

Our Reference: APPBCA-2018-05

7 August 2018

See Distribution list

Dear Sir/Madam

FEEDBACK SOUGHT ON PROPOSED KEY AMENDMENTS TO THE BUILDING CONTROL ACT

The Ministry of National Development (MND) and the Building and Construction Authority (BCA) is inviting feedback on proposed amendments to the Building Control Act.

Background

2 The Building Control Act provides a legal framework for matters related to buildings. As part of BCA's regular reviews of the provisions in the Act, it has earlier conducted several rounds of industry and stakeholder consultation to seek feedback on key areas within the Act and the proposed amendments.

Proposed amendments to the Building Control Act

3 The key amendments are to:

- (a) enhance safety of lifts, escalators and mechanised car park systems;
- (b) introduce a mandatory facade inspection regime for buildings more than 20 years old; and
- (c) update on other provisions in building control related areas, including builder licensing and accessibility.

4 Please see [Annex A](#) for details of the proposed amendments.

5 This will be the final consultation to gather feedback on the proposed amendments to the Act. Feedback from the earlier rounds of consultation have been taken into account in drafting the proposed Building Control (Amendment) Bill. [Note: The proposed amendments are released only for the purpose of a consultation and should not be used for decisions made by contractual parties, adjudicators or authorised nominating bodies, as they may not represent the final legislative changes.]

Consultation Details

6 The consultation to the proposed amendments will start on 7 Aug 2018 and end on 28 Aug 2018 (12 noon).

7 Members of the public can send their views through post or email, to reach the following address by the deadline:

By post:

Building Plan and Policies Department
Building Plan and Management Group
Building and Construction Authority
52 Jurong Gateway Road
#10-01 Singapore 608550

By email:

Email: bca_bcbillconsult@bca.gov.sg

Yours faithfully



ER. PUNITHAN SHANMUGAM
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for COMMISSIONER OF BUILDING CONTROL

ANNEX A

LIST OF PROPOSED AMENDMENTS TO THE BUILDING CONTROL ACT 2018

Part (A) – Lift and Escalator Safety

To enhance the safety of lifts and escalators, and to help the industry raise its capabilities. The key proposed amendments are as follows:

No	Item	Proposed Amendment	Rationale/Comments
1	Plans of lifts and escalators	<p><u>Formal submission and approval of plans</u></p> <p>No one is allowed to carry out any lift or escalator works (i.e. lift or escalator installation or major alteration or replacement works) <u>before</u> the Commissioner of Building Control has approved the plans of the lift or escalator. The developer must apply for such approval with the submission of plans that have been reviewed and certified by a qualified person.</p> <p><u>Procedures and requirements</u> for the following will be added to the Building Control Act to facilitate the plan approval process:</p> <ul style="list-style-type: none"> (a) application for plan approval (b) deviations from approved plans (c) lapsing or revocation of approval of plans (d) modification or waiver of requirements. <p>For lifts, as part of plan approval, type testing certificates are required to be submitted. These certificates will have to be issued by recognised technically competent bodies, after they have carried out type testing for the specified lift safety components and the entire lift model. The technically competent bodies will be prescribed in the Regulations.</p>	<p>Currently, there is no specific requirements to require submissions of plans for lifts and escalators for approval although Authorised Examiners are required to be engaged to certify compliance of the equipment with the relevant code and standard at the commissioning stage. This provision will allow the design of lifts and escalators to be evaluated at an earlier stage for compliance.</p> <p><i>(Note: The various provisions for plan submission and approval for lifts and escalators are similar to the existing provisions for submission and approval of plans for building works.)</i></p> <p>A type testing regime is proposed, similar to that required in the European Union where such practices, based on EN 81-20 standards, are well established and widely used. The type testing regime will ensure that specified safety components and the equipment are adequately tested. The type testing regime will ensure that</p>

