the following universities:
 - (i) National University of Singapore;
 - (ii) Nanyang Technological University;
 - (iii) Singapore Institute of Technology;
 - (iv) Singapore Management University;
 - (v) Singapore University of Social Sciences;
 - (vi) Singapore University of Technology and Design.
- (4) To avoid doubt, these Regulations do not apply to prevent or restrict —
- (a) the Government or any public body doing or omitting to do anything in the performance of any function, the exercise of any power or the discharge of any duty of the Government or public body (as the case may be) under law; or
 - (b) any individual acting under the authority or direction of the Government or any public body in the performance of any function, the exercise of any power or the discharge of any duty of the Government or public body (as the case may be) under law.

Definitions

3.—(1) In these Regulations, unless the context otherwise requires —

“approved test” means any of the following tests carried out in Singapore in relation to an individual, the purpose of which is to test for the presence of SARS-CoV-2 in that individual:

- (a) a PCR test;
- (b) an antigen rapid test;

“approved vaccine” means a vaccine described in the First Schedule to the Infectious Diseases (COVID-19 Access Restrictions and Clearance) Regulations 2021 (G.N. No. S 273/2021);

“clean” includes disinfecting in an appropriate manner;

“cleared status (general)” means a cleared status (general) that is current within the meaning of the Infectious Diseases (COVID-19 Access Restrictions and Clearance) Regulations 2021;

“Control Order” means any of the following subsidiary legislation:

- (a) the COVID-19 (Temporary Measures) (Control Order) Regulations 2020 (G.N. No. S 254/2020);
- (b) the COVID-19 (Temporary Measures) (Foreign Employee Dormitories — Control Order) Regulations 2020 (G.N. No. S 781/2020);
- (c) the COVID-19 (Temporary Measures) (Performances and Other Activities — Control Order) Regulations 2020 (G.N. No. S 927/2020);
- (d) the COVID-19 (Temporary Measures) (Sporting Events and Activities — Control Order) Regulations 2021 (G.N. No. S 277/2021);
- (e) the COVID-19 (Temporary Measures) (Business Events — Control Order) Regulations 2021 (G.N. No. S 278/2021);
- (f) the COVID-19 (Temporary Measures) (Religious Gatherings — Control Order) Regulations 2021 (G.N. No. S 509/2021);

“COVID-19” means the infectious disease known as Coronavirus Disease 2019;

“movement control measure” has the meaning given by paragraph (2);

“occupy”, in relation to any premises or part of any premises, includes the use, temporarily or otherwise, of the premises or part thereof for the purpose of any trade, business, profession or undertaking of the occupier;

“PCR test” means a polymerase chain reaction test carried out in Singapore in relation to an individual, the purpose of which is to test for the presence of SARS-CoV-2 in that individual;

“place of residence”, for an individual, means —

- (a) a house or flat in Singapore that is the individual’s home in Singapore; or
- (b) any other premises in Singapore that the individual is ordinarily resident at when in Singapore, such as a room, or a partitioned-off space for sleeping, that is —
 - (i) in a hotel, hostel, guesthouse, serviced apartment or student dormitory in Singapore; or
 - (ii) in any other premises in Singapore that provides sleeping facilities and residential accommodation (whether or not other accommodation is also provided),

but not any of the following premises:

- (c) any hospital or nursing home;
- (d) any boarding premises that is the subject of a licence under the Foreign Employee Dormitories Act 2015 or is providing accommodation to 7 or more foreign employees, including any place converted (temporarily or otherwise) for use as accommodation for 7 or more foreign employees;
- (e) any prison where an individual is incarcerated to serve a sentence of imprisonment, any other place

where a prisoner may serve his or her sentence of imprisonment outside of a prison;

- (f) any premises for the purposes of detaining individuals serving orders of detention under any written law, whether or not for their rehabilitation or safety;

“recovered individual” has the meaning given by the Infectious Diseases (COVID-19 Access Restrictions and Clearance) Regulations 2021;

“unvaccinated against COVID-19 infection” has the meaning given by regulation 4(3);

“vaccinated against COVID-19 infection”, in relation to an individual, means the individual has received all the doses of an approved vaccine, or a combination of approved vaccines, administered by a recognised vaccination provider in the way described in the First Schedule to the Infectious Diseases (COVID-19 Access Restrictions and Clearance) Regulations 2021; and “recognised vaccination provider” has the meaning given by those Regulations;

