

**Building Control (Amendment) Act 2003
(No. 18 of 2003)**

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**REPUBLIC OF SINGAPORE
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The following Act was passed by Parliament on 2nd September 2003 and assented to by the President on 15th September 2003:—

BUILDING CONTROL (AMENDMENT) ACT 2003

(No. 18 of 2003)

I assent.

S R NATHAN,
President.
15th September 2003.

Date of Commencement: 1st January 2004

An Act to amend the Building Control Act (Chapter 29 of the 1999 Revised Edition) and to make related amendments to the Architects Act (Chapter 12 of the 2000 Revised Edition) and the Professional Engineers Act (Chapter 253 of the 1992 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Building Control (Amendment) Act 2003 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2(1) of the Building Control Act (referred to in this Act as the principal Act) is amended —

- (a) by inserting, immediately after the words “section 16” in the definition of “accredited checker”, the words “, whether acting on his own behalf or on behalf of an accredited checking organisation”;
- (b) by inserting, immediately after the definition of “air-conditioning unit”, the following definition:

“ “amendment plans” means the plans showing any deviation from, or any amendment or addition to, any plan of building works approved by the Commissioner of Building Control under section 6(2);”;

- (c) by inserting, immediately after the definition of “owner”, the following definition:

“ “plans”, in relation to any building works —

- (a) includes drawings, details, diagrams, structural details and calculations showing or relating to the building works; and
 - (b) if prepared in electronic form, includes the medium in which the plans of building works have been stored;”;
- (d) by inserting, immediately after the definition of “site supervisor”, the following definition:

“ “structural works” means works in relation to the structural elements of the building works;”.

Amendment of section 5

3. Section 5 of the principal Act is amended —

- (a) by deleting paragraphs (a) and (b) of subsection (1) and substituting the following paragraphs:

- “(a) the plans of the building works have been approved by the Commissioner of Building Control under section 6; and
- (b) in the case of structural works, there is in force a permit granted by the Commissioner of Building Control under section 7 to carry out the structural works.”;

- (b) by deleting subsection (2); and

- (c) by deleting “\$50,000” in subsection (3) and substituting “\$100,000”.

Amendment of section 6

4. Section 6 of the principal Act is amended —

- (a) by deleting subsection (3) and substituting the following subsections:

“(3) Subject to the provisions of this Act, every person for whom any relevant building works are or are to be carried out, or the builder of such building works, shall, before an application is made under subsection (1), appoint —

- (a) an appropriate qualified person to prepare the plans of the building works in accordance with the building regulations; and
- (b) the same or another appropriate qualified person to supervise the building works as required under section 8.

(3A) No qualified person shall supervise any structural works in respect of which a certificate by an accredited checker is required under subsection (1)(c) if he, or any nominee of his, is a partner, an officer or an employee of —

- (a) the builder of the building works; or
- (b) any associate of the builder of the building works.”;

- (b) by deleting the words “the latter plans and, unless otherwise prescribed, by a certificate of an accredited checker in respect of such of the latter plans” in subsection (8) and substituting the words “the amendment plans prepared by the appropriate qualified person appointed under subsection (3)(a) and, unless otherwise prescribed, by a certificate of an accredited checker in respect of such plans”; and

(c) by inserting, immediately after subsection (11), the following subsections:

“(12) In subsection (3A), “associate”, in relation to a builder, means —

- (a) any body corporate of which the builder is a director, secretary or other officer;
- (b) any company in which the builder is a substantial shareholder as defined in section 81 of the Companies Act (Cap. 50);
- (c) any beneficiary under a trust or an object of a discretionary trust of which the builder is a trustee;
- (d) any party to a partnership to which the builder is also a party; or
- (e) any employer or employee of the builder.

(13) Any qualified person who contravenes subsection (3A) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.”.

Amendment of section 7

5. Section 7 of the principal Act is amended —

- (a) by deleting the words “building works” in the 1st line of subsection (1) and substituting the words “structural works”;
- (b) by inserting, immediately after the words “qualified person” in the 3rd line of subsection (1), the words “appointed under section 6(3)(b) to supervise the building works”;
- (c) by deleting the words “section 6(3)” in subsection (1)(b) and substituting the words “section 6(3)(b)”;
- (d) by deleting paragraph (c) of subsection (1) and substituting the following paragraph:

“(c) where appropriate —

- (i) a notification of the appointment of a site supervisor in respect of the structural works signed by the qualified person appointed under section 6(3)(b); and
- (ii) a confirmation of the appointment signed