



BUILD ELECTRONICS BETTER

CHEMICAL AND PRODUCT REGULATIONS AFFECTING ELECTRONICS:

# MALAYSIA



IPC 2020 White Paper

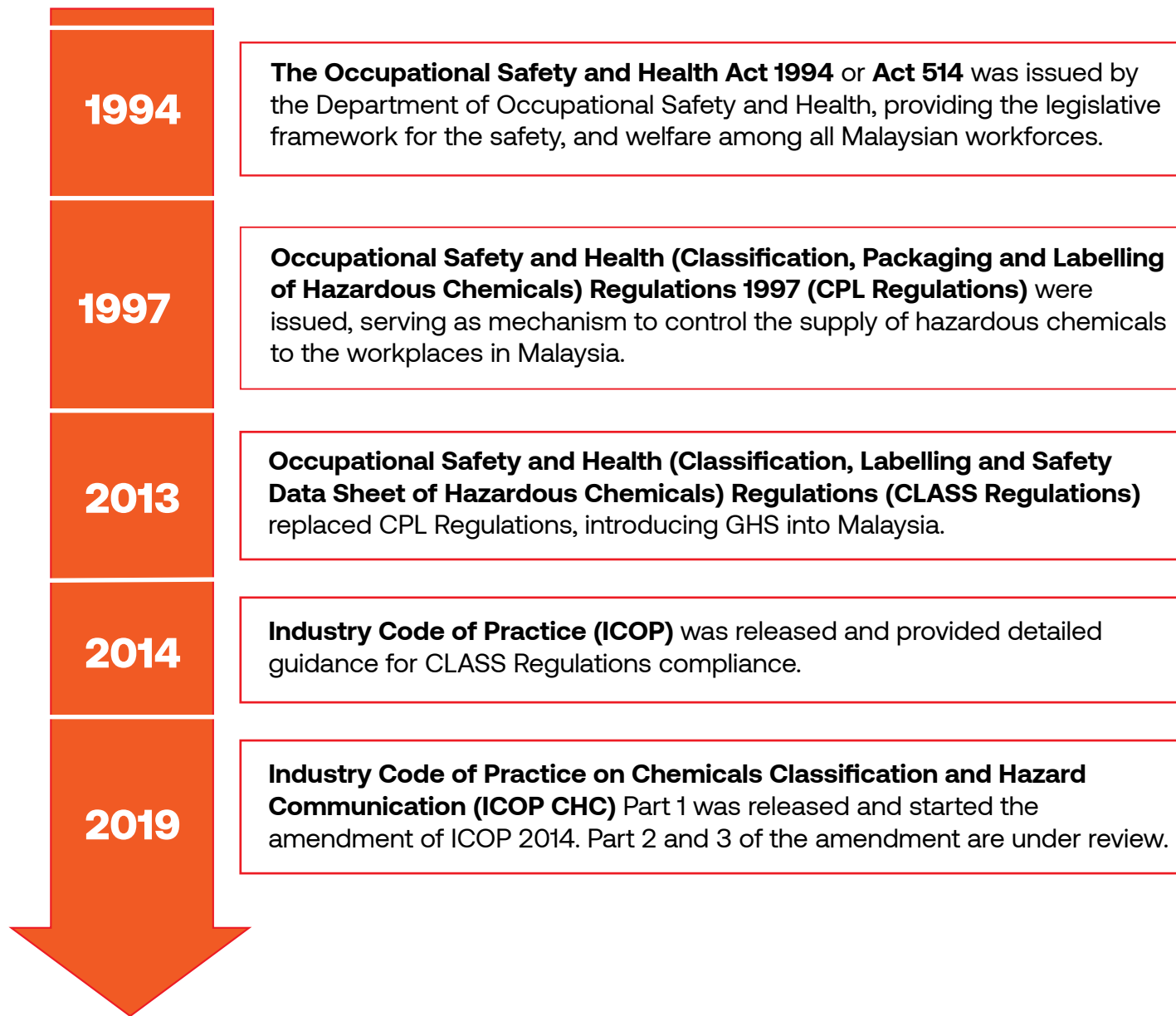
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## 1. INTRODUCTION

To lower the health and environmental impact from chemicals, countries and regions around the globe have published various chemical regulations for chemical management. Malaysia started chemical management in 1994 with the Occupational Safety and Health Act, and introduced a Malaysian standard on the Globally Harmonised System of Classification and Labelling of Chemicals (GHS) into the country in 2013 with the implementation of Occupational Safety and Health (Classification, Labelling and Safety Data Sheet of Hazardous Chemicals) regulations. Currently, Malaysia is actively updating its chemical management regulations, therefore knowing the current chemical regulations and following legislative updates could be of great importance to suppliers of chemical products that wish to access the Malaysian market.