No	Item	Proposed Amendment	Rationale/Comments
			specified safety components and the equipment are adequately tested.
Design stage			
2	Stakeholders and duties	The stakeholders and their duties during the design stage are:	To provide clarity on stakeholders' duties, responsibilities and accountability.
		(a) <u>Developer</u> Every developer of lift or escalator works must appoint an installation contractor who will carry out the lift or escalator works during the installation stage, and an appropriate qualified person to review and certify the plans. The developer is to make an application to the Commissioner of Building Control for approval of the plans for lift or escalator works.	To set out the duties of a developer during the design stage.
		(b) <u>General builder</u> Where the lift or escalator works are part of any building works and if the developer does not appoint the appropriate qualified person, the general builder carrying out those building works must make the appointment. The builder may also apply to the Commissioner of Building Control for approval of lift or escalator works on the developer's behalf.	The builder is allowed to make the appointment of the qualified person for lift and escalator works that are part of the building works.
		(c) <u>Installation contractor</u> The installation contractor is to provide the plans for the lift or escalator works to the appointed qualified person for his review and certification. For lifts, the installation contractor is to provide the type test reports (components and product test reports) and certificates for the qualified person's review and endorsement.	To set out the duties and responsibilities of the installation contractor during the design stage.
		(d) <u>Qualified person</u> The qualified person must –	To set out the duties and responsibilities of the qualified person during the design stage.

No	Item	Proposed Amendment	Rationale/Comments
		<ul style="list-style-type: none"> review and certify the plans of lift or escalator works; and for lifts, ensure that type test reports (components and product test reports) and certificates provided by the installation contractor are correct for the design and specifications submitted with the plans, endorse these type test reports and certificates, and submit them with the plans to BCA for approval 	
Installation stage			
3	Stakeholders and duties	The stakeholders and their duties during the installation stage are:	
		(a) <u>Developer</u> Every developer of lift or escalator works must appoint an appropriate qualified person to supervise the carrying out of the lift or escalator installation works.	To set out the duties of a developer during the installation stage.
		(b) <u>General builder</u> Where the lift or escalator works are part of any building works and if the developer does not appoint the appropriate qualified person, the general builder carrying out those building works must make the appointment.	The builder is allowed to make the appointment of the qualified person for lift and escalator works that are part of the building works.
		(c) <u>Qualified person</u> During the installation stage, the qualified person must: <ul style="list-style-type: none"> supervise and certify the lift or escalator installation works; and for lifts, ensure the components and the entire lift installed correspond to the type test reports and certificates submitted with the plans 	To set out the duties and responsibilities of the qualified person during the installation stage.
		(d) <u>Lift and escalator inspector</u> A new stakeholder called the “lift and escalator inspector” will be introduced. The inspector may be appointed by the qualified person to assist in supervising the carrying out of lift or escalator installation works. He has to meet prescribed qualifications and requirements, and be accredited with the Building and Construction Authority or a prescribed organisation.	To set out duties and responsibilities of the new lift and escalator inspector during the installation stage. The role of the lift and escalator inspector vis-à-vis the qualified person is similar to that of the qualified site supervisor vis-à-vis the qualified person who appointed him for building works.

No	Item	Proposed Amendment	Rationale/Comments
		<p>(e) <u>Installation contractor</u></p> <p>The installation contractor is responsible for carrying out the lift or escalator installation works in accordance with the provisions of the Act, its regulations and the plans approved by the Commissioner of Building Control.</p> <p>The installation contractor must have and be assisted by a prescribed number of supervisors working under his direction.</p> <p>In addition, the installation contractor must ensure that his workers satisfy the minimum prescribed certification or qualifications in order to carry out the works independently.</p> <p>The installation contractor of the lift or escalator is also required to rectify any safety-related defects in the lifts and escalators imported by them, once they become aware of any such defects, and notify the Commissioner of Building Control of such defects. This duty applies throughout the lifecycle of the lift or escalator, including latent defects that are found during its operation.</p>	<p>To set out duties and responsibilities of the installation contractor during the installation stage.</p>
Testing and commissioning stage			
4	Stakeholders and duties	The stakeholders and their duties during the testing and commissioning stage are:	
		<p>(a) <u>Developer</u></p> <p>Every developer of lift or escalator works must appoint —</p> <ul style="list-style-type: none"> • an appropriate qualified person to supervise the carrying out of the testing and commissioning; and • an installation contractor to carry out the testing and commissioning. 	<p>To set out the duties of a developer during the testing and commissioning stage.</p>

