

BCA BC BMSC/CIR/2013/01

Building Management Department
Building Plan & Management Division
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12 April 2013

Chairperson/ Secretary
MCST Plan No. XXXX

Dear Sir/Madam

INSTALLATION OF ADDITIONAL SAFETY BARRIER / GRILLES AT BALCONY OF A LOT

We note that there have been recent cases where subsidiary proprietors (SPs) who have young children have approached their management corporations (MCST) seeking permission to install safety barriers at the balcony within their lot to prevent children from falling through the gaps in the balcony railings.

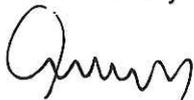
2 The installation of these safety grilles will invariably affect the appearance of the building. It follows that Section 37 of the Building Maintenance and Strata Management Act (BMSMA) requires an SP to seek prior approval from their MCST for such installation.

3 In this respect, we would like to draw the MCST's attention to Paragraph 5 of the Prescribed By-laws under the Second Schedule of the Building Maintenance (Strata Management) Regulations 2005, an extract of which is reproduced below in the **Annex** for reference. Sub-paragraph 3 of this By-law states that an SP shall not be prevented from installing any structure or device that prevents harm to children.

4 To ensure uniformity in appearance of such structures or devices with the rest of the building, the MCST could introduce relevant guidelines on design, for adoption by residents.

5 We would appreciate that the MCST considers this issue seriously in the interest of addressing the safety concerns of residents, particularly those with young children.

Yours faithfully



KOH CHYE HIN
for COMMISSIONER OF BUILDINGS
BUILDING AND CONSTRUCTION AUTHORITY

ANNEX

Extract of Paragraph 5 of the Prescribed By-laws under the Second Schedule of the Building Maintenance (Strata Management) Regulations 2005

Alteration or damage to common property

5.—(1) A subsidiary proprietor or an occupier of a lot shall not mark, paint, drive nails or screws or the like into, or otherwise damage or deface, any structure that forms part of the common property except with the prior written approval of the management corporation.

(2) An approval given by the management corporation under paragraph (1) shall not authorise any additions to the common property.

(3) This by-law shall not prevent a subsidiary proprietor or an occupier of a lot, or a person authorised by such subsidiary proprietor or occupier from installing —

(a) any locking or other safety device for protection of the subsidiary proprietor's or occupier's lot against intruders or to improve safety within that lot;

(b) any screen or other device to prevent entry of animals or insects on the lot;

(c) any structure or device to prevent harm to children; or

(d) any device used to affix decorative items to the internal surfaces of walls in the subsidiary proprietor's or occupier's lot.

(4) Any such locking or safety device, screen, other device or structure must be installed in a competent and proper manner and must have an appearance, after it has been installed, in keeping with such guidelines as the management corporation may prescribe regarding such installations, and with the appearance of the rest of the building.

(5) The subsidiary proprietor and occupier of a lot shall —

(a) maintain and keep in a state of good and serviceable repair any installation or structure referred to in paragraph (3) notwithstanding that it forms part of the common property and services the lot; and

(b) repair any damage caused to any part of the common property by the installation or removal of any locking or safety device, screen, other device or structure referred to in paragraph (3) notwithstanding that it forms part of the common property and services the lot.