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05 Jan 2024

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Dear Sir/Madam

### **CHANGES TO**

- (A) THE BUILDING CONTROL ACT 1989**
- (B) THE BUILDING CONTROL REGULATIONS 2003**
- (C) BUILDING CONTROL (LICENSING OF BUILDERS) REGULATIONS 2008 AND**
- (D) THE BUILDING CONTROL (COMPOSITION OF OFFENCES) 2012**

### **Objective**

1. This circular notifies the industry on the upcoming amendments to the following legislations in respect of the licensing of builders and other related matters: -
  - (a) The Building Control Act 1989 (listed in **Annex A**);
  - (b) The Building Control Regulations 2003 (listed in **Annex B**);
  - (c) The Building Control (Licensing of Builders) Regulations 2008 (listed in **Annex C**); and
  - (d) The Building Control (Composition of Offences) Regulations 2012 (listed in **Annex D**).

While the Building Control (Amendment) Act 2020 has been published in the Government Gazette since 11 May 2020, the amendments to the legislations described in paragraphs 1(b) to 1(d) will be published in the Government Gazette on 15 May 2024. The amendments in respect of the licensing of builders and related matters under the Building Control (Amendment) Act 2020 and the amendments described in paragraphs 1(b) to 1(d) will come into effect on 15 June 2024.

2. The key changes are summarised below: -

#### **A. Amendments to Building Control Act 1989 (“BC Act”)**

- (a) Specialist building works where the “site investigation work” category is replaced by a new category “instrumentation and monitoring work”  
Limb (c) of the definition of “specialist building works” in section 2 of the BC Act will be amended to replace “site investigation work” with “instrumentation and monitoring work”. Instrumentation and monitoring work comprises the installation and monitoring of instruments measuring forces, deformation, displacements, tilt, convergence, pore and earth pressures or ground-water levels.

- (b) A permit to carry out structural works automatically lapses if the builder's licence ceases to be in force  
 A new sub-section (6) is added to section 6 of the BC Act to clarify that the permit to carry out structural works automatically lapses if the licence of the builder to whom the permit is issued ceases to be in force.
- (c) Duty of developer to inform the Commissioner of Building Control ("CBC") on the appointments of builders  
 A new subsection (1A) to section 8 of the BC Act requires the developer of any building works to notify the CBC of every appointment of a builder or a specialist builder within 14 days after making that appointment. Failing to do so, without reasonable excuse, will be an offence under new sub-section (4).
- (d) Specialist builder to submit certification of completion for specialist building works  
 A new paragraph (aa) is added to section 11(2) of the BC Act to include the requirement for a specialist builder to certify the completion of the specialist building works in accordance with the BC Act, the building regulations, approved plans and any terms and condition imposed by the CBC no later than 7 days after the completion of the specialist building works, and to submit the certificate to the CBC. Failure to do so, without reasonable excuse, will be an offence under section 11(9)(b) of the BC Act.
- (e) Revision of the definition of "minor specialist building works"  
 To align with the examples of minor building works listed in the Fourth Schedule of the Building Control Regulations 2003, limb (b) of the definition of "minor specialist building works" in section 29A(1) of the BC Act will include structural steelwork comprising fabrication and erection work for structures with a cantilever length of not more than 6 metres (formerly 3 metres), a clear span of not more than 15 metres (formerly 6 metres) and a plan area not exceeding 150 square metres (no change).
- (f) Persons carrying on business as sole proprietors and limited liability partnerships may register as licensed general builder or licensed specialist builder  
 Sections 29F and 29G of the BC Act are amended to allow sole-proprietorships, partnerships or limited liability partnerships owned by or comprised of corporations to be licensed general builders or licensed specialist builders.
- (g) Change to requirements for the technical controller of a licensed builder  
 The requirement in the current sections 29F(2)(c)(ii), 29F(3)(f)(ii), 29G(2)(c)(ii), 29G(3)(f)(ii) of the BC Act that the employee of a licensed builder who personally supervises the execution and performance of building works undertaken by a licensed builder must be *employed in such a manner and with such similar duties and responsibilities as a partner (in the case of a partnership) or a director or member of the board of management (in the case of a corporation)*, is removed. Under the amended sections 29F and 29G, there is no requirement that such employee must be employed in such manner and with such similar duties and responsibilities as a partner, director or member of the board of management.
- (h) Requirements for the approved person of a licensed builder  
 Under the amendments to sections 29F(3) and 29G(3) of the BC Act, the "Approved Person", who has the charge and direction of a corporation who applies for a general builder's licence or specialist builder's licence, must not be an employee of the said corporation, and must be a director or member of the board of management of the corporation. This new requirement will apply to corporations applying for or renewing a general builder's licence and specialist builder's licence after these amendments come into force.