No	Item	Proposed Amendment	Rationale/Comments
		(b) <u>General builder</u> Where the lift or escalator works are part of any building works and the developer does not appoint the appropriate qualified person, the general builder carrying out those building works must make the appointment.	The builder is allowed to make the appointment of the qualified person for lift and escalator works that are part of the building works.
		(c) <u>Qualified person</u> During the testing and commissioning stage, the qualified person must <ul style="list-style-type: none"> • supervise and certify the testing and commissioning; and • for lifts, confirm that the type test reports and certificates submitted with the plans are valid when the first Permit to Operate is issued 	To set out the duties and responsibilities of the qualified person during the testing and commissioning stage.
		(d) <u>Lift and escalator inspector</u> The qualified person may appoint a lift or escalator inspector to assist him in supervising the carrying out of the testing and commissioning.	To set out duties and responsibilities of the lift and escalator inspector during the testing and commissioning stage.
		(e) <u>Installation contractor</u> The installation contractor is responsible for carrying out testing and commissioning in accordance with the provisions of the Act, its regulations and the plans of the lift or escalator works approved by the Commissioner of Building Control. He must also ensure that, for lifts, the type test reports and certificates submitted with the plans are valid when the first Permit to Operate is issued.	To set out duties and responsibilities of the installation contractor during the testing and commissioning stage.
Maintenance stage			
5	Stakeholders and duties	The stakeholders and their duties during the maintenance stage are below. The majority of the provisions are existing ones ported over from the Building Maintenance and Strata Management (Lift, Escalator and Building Maintenance) Regulations 2016. The provisions not in the Regulations are indicated as [New]	

No	Item	Proposed Amendment	Rationale/Comments
		<p>(a) <u>Owner</u> During the operation of a lift or escalator, the owner must engage a service contractor to carry out maintenance works. The owner is also responsible to ensure that annual examination, inspection and testing is carried out by the service contractor under the supervision of a qualified person. It is the duty of the qualified person to ensure that the annual examination, inspection and testing is carried out in accordance with the requirements.</p> <p>[New] While the service contractor is responsible for maintaining the lifts and escalators in accordance with the requirements, we will make it clear that the owner must ensure that maintenance is carried out at a frequency prescribed in the regulations. In addition, when parts are required for replacement/repair for the proper maintenance of lifts and escalators, the owner must do his due diligence to ensure that the replacement/repair is carried out by service contractor. If there is a change in the service contractor, the owner must notify the Commissioner.</p> <p>[New] At all times, the owner of a lift or escalator must not do anything to the lift or escalator that would cause it to become non-compliant with any prescribed requirements or standard that is applicable to that lift or escalator.</p> <p>[New] The Commissioner of Building Control may also require the owner of a lift or escalator to carry out (at the owner's cost) such examination, inspection, test, check or audit of the lift or escalator at such time or at such frequency, to ascertain the compliance of the lift or escalator with all relevant requirements under the Building Control Act and its Regulations.</p>	<p>These provisions are duties for the owner of a lift or escalator, to ensure the proper maintenance of lifts and escalators. The owner shall have the duty and responsibility to initiate the maintenance as per the requirements. The duty to carry out the maintenance in accordance with the prescribed requirements, relevant code or standard lies with the service contractor.</p>
		<p>(b) <u>Qualified person</u> During the maintenance stage, the qualified person must supervise and certify the annual examination, inspection and testing.</p>	<p>To set out the duties and responsibilities of the qualified person during the maintenance stage.</p>

No	Item	Proposed Amendment	Rationale/Comments
		<p>(c) <u>Lift and escalator inspector</u> [New] The qualified person may appoint a lift or escalator inspector to assist him in supervising the carrying out of the annual examination, inspection and testing.</p>	<p>To set out duties and responsibilities of the lift and escalator inspector during the maintenance stage.</p>
		<p>(d) <u>Service contractor</u> A service contractor must, during the term of his engagement by the owner of a lift or escalator, comply with the maintenance requirements, which include –</p> <ul style="list-style-type: none"> • carrying out prescribed maintenance works for the lift or escalator • conducting annual examination, inspection and testing of the lift or escalator in presence of a qualified person • notifying the Commissioner of Building Control when he finds, in the course of carrying out his duties, the lift or escalator unsafe for operation • when requested to do so by the Commissioner of Building Control, submit an investigation report on any breakdown of the lift or escalator • [New] ensuring that his workers satisfy minimum qualification or certification requirements if they carry out works independently <p>[New] To help the service contractor ensure that maintenance is carried out in accordance with the requirements, he must have and be assisted by a prescribed number of supervisors working under his direction.</p> <p>[New] In addition, when the maintenance contract is terminated, the service contractor must hand over the documents and information necessary for the maintenance of the lift or escalator to the owner, including to ensure access to the lift or escalator for the owner and the new contractor that takes over the maintenance of the lift or escalator.</p>	<p>These provisions are duties for the service contractor.</p> <p>A key new requirement is that the service contractor must ensure that the workers who are servicing the lifts/escalators independently have the minimum qualification/certification as prescribed in the regulations. Otherwise, the workers will need to be working under qualified supervisors.</p> <p>In addition, amendments will make clear that service contractor has a duty to hand over all relevant documents and information for maintenance of the lifts/escalators to the owner and the new service contractor, so that they can to continue the proper maintenance of the equipment. This includes access to the lift or escalator systems, controls, etc.</p>
6	Operation and maintenance of lifts and escalators	<p><u>Porting over operation and maintenance requirements</u> Regulations for lift and escalator operation and maintenance, currently prescribed in the Building Maintenance and Strata Management (Lift, Escalator and Building Maintenance) Regulations 2016, will come under the ambit of the Building Control (Amendment) Act after this amendment.</p>	<p>Having a single piece of legislation for lift and escalator requirements will help to streamline the overall regulation of lift and escalator.</p>