“vaccination information” has the meaning given by regulation 4(5);

“work premises”, in relation to an employer, a principal or a self-employed person, means any premises —

- (a) that the employer, principal or self-employed person (as the case may be) occupies for the purpose of any trade, business, profession or undertaking of the employer, principal or self-employed person, as the case may be; or

- (b) in which an employee of the employer or a worker of the principal, or the self-employed person (as the case may be) ordinarily performs or carries out work for the purpose of any trade, business, profession or undertaking of the employer, principal or self-employed person,

and includes any canteen or recreational facility which is comprised in or adjacent to the work premises and is provided for use solely by employees or workers or both, and no others;

“worker”, in relation to a principal, means an individual who is —

- (a) a contractor engaged by the principal otherwise than under a contract of service;
- (b) a direct or an indirect subcontractor engaged by a contractor mentioned in paragraph (a); or
- (c) an employee employed by such a contractor or subcontractor in paragraph (a) or (b),

when working under the direction of the principal as to the manner in which the work is carried out.

(2) In these Regulations, an individual is regarded as subject to a movement control measure if the individual is subject to a requirement that the individual must not leave any place because of —

- (a) an order made under regulation 3(1) of the Infectious Diseases (COVID-19 — Stay Orders) Regulations 2020 (G.N. No. S 182/2020);
- (b) regulation 3(2) of the Infectious Diseases (COVID-19 — Stay Orders) Regulations 2020; or
- (c) an order under section 15 or 17 of the Infectious Diseases Act 1976 relating to COVID-19.

(3) In these Regulations, an individual may be regarded as a member of the same household of another individual if the

firstmentioned individual is any of the following ordinarily living in the same place of residence as the other individual:

- (a) a spouse of that other individual;
- (b) a parent, grandparent, child, grandchild or sibling of that other individual;
- (c) an individual with whom that other individual has an agreement or arrangement, whether oral or in writing and whether express or implied, to live in the same place of residence.

(4) For the purposes of paragraph (3), “parent, grandparent, child, grandchild or sibling”, in relation to an individual, includes a step-parent, stepgrandparent, stepchild, stepgrandchild or stepsibling or a parent, grandparent, child, grandchild or sibling, by adoption, of that individual, as the case may be.

(5) In reckoning a period for the purposes of these Regulations, days must be counted consecutively, whether or not a public holiday.

(6) For the purposes of these Regulations, an individual is treated as having a 24-hour clearance only if he or she is and to the extent certified under regulation 5 as having a 24-hour clearance and that 24-hour clearance is current.

Vaccination status and vaccination information

4.—(1) For the purposes of these Regulations, an individual’s vaccination status is one of the following:

- (a) vaccinated against COVID-19 infection;
- (b) partially vaccinated against COVID-19 infection;
- (c) unvaccinated against COVID-19 infection;
- (d) excepted person.

(2) An individual is partially vaccinated against COVID-19 infection if the individual —

- (a) has received at least one dose of an approved vaccine; and
- (b) is neither an excepted person nor vaccinated against COVID-19 infection.

(3) An individual is unvaccinated against COVID-19 infection if the person has not received any dose of an approved vaccine and is not an excepted person.

(4) An individual is an excepted person if the individual has a cleared status (special) within the meaning given by the Infectious Diseases (COVID-19 Access Restrictions and Clearance) Regulations 2021.

(5) For the purposes of these Regulations, vaccination information is information about an individual's vaccination status.

24-hour clearance

5.—(1) Where an individual (who is not a recovered individual) —

(a) has registered, in person, with an approved test provider to undergo any approved test or tests;

(b) undergoes the approved test or tests; and

(c) has met one of the following conditions:

(i) where the individual undergoes an approved test or tests that do not involve any PCR test — the individual's test result is treated as negative for SARS-CoV-2 after undergoing a relevant sampling activity for the antigen rapid test, or the last antigen rapid test if there are more than one;

(ii) where the individual undergoes an approved test or tests that involve one or more PCR tests — the individual's test result is treated as negative for SARS-CoV-2 after undergoing a relevant sampling activity for the PCR test, or the last PCR test if there are more than one,

the individual may be certified by the Director of Medical Services, a Deputy Director of Medical Services or a recognised medical practitioner to have a 24-hour clearance as follows:

(d) starting the time the individual registered, in person, with the approved test provider to undergo the approved test the test result of which shows negative for SARS-CoV-2;

(e) ending 24 hours after the time in sub-paragraph (d).