- (i) Additional restriction measures may be imposed on an errant builder in lieu of revocation of licence.

Where there is no cause of sufficient gravity to revoke a builder's licence, new limb (d) of section 29J(2) of the BC Act allows the CBC to order that the builder be prohibited from taking on new engagements for a certain period of time, or from undertaking new projects of a certain value. This is in addition to the CBC's power to order the suspension of the builder's license, to impose a financial penalty on the builder and to censure the builder.

#### **B. Amendments to Building Control Regulations 2003 ("BC Regulations")**

- (a) New paragraph (ca) is inserted into Regulation 42(2) of the BC Regulations, to require the specialist builder's certificate (in the new section 11(2)(aa) of the amended BC Act) be submitted to the CBC in order for the CBC to issue a certificate of statutory completion.
- (b) New paragraph (ba) is inserted into Regulation 43(3) of the BC Regulations, to require the specialist builder's certificate (in the new section 11((2)(aa) of the amended BC Act) to be submitted to the CBC in order for the CBC to grant a temporary occupation permit.

#### **C. Amendments to Building Control (Licensing of Builders) Regulations 2008 ("Licensing Regulations")**

- (a) Amendments to Regulations 4, 7, 8 of the Licensing Regulations are consequential amendments to give effect to the amendments to the BC Act mentioned in paragraphs 2A.(f), 2A.(g), and 2A.(h) above pertaining to the requirements for the application of general builder's licence and specialist builder's licence. The headings of Regulations 12, 13, 14 and 15 of the Licensing Regulations are amended to correspond with the description of the persons referred to in the relevant sections of the BC Act.

#### **D. Amendments to Building Control (Composition of Offences) Regulations 2012 ("Composition Regulations")**

- (a) Regulation 2(e) of the Composition Regulations is amended to include the contravention of the new section 11(2)(aa) of the BC Act (refer to Para 2A.(d) above), which is an offence under section 11(9) of the BC Act, as a compoundable offence.

#### **For Clarification**

- 3. We would appreciate if you could convey the contents of this circular to your members. If you need clarifications, please submit your enquiry through BCA's Online Feedback Form at <https://www.bca.gov.sg/feedbackform/> or call us at 1800 342 5222.
- 4. Thank you.

Yours faithfully



CHANG BEK MEI  
DIRECTOR  
BUILDING ENGINEERING GROUP  
for COMMISSIONER OF BUILDING CONTROL  
BUILDING AND CONSTRUCTION AUTHORITY

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## ANNEX A

### LIST OF AMENDMENTS UNDER THE BUILDING CONTROL (AMENDMENT) ACT 2020

Section	Amendment
2	<p><b>Interpretation</b></p> <p>2.— “specialist building works” means any of the following types of building works:</p> <p>(a) piling works consisting of the installation and testing of any of the following:</p> <ul style="list-style-type: none"> <li>(i) pre-cast reinforced concrete or pre-stressed concrete piles;</li> <li>(ii) steel piles;</li> <li>(iii) bored cast-in-place reinforced concrete piles;</li> <li>(iv) caissons;</li> <li>(v) special pile types like micro-piles, barrettes piles and composite piles;</li> <li>(vi) embedded retaining wall piles like diaphragm walls, contiguous bored piles and secant piles;</li> </ul> <p>(b) ground support and stabilisation works, including installation and testing of ground anchors, soil nails, rock bolts, ground treatment like chemical grouting and jet-grouting, reinforced-earth, shotcreting and tunnel supports;</p> <p>(c) instrumentation and monitoring works comprising the installation and monitoring of instruments measuring forces, deformation, displacements, tilt, convergence, pore and earth pressures or ground-water levels;</p> <p>(d) structural steelwork consisting of any of the following:</p> <ul style="list-style-type: none"> <li>(i) fabrication of structural steel elements;</li> <li>(ii) site erection of structural steel elements involving the cutting, welding or tightening of high-friction grip bolts;</li> <li>(iii) installation or removal of steel supports for geotechnical building works;</li> </ul> <p>(e) pre-cast concrete work comprising fabrication of pre-cast structural elements;</p> <p>(f) in-situ post-tensioning work consisting of any of the following:</p> <ul style="list-style-type: none"> <li>(i) setting out of tendon profiles;</li> <li>(ii) laying of conduits, anchorages or bursting reinforcement;</li> <li>(iii) pulling or stressing of strands or bars;</li> <li>(iv) pressure grouting of conduits;</li> </ul> <p>(g) such other building works as the Minister may, by order in the Gazette declare;</p>
6	<p><b>Permit to carry out structural works</b></p> <p>6.— (6) In addition to subsection (5)(b), a permit to carry out structural works in any building works that is granted to a builder who is a licensed general builder or a licensed specialist builder automatically lapses if —</p>