No	Item	Proposed Amendment	Rationale/Comments
	Operation and maintenance of lifts and escalators	<p><u>Permit to operate</u> A developer must apply for and obtain a valid permit before he is allowed to operate a lift or escalator for the first time or resume operation after major alteration or replacement works to an existing lift or escalator.</p> <p>The owner of a lift or escalator must ensure that the lift or escalator is operated only when there is a valid permit in place and the permit is renewed annually during the operation of the lift or escalator.</p> <p>Procedure and requirements to apply for the permit to operate will be added to the Building Control Act. This includes requirements to carry out examination, inspection and testing and for the qualified person to submit his certification.</p>	The requirement on the application of Permit to Operate is ported over from Building Maintenance and Strata Management (Lift, Escalator and Building Maintenance) Regulations 2016.
7	Major alteration and replacement	<p><u>Major alteration or replacement</u> The design, installation, testing and commissioning requirements will also apply to major alteration or replacement of lifts and escalators. The process and requirements will follow that for new installations, except that the plans and type testing certificates to be submitted is only required for the altered or replaced parts.</p>	Major alteration or replacement of lifts or escalators will need to comply with design, installation, testing and commissioning requirements, similar to that of new installations of lifts and escalators.
8	Continued compliance	<p><u>Requirements on continued compliance</u> After a lift or escalator is approved for use, it must continue to comply with the applicable codes and standards it was built to, and the approved design plans. If any of the lift or escalator components go through major alteration or replacement (A&R) works, they must then comply with the prevailing codes and standards at the time of the A&R works.</p>	This provision on continued compliance is meant to prevent unauthorised removal and misuse of safety components or features designed for and installed in a lift or escalator.
Others			
9	Independence	<p><u>Independence of the qualified person and the lift and escalator inspector</u> A qualified person or a lift and escalator inspector must be independent, and hence must not be a partner, director, an officer or employee of the following persons during design and installation stage or major alteration or replacement —</p> <ul style="list-style-type: none"> • the developer of the lift or escalator works 	This provision is to ensure the financial and professional independence of the qualified person and the lift and escalator inspector. The requirement is similar to existing requirements for

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		<ul style="list-style-type: none"> • where the lift or escalator works concerned are part of any building works — the builder carrying out the building works • the installation contractor carrying out the lift or escalator works; or • an associate of any person mentioned above <p>Similarly, he must not be a partner, director, an officer or employee of the following persons during the maintenance stage —</p> <ul style="list-style-type: none"> • the owner of the lift or escalator • the service contractor; or • an associate of any person mentioned above 	<p>independence of the qualified person appointed to supervise building works.</p>
10	<p>Register of installation contractors and service contractors</p>	<p><u>Registration of installation contractors and service contractors</u></p> <p>The Commissioner of Building Control will administer the registration of the following classes of contractors:</p> <ul style="list-style-type: none"> • escalator installation contractors • escalator service contractors • lift installation contractors • lift service contractors. <p>To qualify for registration of any of the above, the applicant must possess the qualifications and practical experience prescribed for that particular class of registration.</p>	<p>To ensure that works are carried out by proper contractors, the Commissioner of Building Control will administer the registration of service and installation contractors.</p> <p>Service contractors for lifts and escalators are currently registered under 2 regulatory workheads (one for lift and the other for escalator) under the Building Maintenance and Strata Management Act. These provisions will be ported over to the Building Control Act.</p> <p>Since duties are to be prescribed for the installation contractor under the Building Control Act, the Commissioner of Building Control will also administer the registration of installation contractors. Similar to the registration of service contractors, installation contractors will also be registered under 2 separate regulatory</p>

