

MEDIA STATEMENT
3 May 2016

PP v GS Engineering and Construction Corp

PROSECUTION FILES PETITION OF APPEAL

1 The accused company, GS Engineering & Construction Corp, pleaded guilty on 14 July 2015 to one charge under section 12 (1) read with section 20 of the Workplace Safety and Health Act (“**the Act**”) for failing to take measures necessary to ensure the safety and health of its employees at work, resulting in the deaths of two of its employees on 22 January 2014 at about 12.30 p.m. (“**the Charge**”).

2 The District Judge sentenced the accused company to a fine of \$150 000 on 1 September 2015.

3 In the arguments before the District Judge at the hearing, the Prosecution submitted for a deterrent sentence to be imposed in respect of the Charge, specifically a fine of not less than \$300 000, in order to uphold the statutory and public policy concerns behind the enactment of the Act. A deterrent sentence was necessary to create much-needed awareness in the construction industry that punishment will be certain and unrelenting for employers who adopt cavalier attitudes towards workplace safety and health, resulting in the preventable loss of human life.

4 The Prosecution had also emphasised in its submissions that when the Factories Act was replaced by the Act in 2006, the maximum fine for this offence was revised upwards by Parliament from \$200 000 to \$500 000.

5 Having reviewed the written grounds of decision, the Prosecution has concluded that an appeal is merited against the sentence imposed by the District Judge. A Petition of Appeal has been filed accordingly.

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