	<p>(a) any of the following licences of the builder ceases to be in force:</p> <ul style="list-style-type: none"> <li>(i) the general builder's licence;</li> <li>(ii) the specialist builder's licence relating to those structural works; and</li> </ul> <p>(b) the Commissioner of Building Control does not waive the application of this subsection in the particular case.</p>
8	<p><b>Duties of developer</b></p> <p>8.— (1A) The developer of any building works must notify the Commissioner of Building Control of every appointment it makes under subsection (1)(c) and (f)(ii) (if any) within 14 days after making that appointment.</p> <p>(4) Any developer of building works who, without reasonable excuse, fails to comply with subsection (1A) or (2)(b) shall be guilty of an offence.</p>
11	<p><b>Duties of builder</b></p> <p>11.— (2) A specialist builder undertaking any specialist building works must —</p> <p>(aa) no later than the 7th day after the completion of the specialist building works —</p> <ul style="list-style-type: none"> <li>(i) certify that the specialist building works have been carried out in accordance with paragraph (a); and</li> <li>(ii) submit the certificate in respect of the matters in sub-paragraph (i) to the Commissioner of Building Control</li> </ul> <p>(9) If —</p> <ul style="list-style-type: none"> <li>(a) a builder, without reasonable excuse, contravenes subsection (1)(d), (e), (f), (g) or (h) or (4); or</li> <li>(b) a specialist builder, without reasonable excuse, contravenes subsection (2)(aa) or (c) or (4),</li> </ul> <p>the builder or specialist builder (as the case may be) shall be guilty of an offence.</p>
29A	<p><b>Interpretation of this part</b></p> <p>29A.— (1) In this Part, unless the context otherwise requires —</p> <p>“building works” does not include —</p> <ul style="list-style-type: none"> <li>(a) any building works in respect of or for the occupation of a temporary building;</li> <li>(b) any insignificant building works;</li> <li>(c) any fixed installation works; or</li> <li>(d) any building works that are in respect of a building which is exempted under section 30 from this Part;</li> </ul> <p>“minor specialist building works” means any of the following specialist building works:</p> <ul style="list-style-type: none"> <li>(a) any specialist building works associated with minor building works;</li> <li>(b) any structural steelwork which comprises fabrication or erection work for structures with a cantilever length of not more than 6 metres, a clear span of not more than 15 metres and a plan area not exceeding 150 square metres;</li> </ul>

	<p>(c) any pre-cast concrete work comprising casting of pre-cast reinforced concrete slabs or planks on site;</p> <p>(d) any other specialist building works declared by the Minister by notification in the Gazette to be minor specialist building works</p>
29F	<p><b>Who may be licensed as general builder</b></p> <p>29F.— (1) Subject to subsections (4) and (5), an individual carrying on business as a sole proprietor (P) who applies for a general builder’s licence is eligible to be granted such a licence if, and only if, P —</p> <p>(a) has paid the prescribed fees for a general builder’s licence;</p> <p>(b) satisfies the Commissioner of Building Control that P is of good character, and intends to carry on business on P’s own account;</p> <p>(c) satisfies either of the following requirements:</p> <p>(i) P has completed the prescribed course of training and has the prescribed practical experience (whether in Singapore or elsewhere) in the work of a general builder or as a supervisor of general building works;</p> <p>(ii) P otherwise satisfies the Commissioner of Building Control that P has had such practical experience in the work of a general builder or as a supervisor of general building works as to render P competent to carry on the business of a general builder in Singapore; and</p> <p>(d) satisfies the Commissioner of Building Control that the execution and performance of any general building works in Singapore that P undertakes is under the personal supervision of —</p> <p>(i) P, where P has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed; or</p> <p>(ii) one or more employees of P, each of whom has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed.</p> <p>(1A) Subject to subsections (4) and (5), a corporation carrying on business as a sole proprietor (called in this subsection the applicant) which applies for a general builder’s licence is eligible to be granted such a licence if, and only if, the applicant —</p> <p>(a) has paid the prescribed fees for a general builder’s licence;</p> <p>(b) satisfies the Commissioner of Building Control that the management of the applicant’s business, insofar as it relates to general building works in Singapore, is at all times under the charge and direction of a director or member of the board of management of the applicant who —</p> <p>(i) has completed the prescribed course of training and has the prescribed practical experience (whether in Singapore or elsewhere) in the work of a general builder or as a supervisor of general building works; or</p> <p>(ii) otherwise satisfies the Commissioner of Building Control that the director or member has had such practical experience in the work of a general builder or as a supervisor of general building works as to render the director or member competent to manage the business of a general builder in Singapore; and</p>

