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SERI PADUKA BAGINDA
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AKTA KILANG DAN JENTERA 1967

PERATURAN-PERATURAN KILANG DAN JENTERA (PENDEDAHAN BISING)
(PEMBATALAN) 2019

PADA menjalankan kuasa yang diberikan oleh perenggan 56(1)(ja) Akta Kilang dan Jentera 1967 [Akta 139], Menteri membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Kilang dan Jentera (Pendedahan Bising) (Pembatalan) 2019**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 1 Jun 2019.

Pembatalan

2. Peraturan-Peraturan Kilang dan Jentera (Pendedahan Bising) 1989 [P.U. (A) 1/1989] ("Peraturan-Peraturan yang dibatalkan") dibatalkan.

Kecualian dan peralihan

3. (1) Apa-apa pemantauan pendedahan yang dikendalikan di bawah Peraturan-Peraturan yang dibatalkan hendaklah terus sah bagi tempoh dua belas bulan selepas permulaan kuat kuasa Peraturan-Peraturan Keselamatan dan Kesihatan Pekerjaan (Pendedahan Bising) 2019 [P.U. (A) 60/2019].

(2) Mana-mana majikan yang telah mengendalikan pemantauan pendedahan di bawah Peraturan-Peraturan yang dibatalkan hendaklah menjalankan suatu penaksiran risiko bising dalam masa dua belas bulan selepas permulaan kuat kuasa Peraturan-Peraturan Keselamatan dan Kesihatan Pekerjaan (Pendedahan Bising) 2019.

(3) Apa-apa kawalan kejuruteraan atau kawalan pentadbiran yang dikendalikan di bawah Peraturan-Peraturan yang dibatalkan hendaklah disifatkan telah dijalankan di bawah Peraturan-Peraturan Keselamatan dan Kesihatan Pekerjaan (Pendedahan Bising) 2019 dan hendaklah terus sah bagi maksud rujukan dan rekod.

(4) Apa-apa ujian audiometrik yang dikendalikan di bawah Peraturan-Peraturan yang dibatalkan hendaklah disifatkan telah dijalankan di bawah Peraturan-Peraturan Keselamatan dan Kesihatan Pekerjaan (Pendedahan Bising) 2019 dan hendaklah terus sah bagi maksud rujukan dan rekod.

(5) Mana-mana majikan yang belum mengendalikan apa-apa ujian audiometrik bagi maksud menetapkan audiogram garis pangkal pekerjaannya sebelum permulaan kuat kuasa Peraturan-Peraturan Keselamatan dan Kesihatan Pekerjaan (Pendedahan Bising) 2019 hendaklah menjalankan suatu ujian audiometrik ke atas pekerja-pekerja itu dalam masa tiga puluh hari selepas permulaan kuat kuasa Peraturan-Peraturan Keselamatan dan Kesihatan Pekerjaan (Pendedahan Bising) 2019.

(6) Apa-apa ujian audiometrik yang dikendalikan di bawah Peraturan-Peraturan yang dibatalkan yang masih belum selesai sebaik sebelum permulaan kuat kuasa Peraturan-Peraturan Keselamatan dan Kesihatan Pekerjaan (Pendedahan Bising) 2019 hendaklah terus sah dan hendaklah diuruskan di bawah Peraturan-Peraturan yang dibatalkan seolah-olah Peraturan-Peraturan yang dibatalkan tidak dibatalkan.

(7) Semua rekod yang disimpan dan disenggara di bawah Peraturan-Peraturan yang dibatalkan hendaklah terus berkuat kuasa dan mempunyai kesan seolah-olah rekod itu disimpan dan disenggara di bawah Peraturan-Peraturan Keselamatan dan Kesihatan Pekerjaan (Pendedahan Bising) 2019.

(8) Apa-apa tindakan atau prosiding yang dimulakan di bawah Peraturan-Peraturan yang dibatalkan yang masih belum selesai sebaik sebelum permulaan kuat kuasa Peraturan-Peraturan Keselamatan dan Kesihatan Pekerjaan (Pendedahan Bising) 2019 hendaklah terus sah dan hendaklah diuruskan di bawah Peraturan-Peraturan yang dibatalkan seolah-olah Peraturan-Peraturan yang dibatalkan itu tidak dibatalkan.