## 2. HISTORY OF CHEMICAL REGULATION DEVELOPMENT



### 3. CURRENT CHEMICAL REGULATORY SYSTEMS

#### 3.1 CLASS Regulations

Malaysia's Occupational Safety and Health (Classification, Labelling and Safety Data Sheet of Hazardous Chemicals) Regulations (CLASS Regulations) were issued by the Department of Occupational Safety and Health (DOSH) on 11 October 2013 under the Malaysia Occupational Safety and Health Act 1994 (OSHA/Act 154), introducing GHS into Malaysia. The main objective of the CLASS Regulations is to ensure suppliers of hazardous chemicals provide sufficient information on the hazards of chemicals they supply in order to mitigate risk and provide a safe and healthy working environment.

CLASS Regulations require chemical suppliers (manufacturers, importers or subsidiary suppliers) to do the classification, labelling, preparation of the Safety Data Sheet, and packaging and chemicals inventory information submission. This information should be prepared in accordance with the Industry Code of Practice (ICOP).

CLASS Regulations can be viewed at: [http://www.federalgazette.agc.gov.my/output/pua\\_20131011\\_P%20U%20%20%28A%29%20310-peraturan-peraturan%20keselamatan%20dan%20kesihatan%20pekerjaan%20%28pengelasan%20pelabelan%20dan%20helaian%20data%20keselamatan%20bahan%20kimia%20berbahaya%29%202013.pdf](http://www.federalgazette.agc.gov.my/output/pua_20131011_P%20U%20%20%28A%29%20310-peraturan-peraturan%20keselamatan%20dan%20kesihatan%20pekerjaan%20%28pengelasan%20pelabelan%20dan%20helaian%20data%20keselamatan%20bahan%20kimia%20berbahaya%29%202013.pdf)

OSHA can be viewed at: <https://www.dosh.gov.my/index.php/legislation/acts-legislation/23-02-occupational-safety-and-health-act-1994-act-514/file>

#### 3.2 Industry Code of Practice (ICOP)

ICOP, issued on 16 April 2014 by DOSH, provides guidance and detailed information submission requirements for CLASS Regulations. ICOP consists of four parts: list of classified chemicals, chemicals classification, hazard communication-labelling and safety data sheets, and confidential business information.

##### 3.2.1 List of Classified Chemicals

Part one consists of classified chemicals that will be updated regularly. If there are any differentiations or inconsistencies in the classification within the list, or among the manufacturers or importers, the Director General may determine the most appropriate harmonised classification and labelling elements for that particular chemical.

### **3.2.2 Chemicals Classification**

Part two describes the method of classifying chemicals according to their physical, health, and environmental hazards. It contains the criteria for classifying the chemicals, decision logics, and hazard communication elements for each hazard class. There are 16 hazard classes under physical hazards, 13 hazard classes under health hazards, and three hazard classes under environmental hazards. Suppliers should record the classification of their chemicals and maintain record for inspection.

### **3.2.3 Hazard Communication-Labelling and Safety Data Sheets (SDS)**

Part three provides guidance for the preparation of labeling and SDS in compliance to the regulations. Suppliers should ensure packaging of hazardous chemicals is labelled legibly with required information and provide updated SDS to recipients.

### **3.2.4 Confidential Business Information (CBI)**

Part four provides guidance on the requirement of CBI, which is limited to hazardous chemical name and composition and hazardous chemical ingredients.

Reference: Malaysia Department of Occupational Health and Safety

ICOP 2014 can be viewed at: <https://www.dosh.gov.my/index.php/list-of-documents/osh-info/chemical-management-1/2217-industry-code-of-practice-on-chemicals-classification-and-hazard-communication-2014-pdf/file>

## 4. RECENT REGULATORY UPDATES AND REGULATION TRENDS FOR THE FUTURE

Recently, Malaysia DOSH started amending several chemical acts and regulations including OSHA 1994, CLASS Regulations and ICOP.

According to DOSH, the amended OSHA will have a more comprehensive coverage of chemicals and “make more specific rules under certain circumstances or if necessary.” The amended act is expected to be submitted to the congress by the end of 2020.

CLASS Regulations are amended in the aspect of labelling and exception requirement. The amendment is still at the early stage of discussion and is being assessed of feasibility.

ICOP was updated in 2019 by releasing the ICOP Classification and Hazard Communication (ICOP CHC) 2019 Part 1. It is promulgated under Section 37 of OSHA 1994 as a guidance to chemical suppliers to comply with the provisions of Part II of CLASS Regulations 2013. In this recent amendment, the classification of previously classified chemicals was updated based on the most recent information and data. The updated list contains the GHS classifications for 662 substances, adding the GHS classification of more than 400 substances to the previously classified 229 substances.

ICOP CHC 2019 Part 1 can be viewed at: <https://www.dosh.gov.my/index.php/legislation/codes-of-practice/chemical-management/3460-industry-code-of-practice-on-chemicals-classification-and-hazard-communication-amendment-2019-part-1/file>



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