(c) satisfies the Commissioner of Building Control that the execution and performance of any general building works in Singapore that the applicant undertakes is under the personal supervision of —

- (i) the director or member of the board of management mentioned in paragraph (b), who has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed; or
- (ii) one or more employees of the applicant, each of whom has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed.

(2) Subject to subsections (4) and (5), a partnership which applies for a general builder's licence is eligible to be granted such a licence if, and only if, the partnership —

- (a) has paid the prescribed fees for a general builder's licence;
- (b) satisfies the Commissioner of Building Control that the partnership includes one or more individuals who satisfy subsection (2A) (called in this section an approved person);
- (c) satisfies the Commissioner of Building Control that the management of the partnership's business, insofar as it relates to general building works in Singapore, is at all times under the charge and direction of an approved person who —
  - (i) has completed the prescribed course of training and has the prescribed practical experience (whether in Singapore or elsewhere) in the work of a general builder or as a supervisor of general building works; or
  - (ii) otherwise satisfies the Commissioner of Building Control that the approved person has had such practical experience in the work of a general builder or as a supervisor of general building works as to render the approved person competent to manage the business of a general builder in Singapore; and
- (d) satisfies the Commissioner of Building Control that the execution and performance of any general building works in Singapore that the partnership undertakes is under the personal supervision of —
  - (i) an approved person who has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed; or
  - (ii) one or more employees of the partnership, each of whom has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed.

(2A) For the purposes of subsection (2), an approved person is —

- (a) where the partnership comprises 2 or more individuals, a partner who satisfies the Commissioner of Building Control that the partner is a person of good character;
- (b) where the partnership comprises 2 or more corporations, a director or member of the board of management of any such corporation who satisfies the requirements in subsection (1A)(b);
- (c) where the partnership comprises both individuals and corporations, any individual mentioned in paragraph (a) or (b); and
- (d) where the partnership is a limited liability partnership, the manager mentioned in section 23(1) of the Limited Liability Partnerships Act who has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed.

	<p>(3) Subject to subsection (4), a corporation which applies for a general builder's licence is eligible to be granted such a licence if, and only if, the corporation —</p> <ul style="list-style-type: none"> <li>(a) has paid the prescribed fees for a general builder's licence;</li> <li>(b) is not a company limited by guarantee or a corporation sole;</li> <li>(c) has a paid-up capital of — <ul style="list-style-type: none"> <li>(i) not less than \$25,000 (or its equivalent in a foreign currency), where it is applying for a Class 2 general builder's licence; or</li> <li>(ii) not less than \$300,000 (or its equivalent in a foreign currency), where it is applying for a Class 1 general builder's licence;</li> </ul> </li> <li>(d) satisfies the Commissioner of Building Control that it is duly authorised to carry on the business of a general builder;</li> <li>(e) is accredited or registered with a prescribed professional or technical body or organisation;</li> <li>(f) satisfies the Commissioner of Building Control that the management of the corporation's business, insofar as it relates to general building works in Singapore, is at all times under the charge and direction of a director or member of the board of management of the corporation who — <ul style="list-style-type: none"> <li>(i) has completed the prescribed course of training and has the prescribed practical experience (whether in Singapore or elsewhere) in the work of a general builder or as a supervisor of general building works; or</li> <li>(ii) otherwise satisfies the Commissioner of Building Control that the director or member of the board of management (as the case may be) has had such practical experience in the work of a general builder or as a supervisor of general building works as to render the director or member of the board of management (as the case may be) competent to manage the business of a general builder in Singapore; and</li> </ul> </li> <li>(g) satisfies the Commissioner of Building Control that the execution and performance of any general building works in Singapore that the corporation undertakes is under the personal supervision of — <ul style="list-style-type: none"> <li>(i) a director or member of the board of management of the corporation who has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed; or</li> <li>(ii) one or more employees of the corporation, each of whom has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed.;</li> </ul> </li> </ul>
29G	<p><b>Who may be licensed as specialist builder</b></p> <p>29G.— (1) Subject to subsection (4), an individual carrying on business as a sole proprietor who applies for a specialist builder's licence for any type of specialist building works is eligible to be granted such a licence if, and only if, the individual —</p> <ul style="list-style-type: none"> <li>(a) has paid the prescribed fee for the specialist builder's licence;</li> <li>(b) satisfies the Commissioner of Building Control that the individual is of good character, and intends to carry on business on the individual's own account;</li> <li>(c) satisfies either of the following: <ul style="list-style-type: none"> <li>(i) the individual has completed the prescribed course of training and has the prescribed practical experience (whether in Singapore or</li> </ul> </li> </ul>