(2) Despite certification under paragraph (1), an individual is not regarded as having a 24-hour clearance that is current as follows:

- (a) any time after the end of the 24 hours certified for the individual under paragraph (1);
- (b) any time after the individual becomes subject to a movement control measure within the 24-hour period certified for the individual under paragraph (1);
- (c) any time after the individual undergoes any approved test that is an antigen rapid test (or the first of any such approved tests if there is more than one) within the 24-hour period certified for the individual under paragraph (1) and the test result of the antigen rapid test shows the presence of SARS-CoV-2 in that individual;
- (d) any time during any suspended status interval where any part of that interval lies within the 24-hour period certified for the individual under paragraph (1);
- (e) any time after the cancellation under paragraph (4) of the certification.

(3) A suspended status interval for an individual means the period —

- (a) starting the time (not date) the individual first tests positive for SARS-CoV-2 upon undergoing a PCR test; and
- (b) ending on (and including) the day those test results are determined to be an atypical finding for SARS-CoV-2.

(4) The Director of Medical Services or a Deputy Director of Medical Services may cancel any certification under paragraph (1) stating that an individual has a 24-hour clearance if —

- (a) before the end of the 24-hour period certified for the individual under paragraph (1) —
 - (i) the individual undergoes an approved test that is a PCR test; and

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- (ii) the individual’s test result shows the presence of SARS-CoV-2 in that individual and that is not an atypical finding for SARS-CoV-2; or
- (b) the Director of Medical Services or Deputy Director of Medical Services is satisfied that it is the interest of the health and safety of the individual to do so.
- (5) In this regulation —
- “approved test provider”, “atypical finding for SARS-CoV-2” and “recognised medical practitioner” have the meanings given by the Infectious Diseases (COVID-19 Access Restrictions and Clearance) Regulations 2021;
- “relevant sampling activity” means removing a respiratory specimen from the lining of the oral or nasal passages of an individual where that is being done for the purpose of subjecting the respiratory specimen to an approved test for the purpose of testing the presence of SARS-CoV-2 in that individual;
- “test result is treated as negative for SARS-CoV-2” has the meaning given by regulation 8 of the Infectious Diseases (COVID-19 Access Restrictions and Clearance) Regulations 2021.

PART 2

WORK-FROM-HOME ARRANGEMENTS

Work-from-home arrangements for employees

6.—(1) Subject to regulation 7, an employer must not cause or allow any employee of the employer to attend at any of the work premises of the employer to perform work for the employer when not on leave if it is reasonably practicable for the employee to perform that work for the employer at the employee’s place of residence.

(2) An employer must provide the tools, equipment, materials and other facilities necessary for an employee of the employer to perform work in the employee’s place of residence —

- (a) when the employee is not on leave; and
- (b) if it is reasonably practicable for the employee to perform that work at the employee's place of residence.

Allowance from work-from-home arrangements

7.—(1) A person who is an employer may permit or require relevant employees to attend at any work premises of the employer to perform work when not on leave provided that the employer takes, so far as is reasonably practicable, such steps as are necessary to ensure that the number of relevant employees permitted or required to attend (or both) at the work premises at any one time is limited to not more than 50% of the person's relevant employees for those work premises.

(2) In paragraph (1), "relevant employee" means an employee other than an employee who is required to perform work the nature of which necessarily requires or involves the employee —

- (a) to drive, pilot or travel in any motor vehicle, vessel or other mode of conveyance; or
- (b) to be physically present at his or her workplace —
 - (i) to operate or use machinery, equipment, plant, materials or other matter, the provision of which under paragraph (1) is impracticable but is required in order to perform that work;
 - (ii) to retrieve, access or use documents, information, material or other matter, the provision of which under paragraph (1) is impracticable but is required in order to perform that work; or
 - (iii) to perform the work, such as patrolling or guarding another person's property, crowd control or administering a beauty therapy procedure.

(3) For the purposes of this regulation, where any employer or principal is a sole proprietor or a partnership of individuals, the individual who is the sole proprietor or every partner (as the case may be) must be counted as if he or she were an employee of the sole

proprietor or a partnership, or a worker of the sole proprietor or a partnership, as the case may be.

