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## **No. S 819**

### **BUILDING CONTROL ACT (CHAPTER 29)**

#### **BUILDING CONTROL (BUILDABILITY AND PRODUCTIVITY) (AMENDMENT NO. 4) REGULATIONS 2019**

In exercise of the powers conferred by section 49 of the Building Control Act, the Minister for National Development makes the following Regulations:

#### **Citation and commencement**

1. These Regulations are the Building Control (Buildability and Productivity) (Amendment No. 4) Regulations 2019 and come into operation on 15 December 2019.

#### **Amendment of regulation 2**

2. Regulation 2 of the Building Control (Buildability and Productivity) Regulations 2011 (G.N. No. S 199/2011) (called in these Regulations the principal Regulations) is amended —

(a) by inserting, immediately after the definition of “accredited”, the following definition:

““alternative solution”, in relation to any relevant building works, means an outcome-based solution to facilitate innovation at the design and construction stages and achieve productivity outcomes, being —

(a) one of the deemed acceptable solutions for those relevant building works that meets the high prefabrication requirements set out in the Code of Practice; or

(b) an open solution for those relevant building works adopting innovative design and construction techniques that meets productivity improvement requirements set out in the Code of Practice;”;

(b) by inserting, immediately after the definition of “Construction Productivity Data”, the following definition:

““Deemed Acceptable Proposal” means a proposal for the use of prefabrication technologies in any relevant building works that satisfies a deemed acceptable solution mentioned in paragraph (a) of the definition of “alternative solution”;”;

(c) by inserting, immediately after the definition of “productivity concept implementation plan”, the following definition:

““Project Productivity Improvement Plan” means a plan for the use of innovative designs and construction techniques in any relevant building works that satisfies an open solution mentioned in paragraph (b) of the definition of “alternative solution”;”.

### **Amendment of regulation 3**

3. Regulation 3 of the principal Regulations is amended —

(a) by deleting paragraph (1) and substituting the following paragraph:

“(1) Subject to paragraphs (2) and (5) —

(a) regulations 4, 6, 7, 11 and 13 (except insofar as they relate to an alternative solution) apply to any building works in respect of which an application for planning permission is submitted to the

competent authority under the Planning Act (Cap. 232) on or after 15 July 2011 but before 15 December 2019 and which involve a gross floor area of 2,000 square metres or more; and

- (b) regulations 4, 6, 7, 11 and 13 apply to any building works in respect of which an application for planning permission is submitted to the competent authority under the Planning Act on or after 15 December 2019 and which involve a gross floor area of 5,000 square metres or more.”;

- (b) by deleting paragraph (2) and substituting the following paragraph:

“(2) Regulations 4(3)(b), 6, 7, 11 and 13 do not apply to building works consisting of repairs, alterations or additions to an existing building (whether carried out within or outside the existing building) unless —

- (a) the gross floor area of the existing floor to be reconstructed;
- (b) the increase in the gross floor area of the existing building that will result from the building works; or
- (c) the sum of the gross floor areas mentioned in sub-paragraphs (a) and (b),

is —

- (d) 2,000 square metres or more for building works in respect of which an application for planning permission is submitted on or after 15 July 2011 but before 15 December 2019; or

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- (e) 5,000 square metres or more for building works in respect of which an application for planning permission is submitted on or after 15 December 2019.”;
  - (c) by deleting the words “paragraphs (4) and (5)” in paragraph (3) and substituting the words “paragraphs (4), (5) and (6)”;
  - (d) by deleting the words “paragraph (5)” in paragraph (4A) and substituting the words “paragraphs (5) and (6)”;
  - (e) by inserting, immediately after paragraph (5), the following paragraph:

“(6) Regulations 4A, 5, 5A, 7, 8, 12 and 14 do not apply where the plans of the relevant building works contain any alternative solution.”.

#### **Amendment of regulation 4**

##### **4. Regulation 4 of the principal Regulations is amended —**

- (a) by deleting paragraph (1) and substituting the following paragraph:

“(1) Every qualified person appointed under section 8(1)(a) or 11(1)(d)(i) of the Act and every developer, in respect of any relevant building works, must ensure that the building works are designed and carried out such that —

  - (a) where the plans of the relevant building works do not contain any alternative solution — the buildable design score of the building works is not less than the minimum buildable design score referred to in paragraph (2) or (3), as the case may be; or
  - (b) where the plans of the relevant building works contain any alternative solution — either the requirements of the deemed

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acceptable solution or the requirements of the open solution are met.”; and

- (b) by inserting, immediately after the word “score” in the regulation heading, the words “or alternative solution”.

### **Amendment of regulation 6**

**5.** Regulation 6 of the principal Regulations is amended —

- (a) by inserting, immediately before the words “a document” in paragraph (a), the words “where the plans of the building works do not contain any alternative solution —”;

- (b) by inserting, immediately after paragraph (a), the following paragraph:

“(aa) where the plans of the building works contain any alternative solution — a Deemed Acceptable Proposal or Project Productivity Improvement Plan that —

- (i) complies with the requirements specified in the Code of Practice; and

- (ii) bears an endorsement, by all qualified persons appointed under section 8(1)(a) or 11(1)(d)(i) of the Act in respect of the building works, that the building works meet either the requirements of the deemed acceptable solution or the requirements of the open solution, as the case may be;”; and

- (c) by inserting, immediately after the word “score” in the regulation heading, the words “or alternative solution”.

### **Amendment of regulation 9**

**6.** Regulation 9(1) of the principal Regulations is amended —

- (a) by deleting the words “Every builder referred to in regulation 5” and substituting the words “Every builder