elsewhere) in the work of a licensed specialist builder for that type of specialist building works or as a supervisor of those specialist building works;

(ii) the individual otherwise satisfies the Commissioner of Building Control that he has had such practical experience in the work of a licensed specialist builder for that type of specialist building works or as a supervisor of those specialist building works as to render the individual competent to carry on the business of a specialist builder in Singapore for that type of specialist building works; and

(d) satisfies the Commissioner of Building Control that the execution and performance of specialist building works of that type in Singapore that the individual undertakes is under the personal supervision of —

- (i) the individual, where he has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed for that type of specialist building works; or
- (ii) one or more employees of the individual, each of whom has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed for that type of specialist building works.

(1A) Subject to subsection (4), a corporation carrying on business as a sole proprietor (called in this subsection the applicant) who applies for a specialist builder's licence for any type of specialist building works is eligible to be granted such a licence if, and only if, the applicant —

(a) has paid the prescribed fees for a specialist builder's licence;

(b) satisfies the Commissioner of Building Control that the management of the applicant's business, insofar as it relates to specialist building works of that type in Singapore, is at all times under the charge and direction of a director or member of the board of management of the applicant who —

- (i) has completed the prescribed course of training and has the prescribed practical experience (whether in Singapore or elsewhere) in the work of a specialist builder for that type of specialist building works; or
- (ii) otherwise satisfies the Commissioner of Building Control that the director or member of the board of management has had such practical experience in the work of a licensed specialist builder for that type of specialist building works or as a supervisor of those specialist building works as to render the director or member of the board of management competent to manage the business of a specialist builder in Singapore for that type of specialist building works; and

(c) satisfies the Commissioner of Building Control that the execution and performance of that type of specialist building works in Singapore that the applicant undertakes is under the personal supervision of —

- (i) the director or member of the board of management mentioned in paragraph (b), who has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed for that type of specialist building works; or
- (ii) one or more employees of the applicant, each of whom has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed for that type of specialist building works.

(2) Subject to subsection (4), a partnership that applies for a specialist builder's licence for any type of specialist building works is eligible to be granted such a licence if, and only if, the partnership —

- (a) has paid the prescribed fees for a specialist builder's licence;
- (b) satisfies the Commissioner of Building Control that the partnership includes one or more individuals who satisfy subsection (2A) (called in this section an approved person);
- (c) satisfies the Commissioner of Building Control that the management of the partnership's business, insofar as it relates to specialist building works of that type in Singapore, is at all times under the charge and direction of an approved person who —
  - (i) has completed the prescribed course of training and has the prescribed practical experience (whether in Singapore or elsewhere) in the work of a specialist builder for that type of specialist building works; or
  - (ii) otherwise satisfies the Commissioner of Building Control that the approved person has had such practical experience in the work of a specialist builder for that type of specialist building works or as a supervisor of those specialist building works as to render the approved person competent to manage the business of a specialist builder in Singapore for that type of specialist building works; and
- (d) satisfies the Commissioner of Building Control that the execution and performance of that type of specialist building works in Singapore that the partnership undertakes is under the personal supervision of —
  - (i) an approved person who has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed for that type of specialist building works; or
  - (ii) one or more employees of the partnership, each of whom has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed for that type of specialist building works.