Duties where employee or worker required or permitted at work premises

8. Where an employer or a principal permits or requires work to be performed by an employee of the employer or a worker of the principal at any work premises of the employer or principal (as the case may be), the employer and the principal must respectively take, so far as is reasonably practicable, such measures as are necessary to comply with Parts 3 and 4 with respect to —

- (a) the employee or worker when at work; and
- (b) the work premises in question.

PART 3

WORKPLACE ACCESS AND VACCINATION AGAINST COVID-19

Meaning of “defined person”

- 9.—(1) In this Part, a defined person is an individual who —
- (a) is vaccinated against COVID-19 infection and has a cleared status (general);
 - (b) is a recovered person and has a cleared status (general);
 - (c) is an excepted person;
 - (d) has a cleared status (overseas temporary);
 - (e) for entering premises between 1 January 2022 and 14 January 2022 (both dates inclusive) —
 - (i) is unvaccinated against COVID-19 infection and has a 24-hour clearance; or
 - (ii) is partially vaccinated against COVID-19 infection and has a 24-hour clearance; or
 - (f) for entering premises between 15 January 2022 and 31 January 2022 (both dates inclusive), is partially

vaccinated against COVID-19 infection and has a 24-hour clearance.

(2) In this regulation, “cleared status (overseas temporary)” has the meaning given by the Infectious Diseases (COVID-19 Access Restrictions and Clearance) Regulations 2021.

Duty of occupier in relation to vaccinations, etc.

10.—(1) An occupier of any work premises must take, so far as is reasonably practicable, such measures as are necessary to ensure that every individual who enters or remains in the work premises in connection with any trade, business, profession or undertaking the occupier is carrying on at those work premises is a defined person when at work in those work premises, but not otherwise.

(2) Paragraph (1) does not apply in relation to a customer or prospective customer of an occupier of work premises who is entering or remaining in the work premises.

(3) For the purposes of paragraph (1), if an occupier does not hold vaccination information about an individual, the occupier must treat the individual as if he or she is unvaccinated against COVID-19 infection.

Illustrations

An enterprise may refuse to allow a job seeker applying for a job to enter its office, even for an interview, if the job seeker refuses to provide his or her vaccination information to the enterprise.

A builder which is the main contractor of a work site for a building extension may refuse to allow an electrician engaged by one of its subcontractors on an ad hoc basis from entering the work site if the electrician refuses to provide his or her vaccination information to the builder.

Duties of employer in relation to vaccinations

11.—(1) An employer must take, so far as is reasonably practicable, such measures as are necessary to ensure that every employee of the employer permitted or required to attend (or both) at any workplace to perform work is a defined person when so at work, but not otherwise.

(2) An employer must not hinder or prevent any employee of the employer from reporting for, and undergoing, vaccination against

COVID-19 during the employee's working hours, if vaccinations against COVID-19 are available during those hours.

(3) For the purposes of paragraph (1), if an employer does not hold vaccination information about an employee, the employer must treat the employee as if the employee is unvaccinated against COVID-19 infection.

Illustration

Employer X, who is a glass manufacturer, may refuse to allow its employee-technician to enter the factory if the employee-technician refuses to provide his or her vaccination information to employer X.

(4) This regulation does not affect regulation 22.

Duties of principal in relation to vaccinations

12.—(1) A principal must take, so far as is reasonably practicable, such measures as are necessary to ensure that every worker of the principal permitted or required to attend (or both) at any workplace to perform work is a defined person when so at work, but not otherwise.

(2) A principal must not hinder or prevent any worker of the principal from reporting for, and undergoing, vaccination against COVID-19 during the worker's working hours, if vaccinations against COVID-19 are available during those hours.

(3) For the purposes of paragraph (1), if a principal does not hold vaccination information about a worker of the principal, the principal must treat the worker as if the worker is unvaccinated against COVID-19 infection.

Illustration

A financial institution may refuse to allow entry to its office to a cyber-security specialist it has engaged to test its IT system vulnerability if the cyber-security specialist refuses to provide his or her vaccination information to the financial institution.

(4) This regulation does not affect regulation 22.

Duty of unvaccinated individual at work

13. An individual (whether or not he or she is an employer or employee, a worker, principal or self-employed) must not perform work or carry out any undertaking at a workplace that is not the individual's place of residence unless he or she is a defined person.

Exceptional entry into workplace, etc.

