

**Buildings and Common Property (Maintenance and Management) Act
(CHAPTER 30)**

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BUILDINGS AND COMMON PROPERTY (MAINTENANCE AND MANAGEMENT) ACT

(CHAPTER 30)

(Original Enactment: Act 23 of 1973)

REVISED EDITION 2000

(1st July 2000)

An Act to provide for the proper maintenance and management of buildings and common property in Singapore.

[9th June 1973]

Short title

1. This Act may be cited as the Buildings and Common Property (Maintenance and Management) Act.

Interpretation

2. In this Act, unless the context otherwise requires —

“building” includes any house, hut, shed or roofed enclosure, whether used for the purpose of human habitation or otherwise, and also any wall, fence, platform, staging, gate, post, pillar, paling, frame, hoarding, slip, dock, wharf, pier, jetty, landing-stage or bridge, or any structure, support or foundation connected to the foregoing;

“Commissioner” means the Commissioner of Buildings appointed under section 3;

“common property” —

- (a) in relation to any building comprised in any strata title plan, shall have the meaning assigned to it in the Land Titles (Strata) Act (Cap. 158);
- (b) in relation to any land where planning permission has been granted for its development and intended strata division after the completion of any building or part thereof on the land, means any part of the building not comprised in any flat and the fixtures and fittings (including lifts), refuse chutes, refuse bin compounds, drains, sewers, pipes, wires, cables and ducts, the exterior of all common parts of the building, playing fields, driveways, car parks, open spaces, landscaped areas, walls and fences and all other facilities and installations used or capable of being used or enjoyed in common by all the occupiers of the building; and
- (c) in relation to any other land where one or more buildings are erected thereon, includes fixtures and fittings (including lifts), refuse chutes, refuse bin compounds, drains, sewers, pipes, wires, cables and ducts, the exterior of all common parts of the building, playing fields, driveways, car parks, open spaces, landscaped areas, walls and fences and all other facilities and installations used or capable of being used or enjoyed in common by all the occupiers of the building;

“developer” means any person who has obtained the approval of the competent authority to develop any land pursuant to section 14 of the Planning Act (Cap. 232) and includes his executors, administrators and successors in title or assigns;

“development” means any land on which any building is constructed or is in the course of construction;

“flat” means a horizontal stratum of any building or part thereof, whether such stratum is on one or more levels or is partially or wholly below the surface of the ground, which is used or intended to be used as a complete and separate unit for the purpose of habitation or business or for any other purpose;

“maintenance fund” means the maintenance fund for a development established by a developer under section 9;

“owner” —

- (a) includes the person for the time being receiving the rent of any building, whether on his own account or as agent or trustee or as receiver, or who would receive the same if the building were let to a tenant;
- (b) in relation to a rent-controlled building, also includes the tenant of the building;
- (c) in relation to the common property of any building, also includes a person receiving any rental or charge for the maintenance of that common property and every person whose name is entered in the Valuation List authenticated under section 15 of the Property Tax Act (Cap. 254) as the owner of a subdivided part of the building; and
- (d) in relation to the common property of any building erected on land comprised in a strata subdivision plan approved by the competent authority, also includes the management corporation having control of the building and every subsidiary proprietor of any subdivided part of the building;

“stratum” means any part of land consisting of a space of any shape below, on or above the surface of the land, or partly below and partly above the surface of the land, the dimensions of which are delineated.

[\[4/76; 26/82; 3/98\]](#)

Appointment of Commissioner of Buildings and other officers

3.—(1) The Minister may appoint an officer to be known as the Commissioner of Buildings and such other officers as may be necessary for the purpose of administering and carrying out the provisions of this Act.

(2) The Commissioner shall, subject to any general or special directions of the Minister, have charge of the administration of this Act and section 7 and Part IV of the Land Titles (Strata) Act (Cap. 158), and perform such other duties as are imposed and

may exercise such powers as are conferred upon him by the Land Titles (Strata) Act.

[4/76]

(3) Subject to any general or special directions of the Minister or the Commissioner, the powers conferred and the duties imposed upon the Commissioner by this Act or any rules made thereunder may be exercised or performed by any other officer appointed under subsection (1).

Power of Commissioner to require owner of building to carry out repairs and maintenance

4.—(1) Where in the opinion of the Commissioner any building or common property has not been kept or maintained in a state of good and serviceable repair or in a proper and clean condition, the Commissioner may, by notice in writing, require the owner within such period as may be specified in the notice to take such steps or carry out such repairs and maintenance as the Commissioner thinks fit.

(2) If a notice issued by the Commissioner under subsection (1) is not complied with to his satisfaction, the Commissioner or any person authorised by him may carry out or cause to be carried out all or any of the requirements specified in the notice.

(3) Any person who fails to comply with the requirements of any notice issued by the Commissioner under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and to a further fine not exceeding \$25 for every day during which the offence continues after conviction.

(4) The Commissioner may compound any offence under this Act or any rules made thereunder by accepting a sum not exceeding \$500 from the person committing the offence.

Deposit

5.—(1) Where there has been a default in complying with a notice issued by the Commissioner under section 4(1), the Commissioner may issue a direction to the owner or owners of the building or common property in respect of which the notice has been issued to deposit such amount with the Commissioner as he considers necessary for the purpose of executing the works specified in the notice and the amount shall be deposited with the Commissioner within such period, not being less than 7 days from the service of the direction, as the Commissioner may specify.

(2) The amount of any deposit which is due to the Commissioner under subsection (1) may be sued for as a debt due to the Government.

(3) The Commissioner may refund the deposit or any part thereof, after deducting any costs and expenses incurred by him, if the works required to be executed by the notice issued under section 4(1) have been executed to his satisfaction.