(2A) For the purposes of subsection (2)(b), an approved person is —

- (a) where the partnership comprises 2 or more individuals, a partner who satisfies the Commissioner of Building Control that the partner is a person of good character;
- (b) where the partnership comprises 2 or more corporations, a director or member of the board of management of any such corporation who satisfies the requirements in subsection (1A)(b);
- (c) where the partnership comprises both individuals and corporations, any individual mentioned in paragraph (a) or (b); and
- (d) where the partnership is a limited liability partnership, the manager mentioned in section 23(1) of the Limited Liability 35 Partnerships Act who has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed.

- (3) Subject to subsection (4), a corporation which applies for a specialist builder's licence for any type of specialist building works is eligible to be granted such a licence if, and only if, the corporation —
- (a) has paid the prescribed fees for a specialist builder's licence;
  - (b) is not a company limited by guarantee or a corporation sole;
  - (c) has a paid-up capital of not less than \$25,000 (or its equivalent in a foreign currency);
  - (d) satisfies the Commissioner of Building Control that it is duly authorised to carry on the business of a specialist builder;
  - (e) is accredited or registered with a prescribed professional or technical body or organisation;
  - (f) satisfies the Commissioner of Building Control that the management of the corporation's business, insofar as it relates to specialist building works of that type in Singapore, is at all times under the charge and direction of a director or member of the board of management of the corporation who —
    - (i) has completed the prescribed course of training and has the prescribed practical experience (whether in Singapore or elsewhere) in the work of a specialist builder for that type of specialist building works; or
    - (ii) otherwise satisfies the Commissioner of Building Control that the director or member of the board of management (as the case may be) has had such practical experience for that type of specialist building works as to render the director or member of the board of management (as the case may be) competent to manage the business of a specialist builder in Singapore for that type of specialist building works; and
  - (g) satisfies the Commissioner of Building Control that the execution and performance of that type of specialist building works in Singapore that the corporation undertakes is under the personal supervision of —
    - (i) a director or member of the board of management of the corporation who has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed for that type of specialist building works; or
    - (ii) one or more employees of the corporation, each of whom has such qualifications and practical experience (whether in Singapore or elsewhere) as may be prescribed for that type of specialist building works; and
- (4) Despite subsection (1), (1A), (2) or (3), the Commissioner of Building Control may require an applicant under that subsection to satisfy him or her that the applicant has sufficient material and financial resources available to enable the applicant to meet the applicant's financial obligations as and when they become due, and may refuse to grant a licence to an applicant who fails to so satisfy the Commissioner.

**Other conditions of builder's licence**

29I.— (2) A licensed general builder or licensed specialist builder who is a sole proprietor must ensure that —

- (a) the execution and performance of any general building works or specialist building works that the licensed general builder or licensed specialist builder is carrying out is personally supervised by—
  - (i) an individual mentioned in section 29F(1)(d) or 29G(1)(d), as the case may be; or
  - (ii) an individual mentioned in section 29F(1A)(c) or 29G(1A)(c), as the case may be; and
- (b) the name of the licensed general builder or licensed specialist builder (as the case may be) appears in any sign affixed or erected at the site where the general building works or specialist building works are carried out.

(3) A licensed general builder or licensed specialist builder which is a partnership or a corporation must ensure that the execution and performance of the general building works or specialist building works that licensed general builder or licensed specialist builder is carrying out is personally supervised by —

- (a) an individual mentioned in section 29F(2)(d) or 29G(2)(d), as the case may be; or
- (b) an individual mentioned in section 29F(3)(g) or 29G(3)(g), as the case may be.

(4) It is a condition of every general builder's licence that the management of the business of the licensed general builder holding that licence, insofar as the business relates to general building works, must at all times be under the charge and direction of an individual mentioned in —

- (a) section 29F(1A)(b), if the licensed general builder is a sole proprietor;
- (b) section 29F(2)(c), if the licensed general builder is a partnership; or
- (c) section 29F(3)(f), if the licensed general builder is a corporation.