14.—(1) However, regulations 10, 11, 12 and 13 do not prevent, or require an employer or occupier or a principal to prevent, an individual from entering any premises solely for any of the following purposes:

- (a) to preserve or protect that or another individual's life, health, or safety in an emergency;
 - (b) to perform work or carry out any undertaking that —
 - (i) is unanticipated, necessary and time-critical;
 - (ii) cannot be carried out by another individual who has a cleared status (general); and
 - (iii) must be carried out to prevent the ceasing of essential operations due to an emergency situation or a critical unforeseen circumstance;
 - (c) to perform work or carry out any undertaking the duties of which do not require or do not involve the individual to have face-to-face direct or occasional contact or interaction with any of the following:
 - (i) an at-risk person not from the individual's same household;
 - (ii) an environment that poses a risk of infection from COVID-19.
- (2) In paragraph (1)(c)(i), an at-risk person is —
- (a) a child who is below 13 years of age;
 - (b) an adult above 60 years of age; or
 - (c) an individual who is a patient in or receiving treatment at a healthcare establishment.

(3) In paragraph (1)(c), an individual must be regarded as having face-to-face direct or occasional contact or interaction with an environment that poses a risk of infection from COVID-19 if the individual —

- (a) has face-to-face direct or occasional contact or interactions with —
 - (i) international passengers or crew at an international airport, port or land checkpoint; or
 - (ii) residents or guests of a place (being a hotel or other facility) where people are detained in or directed to remain in, or are staying in, quarantine or isolation for the purpose of eliminating or reducing the serious risk to public health posed by COVID-19;
- (b) interacts face-to-face with people or things within —
 - (i) an international airport, port or land checkpoint (including by boarding a vessel, an aircraft or a train) where international passengers and crew are or have been; or
 - (ii) a place (being a hotel or other facility) where people are detained in or directed to remain in, or are staying in, quarantine or isolation for the purpose of eliminating or reducing the serious risk to public health posed by COVID-19; or
- (c) performs office-based activities, such as document preparation, database compilation, computer modelling and general research.

Collection of vaccination information

15.—(1) If an employee of an employer or a worker of a principal is required to perform work outside the employee's or worker's place of residence, the employer or principal must collect, record and hold vaccination information about the employee of the employer or the worker of the principal, as the case may be.

(2) If pursuant to paragraph (1), the employer or principal collects information that an employee of the employer or a worker of the principal —

- (a) is partially vaccinated against COVID-19 infection, the employer or principal must also collect, record and hold information about whether that employee or worker (as the case may be) has a booking to receive a dose of an approved vaccine that will cause the employee or worker to become vaccinated against COVID-19 infection; or
- (b) is unvaccinated against COVID-19 infection, the employer or principal must also collect, record and hold information about whether that employee or worker (as the case may be) has a booking to receive a dose of an approved vaccine that will cause the employee or worker to become partially vaccinated against COVID-19 infection.

(3) An employer or a principal must comply with the obligations in paragraphs (1) and (2) as soon as reasonably practicable, but paragraphs (1) and (2) do not apply if the employer or principal already holds vaccination information about an employee or a worker who is, or may be, required to work outside the employee's or worker's place of residence on or after 1 January 2022.

(4) Nothing in this regulation entitles or authorises an employer or a principal to collect, use or disclose vaccination information about an employee or a worker for purposes other than ensuring compliance with regulation 10, 11 or 12.

PART 4

WORKPLACE SAFE MANAGEMENT MEASURES

Division 1 — Employees' and workers' duties

Notice to employer or principal of becoming diagnosed person

16.—(1) An employee, or a worker of a principal, who becomes a diagnosed person must take all reasonably practical steps to notify, without delay after becoming aware that he or she is a diagnosed person, his or her employer or the principal (as the case may be) of

any work premises which the employee or worker has attended in the relevant period about all notifiable matters relating to the employee or worker.

(2) For the purposes of this regulation and regulation 24, an individual is or becomes a diagnosed person if the individual is informed, at any time on or after 1 January 2022, that he or she —

- (a) is or becomes subject to a movement control measure;
- (b) tests positive for SARS-CoV-2 upon undergoing an approved test in Singapore, whether or not the individual is or has been given an order under section 15(1) or (2) of the Infectious Diseases Act 1976 relating to COVID-19; or
- (c) is diagnosed as having a COVID-19 infection, whether or not the individual is or has been given an order under section 15(1) or (2) of the Infectious Diseases Act 1976 relating to COVID-19.