No	Item	Proposed Amendment	Rationale/Comments
			workheads, one for lift and the other for escalator.
	Register of installation contractors and service contractors	<p><u>Requirements for registration</u></p> <p>In deciding whether to register an applicant for any of the above classes, the Commissioner of Building Control must have regard to, and give such weight as appropriate to:</p> <ul style="list-style-type: none"> • whether the person is of good character and reputation • where the person is a corporation or partnership — the general character of the management of the corporation or of the partners • the financial condition of the person • whether the person has sufficient material and financial resources available to enable the person to meet financial obligations as and when they become due • whether the person has previously — <ul style="list-style-type: none"> (a) been refused registration, or renewal of the person’s registration, as an installation contractor or a service contractor (b) been refused the grant or renewal of any licence under this Act (c) had any licence or registration suspended or revoked under this Act; or (d) been convicted of an offence under this Act or the building regulations • whether there are reasonable grounds for believing that the person will not carry out the duties of an installation contractor or a service contractor (as the case may be) in accordance with this Act and the building regulations, and with honesty and integrity; and • whether there is any other relevant matter that makes it contrary to the public interest to register the person or renew the person’s registration <p>The Commissioner of Building Control may cancel or suspend the registration of an installation contractor or service contractor if the contractor —</p> <ul style="list-style-type: none"> • obtained the registration or renewed registration by fraud or misrepresentation; • no longer satisfies any of the requirements of registration; 	<p>This provision sets out revised registration requirements as well as additional criteria of the cancellation and suspension of registration which include fraud and misrepresentation in the application for registration and conviction of offences that involve fraud or dishonesty.</p> <p>In cases where a lift or escalator contractor is found to be unable to perform his or her duties properly, the Commissioner may impose duties via the registration to require the contractor to focus its resources to improve its performance.</p>

No	Item	Proposed Amendment	Rationale/Comments
		<ul style="list-style-type: none"> • is convicted of an offence involving fraud or dishonesty, or an offence under this Act or the building regulations; • is unable to carry out its duties satisfactorily; • endangers the safety of the public; or <p>if the Commissioner of Building Control is of the opinion that the cancellation or suspension of the registration is in the interest of public safety.</p> <p>The installation contractor or service contractor will be given an opportunity to be heard against the decision of the Commissioner of Building Control before its registration is suspended or cancelled.</p>	
11	Retrofitting of existing lifts and escalators	<p><u>Retrofitting order</u> The Minister may order the owner of an existing lift or escalator to retrofit his lift or escalator in such manner, by such person, using such components or safety features and within a grace period as may be prescribed for that particular lift or escalator.</p> <p>In making the order, the Minister may prescribe one or more of the following –</p> <ul style="list-style-type: none"> • the duties and responsibilities of any person authorised to carry out retrofitting of the lift or escalator • age, types or models of lifts or escalators to undergo retrofitting, and corresponding grace periods • qualifications and training for persons authorised to carry out retrofitting in relation to different types or models of lifts or escalators. 	Existing lifts and escalators may not be installed with the latest components or safety features that are found in the current standards, given the applicable standards then had no such requirements. This provision would empower the Minister to order existing lifts/escalators to be retrofitted with safety features or components safety requirements in prevailing standards, in the public interest.
12	Mechanised car parking systems (MCPS)	<p><u>Regulating user interface for MCPS</u> Below are the new proposed requirements:</p> <ol style="list-style-type: none"> (a) BCA will register MCPS installation contractors and service contractors, and impose additional registration conditions (e.g. on training of workers) as needed (b) Approval of MCPS design before installation – plans of MCPS must comply with requirements and be submitted by a Qualified Person (QP) to BCA and approved by BCA, before an installation contractor can commence installation 	MCPS are designed to transport a car to the parking area without anyone inside the car. The new regime will focus on protecting the safety of users (including the driver and passengers, if any) by regulating those parts of the MCPS where the users come into direct contact with the system.

No	Item	Proposed Amendment	Rationale/Comments
		<ul style="list-style-type: none"> (c) Upon completion of installation, testing, examination and inspection of MCPS must be carried out by an MCPS installation contractor under the supervision of QP (d) To operate the MCPS, the owner must apply for a Permit to Operate, and renew this permit annually (e) MCPS must be maintained by a MCPS service contractor at regular intervals, and inspected by a QP annually (f) The owner and service contractor have to report to BCA any MCPS incidents involving serious injuries or failure of safety critical components (g) The Commissioner can issue a Notice to maintain, or to suspend or stop the operation of MCPS if the Commissioner is of the opinion that it is in the interests of public safety to do so (h) The owner has to notify the Commissioner in writing before any major alteration or replacement works are carried out on the MCPS (i) The owner must ensure that the MCPS continues to comply with the requirements that it has been designed for (j) The Minister may issue Retrofitting Orders to owners requiring them to retrofit prescribed safety features for MCPS for public safety 	<p>Including MCPS into the regime will help to protect the safety of users (the driver, passengers and any other person) by regulating those parts of the MCPS where the users come into direct contact with the system.</p>