(5) It is a condition of every specialist builder's licence for a type of specialist building works that the management of the business of the licensed specialist builder holding that licence, insofar as it relates to that type of specialist building works, must at all times be under the charge and direction of an individual mentioned in —

- (a) section 29G(1A)(b), if the licensed specialist builder is a sole proprietor;
- (b) section 29G(2)(c), if the licensed specialist builder is a partnership; or
- (c) section 29G(3)(f), if the licensed specialist builder is a corporation

29J	<p>29J.— (2) The Commissioner of Building Control may, in any case in which he or she considers that no cause of sufficient gravity for revoking any general builder’s licence or specialist builder’s licence exists, by order —</p> <p>(d) direct that, for a period specified by the Commissioner of Building Control, the licensee —</p> <ul style="list-style-type: none"><li>(i) must not enter into or undertake any contract or engagement to carry out all or any general building works or specialist building works; or</li><li>(ii) may enter into or undertake any further contract or engagement to carry out any general building works or specialist building works, provided that the value of the further contracts or engagements must not exceed an amount specified in the order; or</li></ul> <p>(e) modify the conditions of the licence, immediately or upon renewal of the licence in question.</p>
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## ANNEX B

### LIST OF AMENDMENTS UNDER THE BUILDING CONTROL (AMENDMENT NO. 2) REGULATIONS 2023

Regulation	Amendment
42	<p><b>Certificate of statutory completion</b></p> <p>42.— (2) The Commissioner of Building Control may issue a certificate of statutory completion in respect of a building or any part thereof in respect of which any building works have been carried out where —</p> <p style="padding-left: 40px;">(ca) where the building works are specialist building works — the certificate from the licensed specialist builder referred to in section 11(2)(aa) of the Act has been submitted to the Commissioner of Building Control in accordance with that section;</p>
43	<p><b>Temporary occupation permit</b></p> <p>43.— (3) A temporary occupation permit may be granted where —</p> <p style="padding-left: 40px;">(ba) where the building works are specialist building works — the certificate from the licensed specialist builder referred to in section 11(2)(aa) of the Act has been submitted to the Commissioner of Building Control in accordance with that section;</p>

## ANNEX C

### LIST OF AMENDMENTS UNDER THE BUILDING CONTROL (LICENSING OF BUILDERS) (AMENDMENT) REGULATIONS 2023

Regulation	Amendment
4	<p><b>Register of licensed builders</b></p> <p>4.—(1) The register of licensed builders shall be divided into 3 sub-registers, each containing the particulars referred to in paragraph (2) in respect of the holders of the following licences:</p> <p>(c) the specialist builder’s sub-register for holders of a specialist builder’s licence according to one or more of the following classes of specialist building works as is specified in the licence:</p> <p>(iii) instrumentation and monitoring works described in paragraph (c) of the definition of “specialist building works” in section 2(1) of the Act</p>
7	<p><b>Application for general builder’s licence</b></p> <p>7.—(1) An application for a general builder’s licence must be made in accordance with —</p> <p>(a) if the application is by an individual — paragraph (2);</p> <p>(b) if the application is by a corporation (whether carrying on business as a sole proprietor or otherwise) — paragraph (3); or</p> <p>(c) if the application is by a partnership (whether comprising 2 or more individuals, 2 or more corporations or both individuals and corporations) — paragraph (4).</p> <p>(2) An application by an individual for a general builder’s licence must be accompanied by —</p> <p>(a) a copy of the applicant’s degree, diploma or other certificate showing the applicant’s educational qualification;</p> <p>(b) written evidence of the applicant’s practical experience (whether in Singapore or elsewhere) in the work of a general builder or as a supervisor of general building works;</p> <p>(c) a declaration by the applicant that he or she has not acted as an approved person or the technical controller of a builder whose licence has been revoked in the 12 months before the date of the application;</p> <p>(d) the documents and information mentioned in paragraph (6) for each individual who is or is to be the applicant’s technical controller; and</p> <p>(e) any other documents and information that the Commissioner of Building Control may require in a particular case.</p> <p>(3) An application by a corporation for a general builder’s licence must be accompanied by —</p> <p>(a) a copy of the certificate of incorporation issued for the corporation under section 19 of the Companies Act 1967;</p>