(3) The notifiable matters relating to an employee or a worker for the purposes of paragraph (1) are as follows:

- (a) the full name and identification number of the employee or worker who is or has become a diagnosed person;
- (b) the date that the employee or worker —
 - (i) became subject to a movement control measure;
 - (ii) tested positive for SARS-CoV-2 upon undergoing a PCR test or an antigen rapid test in Singapore; or
 - (iii) was diagnosed as having a COVID-19 infection, whichever is applicable;
- (c) the work premises which the employee or worker had attended in the relevant period where the individual —
 - (i) tested positive for SARS-CoV-2 upon undergoing a PCR test in Singapore; or
 - (ii) was diagnosed as having a COVID-19 infection.

(4) For the purposes of this regulation and regulation 24, the relevant period applicable to an employee or a worker who becomes a diagnosed person means —

- (a) in the case where he or she is a diagnosed person because of having been tested positive for SARS-CoV-2 upon undergoing a PCR test in Singapore — a period of 7 days before the date on which he or she so tested positive for SARS-CoV-2 and ending on the day that he or she so tested positive for SARS-CoV-2; or
- (b) in the case where he or she is a diagnosed person because of having been diagnosed as having a COVID-19 infection — a period of 7 days before the date on which he or she was so diagnosed and ending on the day he or she was so diagnosed.

(5) To avoid doubt —

- (a) paragraph (1) applies even if a PCR test result or an antigen rapid test result is or may be subsequently determined to be an atypical finding for SARS-CoV-2; and
- (b) a relevant period can consist of any time falling before 1 January 2022.

Extended meaning of “employee”, etc., for regulation 16 notice

17. Where an employer or a principal is a partnership or an unincorporated association (other than a partnership), any reference in regulation 16 —

- (a) to an employee or a worker includes a reference (as the case may be) to —
 - (i) a partner of the partnership; or
 - (ii) the president, secretary or any member of the committee of the unincorporated association; and
- (b) to the employer or principal includes a reference (as the case may be) to —
 - (i) any other partner of the partnership; or

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- (ii) any other member of the committee of the unincorporated association.

Division 2 — Employers' and principals' duties

Mask wearing

18.—(1) An employer and a principal must each take, so far as is reasonably practicable, such measures as are necessary to ensure that every employee of the employer, and every worker of the principal, respectively, wears a mask when at work in any of the employer's or principal's work premises unless —

- (a) the nature of the employee's work or worker's work (as the case may be) is such that wearing a mask creates a risk to his or her health and safety; or
- (b) the employee or worker (as the case may be) is authorised under any Control Order to not wear a mask.

(2) An occupier of any work premises must take, so far as is reasonably practicable, such measures as are necessary to ensure that every individual who —

- (a) enters or remains in the work premises in connection with any trade, business, profession or undertaking the occupier is carrying on at those work premises; but
- (b) is not a customer or prospective customer of the occupier of the work premises,

wears a mask when at work in any of the principal's work premises unless the individual is authorised under any Control Order to not wear a mask.

Physical distance requirement

19.—(1) Subject to the exceptions in paragraph (2), an employer or a principal must take, so far as is reasonably practicable, such measures as are necessary to ensure that at all times during the period the work premises of the employer or principal (as the case may be) are open for work there is a distance of at least one metre between any of the person's employees or workers (as the case may be) when at

work in a workplace in any part of those work premises and any other individual in that workplace.

(2) The exceptions to paragraph (1) are as follows:

- (a) the nature of the employee's or worker's work is such that keeping or maintaining a distance of at least one metre creates a risk to his or her health and safety;
- (b) the employee or worker is authorised under any Control Order to keep or maintain a shorter distance from another individual.

Minimise physical interaction

20.—(1) Without affecting regulation 19, an employer or a principal must take, so far as is reasonably practicable, such measures at every one of the employer's work premises or principal's work premises (as the case may be) as are necessary —

- (a) to minimise physical interactions between groups of employees of the employer or workers of the principal in each of those work premises; and
- (b) to ensure that every employee of the employer or every worker of the principal (as the case may be) works consistently with the same group of other individuals in a workplace in each of those work premises.