Part (B) – Façade Inspection Regime

To ensure regular inspection and maintenance of building façades. The key proposed amendments are as follows:

No	Item	Proposed Amendment	Rationale/Comments
1	Provisions for mandatory façade inspection	<p><u>Mandatory inspection for façades</u> A mandatory periodic façade inspection regime will be introduced in the Building Control Act. The regime will require owners of buildings to engage a competent person to carry out an inspection to their building’s façade once every 7 years. The competent person will be a qualified person who has successfully completed a course required by the Commissioner of Building Control for the purpose of this requirement.</p> <p>These requirements for mandatory façade inspections will not apply to any building that is a:</p> <ul style="list-style-type: none"> • landed residential property • temporary building • a building, the highest point of which (whether or not a roof) is 13 metres or lower when measured from the ground. <p>The façade inspection regime will have the following procedures and features:</p>	<p>The building façade inspection regime is introduced to ensure that façades are regularly inspected and maintained, given the safety concerns of falling façade elements in Singapore’s high-rise and highly built-up urban environment.</p>
2	Notification for façade inspection	<p><u>Notification for façade inspection</u> The Commissioner of Building Control may issue a notice to the owner of a building that is more than 20 years of age to have the façade of his building inspected periodically (every 7 years) to identify —</p> <p>(a) any part of the façade that may be subject to excessive erosion, corrosion, wear, fatigue, stress or strain; or</p> <p>(b) any other situation or circumstance</p> <p>that may give rise to a probability and consequence of the occurrence or potential occurrence of collapse of the façade and injury to individuals, or damage to other property, within or outside the building</p>	<p>The Commissioner of Building Control will notify building owners to have their building façade inspected. The procedure is similar to the procedure for buildings to be regularly inspected for structural safety.</p>

No	Item	Proposed Amendment	Rationale/Comments
3	Duties of owner	<p><u>Duty of owner served with notice to inspect façade</u> Where an owner of a building receives a notice requiring his building's façade to be inspected, the owner concerned must appoint a competent person to carry out the required inspection and give to the Commissioner of Building Control a copy of the report of the inspection by the competent person within a specified period or an extended period, if granted.</p>	To make clear the duty of the building owner when he is served with a notice to inspect.
4	Duties of competent person	<p><u>Duties of competent person</u> A competent person who is appointed to carry out an inspection of a building's façade will have the following duties:</p> <ul style="list-style-type: none"> (a) carry out the inspection in the prescribed manner (b) prepare a report on the results of inspection and condition of the façade (c) give a copy of that report to the owner of the building, to enable the owner to give the report to the Commissioner of Building Control before the expiry of the period specified in the notice, or an extended period, if granted (d) comply with any written directions by the Commissioner of Building Control, in respect of the report 	To make clear the duty of the competent person after he is appointed by a building owner to carry out the façade inspection.
5	Commissioner of Building Control may direct steps in the façade inspection	<p><u>Commissioner may give direction on inspection</u> The Commissioner of Building Control may direct the competent person to –</p> <ul style="list-style-type: none"> (a) carry out, within the period specified in the written direction or any extended period allowed, such further steps as he thinks fit for the purposes of ensuring that the inspection, and the assessment of the condition, of the building façade is complete (b) supplement the inspection report to include the results of the further steps that the Commissioner had directed in the written direction (c) provide such further information or documents as the Commissioner of Building Control may require, for the purpose of clarifying any part of the inspection report. 	These provisions are to provide for the Commissioner of Building Control to direct any steps or measures to be taken where he is of the opinion that such steps or measures are necessary for a complete inspection or assessment of façade condition.
6	Required follow-up actions from recommendations	<p><u>Follow-ups from inspection</u> Where an inspection report by the competent person contains a recommendation on any measures or other building works necessary to prevent the occurrence or potential</p>	If there are necessary measures (as recommended by the competent person) to be

