

Building and Construction Authority (Amendment) Bill

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Bill No: 2/2009

Read the first time: 19th January 2009

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Expenditure of Public Money

Building and Construction Authority (Amendment) Bill

Bill No. 2/2009

Read the first time on 19th January 2009.

An Act to amend the Building and Construction Authority Act (Chapter 30A of the 2000 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 and Construction Authority (Amendment) Act 2009 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 9

2. Section 9 of the Building and Construction Authority Act (referred to in this Act as the principal Act) is amended by inserting, immediately after subsection (1), the following subsection:

“(1A) In addition to the functions and duties imposed by subsection (1), the Authority may undertake such other functions and duties as the Minister may in writing assign to the Authority and, in so doing, the Authority shall be deemed to be fulfilling the purposes of this Act and the provisions of this Act shall apply to the Authority in respect of such functions and duties.”.

Amendment of section 12

3. Section 12(1) of the principal Act is amended by inserting, immediately after the words “the Authority” in the last line, the words “except the power of delegation conferred by this subsection and the power to make subsidiary legislation conferred by this Act or any other written law”.

New Part VIA

4. The principal Act is amended by inserting, immediately after section 31, the following Part:

“PART VIA

SUPPLY OF ESSENTIAL CONSTRUCTION MATERIALS

Division 1 — General

Interpretation of this Part

31A. In this Part, unless the context otherwise requires —

“assisting officer” means a public officer or an employee of a public authority who is neither a police officer, an officer of customs nor an immigration officer, but who has been authorised by the Authority by name to assist an enforcement officer;

“authorised analyst” means any person (who is not an employee of the Authority) or body of persons designated by the Authority under section 31M as authorised to carry out any inspection, examination and certification of any essential construction material under this Part and includes any enforcement officer;

“building works” has the same meaning as in the Building Control Act (Cap. 29);

“consignment”, in relation to any essential construction material, means essential construction material of a particular kind that comprises a single lot imported by the same owner at the same time;

“container” includes —

- (a) a case, box, bag, wrapper or material of any kind used or intended to be used to cover, contain or package something (whether or not designed for that purpose); or
- (b) a bulk container, or any means of bulk transport, used or intended to be used to cover, contain or package something;

“conveyance” means any vessel, vehicle or aircraft;

“enforcement officer” means —

- (a) the Chief Executive of the Authority appointed under section 13(1); or
- (b) an employee of the Authority appointed by the Chief Executive to be an enforcement officer for the purposes of this Part;

“essential construction material” means any of the following materials which are suitable for use in any building works, street works or railway works in Singapore and the domestic supply thereof is short:

- (a) granite;
- (b) sand;
- (c) such rocks, minerals or other construction materials (whether manufactured or otherwise) as the Minister may, by notification in the *Gazette*, declare to be essential construction material;

“granite” means —

- (a) granite slabs or blocks extracted or won from naturally occurring mineral deposits and suitable (if crushed) for use as primary aggregate in any building works, street works or railway works in Singapore; or
- (b) granite aggregate, gravel, stones or overburden of such prescribed dimensions that are extracted or won from mineral sources, which have been subject to nothing more than crushing and sizing or other physical processing, and suitable for use, either on their own or with the addition of cement or other binder, in any building works, street works or railway works in Singapore;

“immigration officer” means any person appointed under section 3 of the Immigration Act (Cap. 133);

“import”, with its grammatical variations and cognate expressions, means to bring or cause to be brought into Singapore by land, water or air from any place which is outside Singapore but does not include the bringing into Singapore of essential construction material which are to be taken out of Singapore on the same conveyance on which they were brought into Singapore without any landing or transshipment within Singapore;

“import permit” means an import permit granted under section 31H to import a particular consignment of essential construction material;

“isolation order” means an order issued or deemed to be issued under section 31J in respect of a consignment of essential construction material;

“licence” means a licence granted under section 31E to carry on the business of importing essential construction material specified therein;

“licensee” means a person who holds a valid licence;

“occupier” —

- (a) in relation to any premises or conveyance, means the person in occupation of the premises or conveyance or having the charge, management or control thereof; and
- (b) in relation to any part of any premises different parts of which are occupied by different persons, means the person in occupation or having the charge, management or control of that part;

“officer of customs” has the same meaning as in the Customs Act (Cap. 70);

“procure”, with its grammatical variations and cognate expressions, means the process of acquiring essential construction materials (by purchase or exchange) and importing those materials;

“railway works” means any works for the construction, reconstruction or realignment, or the permanent improvement of a railway;

“sand” means any sand or gravel that is suitable for use as fine aggregate in any building works, street works or railway works in Singapore, but excludes any unwashed or unprocessed marine-dredged sand or gravel;

“site”, in relation to any essential construction material, means any land or land underwater outside Singapore —

- (a) from which granite is extracted or won by blasting, sorting, breaking, loading and transporting, whether the processes are executed by manual labour or mechanical means;
- (b) on which persons are employed in any process for or incidental to the getting, dressing or preparation for the sale or otherwise of sand; or
- (c) from which any other essential construction material is extracted or won;

“storage permit” means any storage permit granted under section 31I in respect of such premises as may be specified therein;

“street works” has the same meaning as in the Street Works Act (Cap. 320A);