Illustrations

- (a) develop separate shifts in a way that minimises physical interactions between groups of employees attending different shifts.
- (b) separate employees into distinct work areas.
- (c) divide work areas up further into separate teams.
- (d) provide suitable separate break areas and separate break times for the separate teams.
- (e) require teams to use separate entrances and exits from other teams.
- (f) where employees are from the same household, ensure they work in the same shift and work area.

(2) Without limiting paragraph (1), an employer or a principal occupying any work premises must not —

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- (a) cause an event involving an organised gathering in person of employees of the employer or workers of the principal to take place on those work premises or elsewhere; or
 - (b) allow a gathering in person of employees of the employer or workers of the principal to take place on those work premises,

for an occasion or a purpose that is wholly recreational or social in character.

Minimise working across multiple workplaces

21.—(1) An employer or a principal must take, so far as is reasonably practicable, all steps to limit movement of the employees of the employer or the workers of the principal (as the case may be) between multiple work premises of the employer or principal.

(2) Paragraph (1) does not apply to the performance by an employee or a worker of any work —

- (a) required to meet statutory obligations or requirements (for example, auditors, building inspectors or surveyors);
- (b) consisting of transporting or delivering goods;
- (c) that is unanticipated, necessary, and time-critical for crowd purposes to maintain orderly retail supply of goods or services;
- (d) consisting of transporting passengers in the course of providing a public passenger transport service; or
- (e) to preserve or protect another individual's life, health or safety in an emergency.

Contact tracing and entry controls

22.—(1) An employer and a principal must each take, so far as is reasonably practicable, such measures as are necessary to establish and apply appropriate procedures and controls (jointly with another or otherwise) that enable or facilitate contact tracing of every employee of employer and every worker of the principal entering the work premises of the employer or principal.

(2) An occupier of any work premises must take, so far as is reasonably practicable, such measures as are necessary to establish and apply appropriate procedures and controls (jointly with another or otherwise) that enable or facilitate contact tracing of every individual who —

- (a) enters or remains in the work premises in connection with any trade, business, profession or undertaking the occupier is carrying on at those work premises; but
- (b) is not a customer or prospective customer of the occupier of the work premises.

Illustration

Using the digital contact tracing system known as “TraceTogether-only SafeEntry”.

(3) An employer or a principal must refuse entry to, and must not allow to remain in, any workplace that is in the work premises of the employer or principal (as the case may be) —

- (a) any employee of the employer whom the employer reasonably believes to be subject to a movement control measure; or
- (b) any worker of the principal whom the principal reasonably believes to be subject to a movement control measure.

(4) This regulation does not affect regulation 10, 11 or 12.

Cleaning requirement

23.—(1) An occupier of any work premises (whether or not an employer or a principal) must take, so far as is reasonably practicable, such measures as are necessary to ensure that —

- (a) any shared area within the work premises of the employer or principal —
 - (i) is periodically cleaned on a regular basis every day, including frequently touched surfaces (such as toilets and handrails); and

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- (ii) is at all times provided with easily accessible disinfecting agents like hand sanitisers, disinfectant sprays, paper towels and wipes, for the free use of individuals at work or otherwise in those premises;
 - (b) all surfaces in the shared areas within the work premises of the employer or principal which are accessible (whether or not to perform work) to different individuals are cleaned on a regular basis between access or use and between events where these occur in those premises; and
 - (c) the surfaces of all machinery, equipment or plant accessible to, used or likely to be used by a different team of employees or workers to perform work at the work premises of the employer or principal are cleaned on a regular basis between access or use by the respective teams.
- (2) In this regulation, a shared area of any work premises is such part of the premises which is shared or used —
- (a) by any individuals when at work in those premises; or
 - (b) by any individuals (whether or not only employees or workers) to move through the premises.

Illustrations of shared areas

Visitor waiting area, meeting room, doors and windows, information or customer service counter, lifts, staircase or escalator handrails, reception lobby, pantry, employee canteen, washroom, litter bins and waste disposal area, and other shared facilities.

Responding to case of infection in work premises

24. As soon as practicable after becoming aware that —

- (a) an employee or a worker is a diagnosed person; and
- (b) the employee or worker has attended any work premises of the employer or principal in the relevant period,

the employer of the employee or the principal of the worker (as the case may be) must take, so far as is reasonably practicable, such measures as are necessary to manage the risk posed by the diagnosed

person with respect to individuals present in, and to reduce the risk of spreading SARS-CoV-2 at, those work premises.

