

Building Control (Amendment) Bill

Table of Contents

Bill No: 21/2000

Read the first time: 30th June 2000

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 2

3 Amendment of section 8

4 Amendment of section 9

5 Amendment of section 10

6 Repeal and re-enactment of section 15

7 Amendment of section 16

8 New sections 16A, 16B and 16C

9 Repeal and re-enactment of section 17

10 Amendment of section 18

11 New sections 18A and 18B

12 Transitional

Explanatory Statement

Expenditure of Public Money

Building Control (Amendment) Bill

Bill No. 21/2000

Read the first time on 30th June 2000.

An Act to amend the Building Control Act (Chapter 29 of the 1999 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.—(1) This Act may be cited as the Building Control (Amendment) Act 2000 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

Amendment of section 2

2. Section 2(1) of the Building Control Act (referred to in this Act as the principal Act) is amended by inserting, immediately after the definition of “accredited checker”, the following definition:

“ “accredited checking organisation” means an accredited checking organisation registered as such under section 16A;”.

Amendment of section 8

3. Section 8(1) of the principal Act is amended —

- (a) by inserting, immediately after the word “supervisor” in paragraph (b), the words “appointed by the appropriate qualified person and working under his control and direction”; and
- (b) by deleting the words “a site supervisor or qualified person” in paragraph (c) and substituting the words “an appropriate qualified person or a site

supervisor appointed by the appropriate qualified person and working under his control and direction”.

Amendment of section 9

4. Section 9 of the principal Act is amended —

- (a) by inserting, immediately after paragraph (a) of subsection (3), the following paragraph:

“(aa) take all reasonable steps and exercise due diligence in ensuring that the structure of the building is designed in accordance with the provisions of this Act and, subject to section 14, the requirements for structural design and loads prescribed in the building regulations;” and

- (b) by inserting, immediately after subsection (5), the following subsection:

“(5A) Any qualified person who contravenes or fails to comply with subsection (3)(aa) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 12 months or to both.”.

Amendment of section 10

5. Section 10 of the principal Act is amended —

- (a) by inserting, immediately before the words “qualified person” in the 3rd line of subsection (1), the word “appropriate”; and
- (b) by deleting the words “a site supervisor or qualified person, the qualified person” in the 3rd and 4th lines of subsection (2) and substituting the words “an appropriate qualified person or a site supervisor, the appropriate qualified person”.

Repeal and re-enactment of section 15

6. Section 15 of the principal Act is repealed and the following section substituted therefor:

“Registers

15.—(1) The Commissioner of Building Control shall keep and maintain the following registers:

- (a) a register of accredited checkers registered under section 16; and

- (b) a register of accredited checking organisations registered under section 16A,

in which shall be entered the names and prescribed particulars of the persons and organisations registered.

(2) The absence of the name of any person or organisation from the registers kept under subsection (1) shall be prima facie evidence that —

- (a) in the case of the register of accredited checkers, that the person is not so registered or that his registration has been suspended or cancelled; and
- (b) in the case of the register of accredited checking organisations, that the organisation is not so registered or that its registration has been suspended or cancelled.

(3) The registers referred to in subsection (1) shall be kept and maintained at the office of the Commissioner of Building Control and shall be available for inspection by any person without charge during office hours.”.

Amendment of section 16

7. Section 16 of the principal Act is amended —

- (a) by deleting the words “may be prescribed” in subsection (1) and substituting the words “the Commissioner of Building Control may determine”;
- (b) by inserting, immediately after the word “experience” in subsection (2), the following words “and meets such other requirements as may be prescribed”;
- (c) by inserting, immediately after subsection (5), the following subsections:

“(5A) The registration of an accredited checker under this section shall be valid for the prescribed period and may, subject to this Act and the building regulations, be renewed on its expiry.

(5B) An accredited checker may only undertake work as an accredited checker on his own behalf if the value of the building works is within the prescribed limit.

(5C) No person shall undertake any work required under this Act or the building regulations to be undertaken by an accredited checker unless —

- (a) he is registered under this section; and
 - (b) his registration has not been suspended or cancelled.”;
- (d) by deleting the words “The Commissioner of Building Control may” in the 1st line of subsection (6) and substituting the words “Subject to section 16B, the Commissioner of Building Control may suspend or”;
- (e) by deleting the word “or” at the end of subsection (6)(d);
- (f) by deleting the full-stop at the end of paragraph (e) of subsection (6) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:
 - “(f) who has been censured, fined, suspended or de-registered by the Professional Engineers Board;
 - (g) who fails to meet the prescribed requirements for registration; or
 - (h) if his performance as an accredited checker fails to meet such standards of performance as may be prescribed in the building regulations.”; and
- (g) by deleting subsections (7) to (11) and substituting the following subsections:
 - “(7) Any person who contravenes subsection (5B) or (5C) shall be guilty of an offence.
 - (8) For the purposes of this section, sections 16A and 17 —
 - “prescribed limit” means —
 - (a) \$10 million, where no other sum is specified under paragraph (b); or
 - (b) where a sum is specified under this paragraph by the Minister for the purposes of this section and section 17 by notification in the *Gazette*, such sum as may for the time being be so specified;
 - “prescribed period” means —
 - (a) 12 months from the date of registration of the accredited checker or the accredited checking