(9) Apa-apa kelulusan yang diberikan di bawah Peraturan-Peraturan yang dibatalkan hendaklah disifatkan telah diberikan di bawah Peraturan-Peraturan Keselamatan dan Kesihatan Pekerjaan (Pendedahan Bising) 2019, dan hendaklah terus berkuat kuasa dan berkesan sepenuhnya berhubung dengan orang yang baginya ia terpakai sehingga dipinda, dibatalkan atau habis tempoh.

(10) Mana-mana majikan yang telah memulakan satu program latihan sahaja bagi pekerjaanya sebelum permulaan kuat kuasa Peraturan-Peraturan Keselamatan dan Kesihatan Pekerjaan (Pendedahan Bising) 2019 hendaklah menyediakan tidak kurang daripada satu program latihan bagi pekerjaanya selepas permulaan kuat kuasa Peraturan-Peraturan Keselamatan dan Kesihatan Pekerjaan (Pendedahan Bising) 2019 untuk mematuhi kehendak di bawah Peraturan-Peraturan itu.

Dibuat 28 Februari 2019
[KSM/PUU/(S)/600-1/2/9/3(15); PN(PU2)235/XLII]

M. KULASEGARAN
Menteri Sumber Manusia

FACTORIES AND MACHINERY ACT 1967

FACTORIES AND MACHINERY (NOISE EXPOSURE) (REVOCATION) 2019

IN exercise of the powers conferred by paragraph 56(1)(ja) of the Factories and Machinery Act 1967 [Act 139], the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Factories and Machinery (Noise Exposure) (Revocation) Regulations 2019**.

(2) These Regulations come into operation on 1 June 2019.

Revocation

2. The Factories and Machinery (Noise Exposure) Regulations 1989 [P.U. (A) 1/1989] (“the revoked Regulations”) are revoked.

Saving and transitional

3. (1) Any exposure monitoring conducted under the revoked Regulations shall continue to be valid for a period of twelve months after the coming into operation of the Occupational Safety and Health (Noise Exposure) Regulations 2019 [P.U. (A) 60/2019].

(2) Any employer who has conducted exposure monitoring under the revoked Regulation shall carry out a noise risk assessment within twelve months after the coming into operation of the Occupational Safety and Health (Noise Exposure) Regulations 2019.

(3) Any engineering control or administrative control conducted under the revoked Regulations shall be deemed to have been carried out under the Occupational Safety and Health (Noise Exposure) Regulations 2019 and shall continue to be valid for the purposes of reference and record.

(4) Any audiometric testing conducted under the revoked Regulations shall be deemed to have been carried out under the Occupational Safety and Health (Noise Exposure) Regulations 2019 and shall continue to be valid for the purposes of reference and record.

(5) Any employer who has not conducted any audiometric testing for the purpose of establishing a baseline audiogramme of his employees before the coming into operation of the Occupational Safety and Health (Noise Exposure) Regulations 2019 shall carry out an audiometric testing on such employees within thirty days after the coming into operation of the Occupational Safety and Health (Noise Exposure) Regulations 2019.

(6) Any audiometric testing conducted under the revoked Regulations which is still pending immediately before the coming into operation of the Occupational Safety and Health (Noise Exposure) Regulations 2019 shall continue to be valid and shall be dealt with under the revoked Regulations as if the revoked Regulations had not been revoked.

(7) All records kept and maintained under the revoked Regulations shall continue to be in force and have effect as if they were kept and maintained under the Occupational Safety and Health (Noise Exposure) Regulations 2019.

(8) Any action or proceedings commenced under the revoked Regulations which is still pending immediately before the coming into operation of the Occupational Safety and Health (Noise Exposure) Regulations 2019 shall continue to be valid and shall be dealt with under the revoked Regulations as if the revoked Regulations had not been revoked.

(9) Any approval granted under the revoked Regulations shall be deemed to have been granted under the Occupational Safety and Health (Noise Exposure) Regulations 2019, and shall continue to remain in full force and effect in relation to the person to whom it applied until amended, revoked or expired.

(10) Any employer who has instituted only one training programme for his employees before the coming into operation of the Occupational Safety and Health (Noise Exposure) Regulations 2019 shall provide not less than one training programme for his employees after the coming into operation of the Occupational Safety and Health (Noise Exposure) Regulations 2019 to comply the requirement under the Regulations.

Made 28 February 2019

[KSM/PUU/(S)/600-1/2/9/3(15); PN(PU2)235/XLII]

M. KULASEGARAN
Minister of Human Resources