Policies and procedures to ensure compliance at work premises

25. An employer and a principal must each take, so far as is reasonably practicable, such measures as are necessary —

- (a) to establish and apply appropriate internal policies and procedures and adequate controls —
 - (i) to monitor and ensure the compliance by the employer or principal and their respective employees and workers with the requirements in these Regulations and the Control Orders; and
 - (ii) to remedy without delay any instances of such non-compliance; and
- (b) to appoint at least one individual as a Safe Management Officer (with such assistants as may be needed) to effectively perform the duties mentioned in paragraph (a).

Communication to employees and workers

26. An employer and a principal must each take, so far as is reasonably practicable, such measures as are necessary, to ensure that all their employees and workers, and any individual to whom regulation 10 may apply, are aware of —

- (a) the arrangements, steps or other measures (which may include training) adopted and applied by the employer or principal —
 - (i) to comply with these Regulations; and
 - (ii) to address the health and safety issues arising from COVID-19 at the work premises of the employer or principal;
- (b) the duties mentioned in regulations 8, 13, 15, 16 and 17 that apply to them; and
- (c) the duty in section 15(1)(b) of the Act of an employee or a worker to cooperate with his or her employer or principal

and any other person to such extent as will enable his or her employer, principal or the other person (as the case may be) to comply with the provisions of these Regulations.

Application to sole proprietors, partners, etc.

27. Where an employer or a principal is a sole proprietor or a partnership, a corporation or an unincorporated association (other than a partnership), this Part applies, with the necessary modifications, to each of the following individuals when at work, whether or not in the work premises of the employer or principal, as if he or she were an employee of the employer or a worker of the principal:

- (a) the sole proprietor and every partner of the partnership, whether or not he or she is also a visitor to the work premises;
- (b) every director, partner, chief executive, manager, secretary or other similar officer of the corporation, whether or not he or she is also a visitor to the work premises;
- (c) the president, the secretary, or any member of the committee of the unincorporated association, whether or not he or she is also a visitor to the work premises.

PART 5

OFFENCES

Offence concerning non-reporting by diagnosed person

28.—(1) Where any notice which is required by regulation 16 to be given by an employee or a worker to his or her employer or principal is not given within the time delimited under that regulation, the employee or worker in default shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$4,000.

(2) This regulation does not apply if the employee or worker concerned has a reasonable excuse.

Offence of false vaccination information or false reporting by diagnosed person

29.—(1) Where pursuant to a requirement by an employer to an employee thereof or by a principal to a worker thereof to provide vaccination information in order for the employer or principal (as the case may be) to comply with regulation 15 —

- (a) the employee or worker gives the employer or principal any statement that was false or misleading in a material particular or that contains any omission which makes the statement misleading in a material particular; and
- (b) the employee or worker knew, or was reckless as to whether, that the statement was false or misleading in a material particular or contains any omission which makes the statement misleading in a material particular,

the employee or worker making that statement shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

(2) Where an employee or a worker —

- (a) gives his or her employer or principal (as the case may be) any notice which is required by regulation 16 to be given —
 - (i) that is false or misleading in a material particular; or
 - (ii) that contains any omission which makes the statement misleading in a material particular; and
- (b) the employee or worker knew, or was reckless as to whether, that the notice was false or misleading in a material particular or contains any omission which makes the notice misleading in a material particular,

the employee or worker shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Offence of non-compliance with safe management measures

30.—(1) An individual who, without reasonable excuse, contravenes regulation 13 shall be guilty of an offence and shall be liable on conviction —

- (a) to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both; or
- (b) in the case of a second or subsequent offence, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both.

(2) An employer or a principal who fails to comply with regulation 6, 7, 8, 11, 12, 18(1), 19, 20, 21, 22(1), 24, 25 or 26 shall be guilty of an offence and shall be liable on conviction —

- (a) to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both; or
- (b) in the case of a second or subsequent offence, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both.

(3) An occupier who fails to comply with regulation 10, 18(2), 22(2) or 23 shall be guilty of an offence and shall be liable on conviction —

- (a) to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both; or
- (b) in the case of a second or subsequent offence, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both.

Made on 28 December 2021.

AUBECK KAM
*Permanent Secretary,
Ministry of Manpower,
Singapore.*

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(To be presented to Parliament under section 65(8) of the Workplace Safety and Health Act).