



HEALTH, SAFETY & ENVIRONMENT OBLIGATIONS OF SUB-CONTRACTOR

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1. The SUB-CONTRACTOR and their respective employees, workers and agents shall strictly comply with all relevant statutory and other requirements including but not limited to the Occupational Safety & Health Act 1994 (Act 514), Factories & Machinery Act 1967 (Act 139), Environmental Quality Act 1974 (Act 127), Gas Supply Act 1993 (Act 501), the regulations made under the relevant Acts, and other Client's specifications and requirements pertaining to Health, Safety and Environmental (HSE) protection at the WORKPLACE. **Additional HSE requirements from Client to be complied shall be attached and specified in page 3.**
2. The SUB-CONTRACTOR shall be wholly responsible for the safe and healthy work practices, effective implementation of project HSE Implementation Plan/Program for their employees, workers and agents before they are involved in the WORK.
3. The SUB-CONTRACTOR shall appoint Site Safety Representative to supervise on all the HSE matters and issues. He/She shall be responsible to:
 - a. inspect and rectify any unsafe place of work;
 - b. correct any unsafe practices;
 - c. ensure that all their workers comply with the Act; and
 - d. liaise directly with MSOG HSE Officer/Supervisor

The SUB-CONTRACTOR shall ensure their appointed Site Safety Representative has a minimum of two (2) years experience as a site foreman and to be stationed at workplace while the work is in-progress.

4. The SUB-CONTRACTOR shall ensure that all employees or workers are medically fit by a certified medical doctor prior to employment and drug test to be negative. The SUB-CONTRACTOR shall ensure that their employees are free from any influence of drugs, alcohol or gambling. If there is any employee caught and proven had consume any of the drug or alcohol or gambling activities, then WITHOUT any compromise the worker shall be expelled from the WORKSITE and names will be given to the LOCAL AUTHORITY for further action.
5. The SUB-CONTRACTOR shall, at its own expense, to ensure that its employees, workers and agents to attend appropriate training related to Health, Safety, Environment such as, but not limited to, Site Safety Supervisor, Accident Investigation & Reporting, Hazard Identification, Risk Assessment and Control, First Aid, Basic Fire Fighting, Oil & Gas Safety Passport (OGSP), authorized entrance into confined space and so forth to ensure competency of its personnel assigned to the PROJECT.

All persons who are required to be present at the WORKSITE shall attend the Safety Induction for Construction Workers (SICW) training for CIDB Green Card and possess other HSE related Card which is required by the owner/client's. Failing which, MSOG reserves the right to STOP the person(s) concerned from entering the WORKSITE.

6. It is the duties and responsibilities of SUB-CONTRACTOR to provide all employees, workers and agents with appropriate personal protective clothing and equipment which satisfy accepted industry standards and meeting client's requirements. These shall include but not necessarily be limited to, polycarbonate or fiberglass safety helmets, relevant safety eye and ear protection, safety gloves, safety boots/shoes, safety vest and where appropriate, safety harness.
7. MSOG and SUB-CONTRACTOR agree that their respective employees, workers and agents shall not indulge in practical jokes, boisterous behavior, horseplay, and the like and shall not permit the use, possession or sale of alcoholic beverages or illegal drugs while at the WORKSITE or other related premises.



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8. It is the SUB-CONTRACTOR'S duties and responsibilities to ensure that all machineries, tools and equipment used in the PROJECT are in a safe and good working condition prior to use. The SUB-CONTRACTOR is also responsible to provide all the appropriate SIGNBOARDS required by the MSOG. The SIGNBOARDS must comply with all relevant statutory requirements including but not limited to Department of Occupational Safety and Health (DOSH), Suruhanjaya Tenaga (ST), Department of Environment (DOE), Fire & Rescue Department (BOMBA), JKR Arahan Teknik Jalan 2/C 85, JKR Nota Teknik (Jalan) 23/03 and Dewan Bandaraya Kuala Lumpur (DBKL) Pengangkutan Jalan.
9. The SUB-CONTRACTOR shall allow MSOG access at any time to any personnel, MATERIALS and records involved in the WORK to enable MSOG to ensure that the SUB-CONTRACTOR has complied with MSOG and others statutory requirements as stated in clause No. 1.
10. In the event of WORK is being carried out by the SUB-CONTRACTOR in an unsafe manner or if it's MATERIALS require modification to meet legislative standards or in the event of non-compliance with any provision in this Article, MSOG reserves the right to immediately suspend all or part of the WORK.

The notice of suspension shall include the reasons for such notice and shall outline the steps required to be taken by the SUB-CONTRACTOR to rectify the problem.

The refusal or inability of the SUB-CONTRACTOR to remedy the unsafe practice or non-conformance or to perform the required modification to its MATERIALS or WORK which could jeopardize the health, safety, environmental within fifteen (15) calendar days of the notice shall constitute a breach of CONTRACT and MSOG may, in addition to and without prejudice to any other right MSOG may have, terminate the CONTRACT.

11. The SUB-CONTRACTOR'S Project Manager shall be responsible for coordinating the MSOG health, safety & environmental protection improvement activities. He/she and MSOG representative shall be a focal point of all the health, safety & environmental protection improvement related matters.
12. The SUB-CONTRACTOR shall report any accident at the WORKSITE or related premises which involves any employees, workers or agents of the SUB-CONTRACTOR immediately to MSOG, whether or not injury to personnel or damage to property has occurred in accordance with MSOG Accident Investigation Reporting Procedure.

The SUB-CONTRACTOR shall prepare a preliminary report not later than twenty-four (24) hours following the accident. The SUB-CONTRACTOR shall participate in the accident investigation which was organized by MSOG and details report shall be produced to MSOG Committee Chairman within ten (10) working days.

13. In the interests of safety and security, MSOG reserves the right to require the SUB-CONTRACTOR employees, workers and agents to produce acceptable evidence of identification such as a Passport or Identity Card for the purpose of entering any MSOG premises and the WORKSITE.

In addition the SUB-CONTRACTOR employees, workers and agents shall permit the searching of any package, toolbox, or suitcase in their possession. Any such party unwilling to comply with such requirement will not be permitted to continue undertake the WORK, entry into the WORKSITE or any MSOG premises and, consequently, MSOG will not be liable for any costs arising directly or indirectly out of such circumstances. The SUB-CONTRACTOR and their respective employees, workers and agents shall also comply with such request prior to leaving the WORKSITE or any MSOG premises. The SUB-CONTRACTOR shall immediately report any crime or offence to MSOG.

14. Any non-compliance to Site HSE requirements shall be registered in the MSOG Site Disciplinary Register.

----- **End of obligations** -----



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I, _____ from _____
Name *Company Name & Reg. No.*

hereby declare that I have acknowledge receipt, read and understood the above MSOG's Health, Safety & Environment (HSE) Obligations of Sub-Contractors.

We hereby agreed and undertake all necessary precautionary measures, provisions, actions to ensure that all my employees, workers, agents will comply with all MSOG's HSE Obligations of Sub-Contractors, all provisions of the latest OCCUPATIONAL SAFETY AND HEALTH ACT 1994 (OSHA 1994) or any modification thereof or any other law relating thereto and rules made thereunder from time to time, and we shall observe and give effect to the provisions of any law for the time being in force.

Company Stamp	Designation	
	I/C No.	
	Date	
	Signature	

WITNESSED BY MSOG

Name		Signature	
I/C No.			
Date			

ATTACHMENT (as applicable)

Attachment 1	
Attachment 2	
Attachment 3	
Attachment 4	
Attachment 5	