No	Item	Proposed Amendment	Rationale/Comments
	in the facade inspection report	occurrence of collapse (wholly or partly) of the façade of the building, the owner of the building must carry out, or cause to be carried out, such of those measures or building works within such period, and subject to such conditions, as the Commissioner of Building Control may specify.by	taken to improve safety of the building façade, the owner of the building will have a duty to carry out those measures.
7	Façade inspector	<p><u>Façade inspector</u> A new stakeholder called the “façade inspector” will be introduced. The inspector will be a person whom the competent person may appoint in order to assist him in carrying out the inspection, or to carry out the inspection under the direct supervision and control of the competent person.</p> <p>The façade inspector must have the prescribed qualifications and experience and must be accredited with the Building and Construction Authority or a prescribed organisation.</p>	<p>The façade inspector is an appropriately qualified and experienced person whom the competent person may appoint to assist him in carrying out the façade inspection.</p> <p>The façade inspector vis-à-vis the competent person is similar to the qualified site supervisor vis-à-vis the qualified person.</p>

Part (C) – Builder Licensing

To provide clarity on several provisions in builder licensing. The key proposed amendments are as follows:

No	Item	Proposed Amendment	Rationale/Comments
1	<u>Persons carrying out building works that need to be licensed</u>	<p>Amendments will be made to provide clarity to existing provisions to reflect our policy intent and industry practice, which are:</p> <p>(a) a specialist builder appointed to carry out any specialist building works in the project needs to have a specialist builder licence, <u>but not any of his subcontractors helping him with those specialist building works</u></p> <p>(b) a general builder who possesses both a valid general builder licence and a valid specialist builder licence may carry out all the general building works and <u>the specialist building works relevant to his specialist builder licence. All his subcontractors helping him with those works covered by his licences do not need to be licensed.</u></p>	<p>This amendment is to clarify that sub-contractors appointed by general builders or specialist builders do not have to hold a licence for these works.</p>
2	Provide clarity to the definitions for categories of “specialist building works”	<p><u>Redrafting of definitions of “specialist building works”</u></p> <p>The definitions for the following categories of “specialist building works” will be redrafted to as follows:</p> <p><u>Piling works</u></p> <p>(a) piling works consisting of the installation and testing of <u>all or any</u> of the following:</p> <ul style="list-style-type: none"> (i) pre-cast reinforced concrete or pre stressed concrete piles; (ii) steel piles; (iii) bored cast-in-place reinforced concrete piles; (iv) caissons; (v) special pile types like micro-piles, barrettes piles and composite piles; (vi) embedded retaining wall piles like diaphragm walls, contiguous bored piles and secant piles;”; <p>(d) structural steelwork consisting of <u>all or any</u> of the following:</p> <ul style="list-style-type: none"> (i) fabrication of structural steel elements; 	<p>The existing definitions for these categories of “specialist building works” have several limbs, each limb describing different types of works under that category.</p> <p>A builder will require a specialist builder licence to carry out any of the works listed in any of the limbs.</p> <p>To avoid misinterpretation that a licence is required only if a builder carries out works in <u>all</u> of the limbs under each category (i.e. a licence is not required if the builder only carries out works listed under one of the limbs), the redrafting shown will make it very clear that a valid licence is required to carry out works in <u>all or any</u> of the limbs.</p>

No	Item	Proposed Amendment	Rationale/Comments
		<ul style="list-style-type: none"> (ii) site erection of structural steel elements which involves the cutting, welding or tightening of high-friction grip bolts; (iii) installation or removal of steel supports for geotechnical building works; <p>(f) in-situ post-tensioning work consisting of <u>all or any</u> of the following:</p> <ul style="list-style-type: none"> (i) setting out of tendon profiles; (ii) laying of conduits, anchorages or bursting reinforcement; (iii) pulling or stressing of strands or bars; (iv) pressure grouting of conduits; 	
3	Change to the specialist building works category for “site investigation works”	<p>The specialist building works category for “site investigation work” will be replaced by a new category for “instrumentation and monitoring work” as follows:</p> <p><u>Delete:</u></p> <p>(c) site investigation work consisting of all or any of the following:</p> <ul style="list-style-type: none"> (i) field investigations; (ii) exploratory drilling or boring; (iii) logging, sampling, coring, in-situ plate loading tests, pressure meter tests, penetration tests, vane shear tests, probing tests or permeability tests; (iv) geological mapping and geophysical surveys; (v) installation and monitoring of instruments measuring forces, deformation, displacements, pore and earth pressures or ground water levels; <p><u>and replace with:</u></p> <p>(c) Instrumentation and monitoring work consisting installation of instruments and monitoring of instruments measuring forces, deformation, displacements, tilt, convergence, pore and earth pressures or ground-water levels”;</p>	<p>The works comprised in (c)(i) to (iv) are not part of the main construction process, and done way upstream. Essentially these site investigation (SI) works are done to get ground data which are to be used to facilitate the design of the underground parts of buildings and structures. They are hence not entirely relevant in terms of the building licensing regime and a policy decision was made to remove them from the licensing regime. The relevant works under (v) for instrumentation and monitoring work is retained.</p> <p>To ensure competency of firms that carry out site investigation works, site investigation work will be required to be carried out only by accredited firms.</p>
4	Approved Person must be a director of the firm or a member	<p>Where the licensed builder is a corporation, only a director of the corporation, or a member of the board of management of the corporation will be allowed to act as an approved person for the licensed builder.</p>	<p>The “Approved Person” is responsible for the management of the licensed builder’s business in relation to general building works and specialist building works, where the licensed builder is a corporation.</p>

No	Item	Proposed Amendment	Rationale/Comments
	<p>of the board of management</p>		<p>To put in place the accountability of the approved person in this role, an employee who is not the Director or member of the board of management of the corporation will no longer be allowed to act as the approved person. This leaves behind the requirement that the approved person must now be a director or member of the board of management of the corporation.</p> <p>This new requirement will apply only to an application for a licence or renewal of licence after these amendments come into force.</p>

Part (D) – Basic Accessibility

To provide building accessibility features for additions and alterations. The key proposed amendment is as follows:

No	Item	Proposed Amendment	Rationale/Comments
1	<p>Basic accessibility requirements for additions and alterations (A&A) works to existing commercial and institutional buildings</p>	<p>BCA will issue an order to require building owners to provide basic accessibility features whenever A&A works (requiring plan approval) are proposed in a building. This is regardless of the location of the A&A works and who submits the plans. The features are (a) an accessible building entrance; (b) accessibility at 1st storey; and (c) having at least one wheelchair accessible toilet. This will apply to all existing commercial or institutional buildings with a gross floor area of more than 500 sqm² and which are not barrier free.</p>	<p>Since 1990, all new building projects as well as existing buildings undergoing major additions and alterations (A&A) works are required to comply with the requirements specified under BCA's Code on Accessibility in the Built Environment</p> <p>Public sector agencies have taken the lead to provide at least basic accessibility features in public areas, e.g. MRT stations, bus interchanges, libraries, community centres.</p> <p>To encourage private building owners to do likewise, BCA has provided co-funding support for accessibility upgrading to provide at least basic accessibility features.</p> <p>However, there is still a stock of older commercial and institutional buildings that are not barrier-free.</p> <p>With an ageing population, there is a need to accelerate the pace of basic accessibility improvements in buildings. The proposal applies to existing commercial or institutional buildings that are not barrier-free, given that these are frequented more by general public, as compared to industrial or private residential buildings. For example, this new requirement to provide at least basic accessibility will kick in regardless of whether the location of the A&A works is within the unit or at common areas and/ or the A&A works is</p>

No	Item	Proposed Amendment	Rationale/Comments
			<p>carried out at upper storey level and not at first storey level.</p> <p>This requirement will not be applicable to small buildings with gross floor area of 500sqm or less (mainly shophouses) because spatial/design constraints limit them from meeting the requirements.</p>

Part (E) – Other Provisions

These are other provisions included under the Bill:

No	Item	Proposed Amendment	Rationale/Comments
1	Building maintenance provisions	<p><u>Port over building maintenance provisions from BMSMA</u></p> <p>The existing provisions on building maintenance from the Building Maintenance and Strata Management Act (BMSMA) will be ported over to the BC Act. This would include provisions for:</p> <ul style="list-style-type: none"> • CBC to issue notice to maintain • recovery of expenses • deposit by building owner • appeal • unsafe exterior feature 	<p>Currently, requirements on building design and construction are covered under the BC Act, while requirements related to building maintenance are under the BMSMA. The provisions in the BMSMA (Part III) pertain to owners' duties for building maintenance (including lift & escalator maintenance) and powers to compel owners to carry out repairs.</p> <p>The intent in porting over these provisions from the BMSMA to the BC Act is to consolidate requirements over a building's entire life cycle (design, construction, maintenance) under one Act, i.e. the BC Act.</p>
2	Duty to report fallen exterior feature	<p><u>Reporting fallen exterior feature</u></p> <p>A duty will be introduced to require the person responsible for any exterior feature of a building (e.g. building owners, town councils) to report any incident of a fallen exterior feature to the Commissioner of Building Control.</p>	<p>This is to enhance monitoring of exterior features for safety.</p>

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