	<ul style="list-style-type: none"> <li>(b) a list of the corporation's directors and the members of the corporation's board of management;</li> <li>(c) the corporation's business profile, such as its principal activities of business, principal place of business, its capital and particulars of its officers and shareholders;</li> <li>(d) the documents and information mentioned in paragraph (5) for the individual who is or is to be the applicant's approved person as far as the corporation's business relates to general building works in Singapore;</li> <li>(e) the documents and information mentioned in paragraph (6) for each individual who is or is to be the applicant's technical controller; and</li> <li>(f) any other documents and information that the Commissioner of Building Control may require in a particular case.</li> </ul> <p>(4) An application by a partnership must be accompanied by —</p> <ul style="list-style-type: none"> <li>(a) a list of the partners of the partnership and the partnership's business profile, such as its principal activities of business, principal place of business, the businesses' registered name and the particulars of its managers;</li> <li>(b) for each corporation in the partnership — <ul style="list-style-type: none"> <li>(i) a copy of the certificate of incorporation issued for the corporation under section 19 of the Companies Act 1967;</li> <li>(ii) a list of the corporation's directors and the members of the corporation's board of management; and</li> <li>(iii) the corporation's business profile, such as its principal activities of business, principal place of business, its capital and particulars of its officers and shareholders;</li> </ul> </li> <li>(c) the documents and information mentioned in paragraph (5) for the individual who is or is to be the applicant's approved person as far as the partnership's business relates to general building works in Singapore;</li> <li>(c) the documents and information mentioned in paragraph (6) for each individual who is or is to be the applicant's technical controller; and</li> <li>(d) any other documents and information that the Commissioner of Building Control may require in a particular case.</li> </ul> <p>(5) The documents and information for an individual who is or to be an approved person for an applicant are as follows:</p> <ul style="list-style-type: none"> <li>(a) the individual's name and residential address;</li> <li>(b) a copy of the individual's degree, diploma or other certificate showing the individual's educational qualification;</li> <li>(c) written evidence of the individual's practical experience (whether in Singapore or elsewhere) in the work of a general builder or as a supervisor of general building works;</li> <li>(d) the individual's written consent to carry out the duties of an approved person for the applicant;</li> </ul>
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	<ul style="list-style-type: none"> <li>(e) a declaration by the individual that the individual is not acting, and for so long as the individual is the approved person for the applicant does not intend to act, as a technical controller for any other licensee;</li> <li>(f) a declaration by the individual that the individual has not acted as an approved person or the technical controller of a builder whose licence has been revoked in the 12 months before the date of the application;</li> <li>(g) where the applicant is a corporation — whether the individual is a director of the corporation or a member of the corporation’s board of management;</li> <li>(h) where the applicant is a limited liability partnership — written evidence that the individual is lodged as a manager of the limited liability partnership under section 29(2) of the Limited Liability Partnerships Act 2005;</li> <li>(i) where the applicant is a partnership that comprises at least one corporation — whether the individual is a director of a corporation in the partnership or a member of such a corporation’s board of management;</li> </ul> <p>(6) The documents and information for an individual who is or to be a technical controller for an applicant are as follows:</p> <ul style="list-style-type: none"> <li>(a) the individual’s name and residential address;</li> <li>(b) a copy of the individual’s degree, diploma or other certificate showing the individual’s educational qualification;</li> <li>(c) written evidence of the individual’s practical experience (whether in Singapore or elsewhere) in the work of a general builder or as a supervisor of general building works;</li> <li>(d) the individual’s written consent to carry out the duties of a technical controller for the applicant (unless the individual is the applicant);</li> <li>(e) a declaration by the individual that the individual is not acting, and for so long as the individual is the technical controller for the applicant does not intend to act, as a technical controller for any other licensee;</li> <li>(f) a declaration by the individual that the individual has not acted as an approved person or the technical controller of a builder whose licence has been revoked in the 12 months before the date of the application;</li> <li>(g) where the applicant is a corporation — whether the individual is a director of the corporation, a member of the board of management of the corporation or an employee of the corporation, and if the individual is an employee, the individual’s designation, duties and responsibilities;</li> <li>(h) where the applicant is a partnership that comprises at least one corporation — whether the individual is a director of a corporation in the partnership, a member of such a corporation’s board of management, or an employee of such a corporation, and if the individual is an employee, the individual’s designation, duties and responsibilities.</li> </ul>
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8	<p><b>Application for specialist builder’s licence</b></p> <p>8. An application for a specialist builder’s licence must be made in accordance with regulation 7, except that —</p> <ul style="list-style-type: none"> <li>(a) a reference in that regulation to a general builder is to be read as a reference to a specialist builder; and</li> <li>(b) a reference in that regulation to general building works is to be read as a reference specialist building works</li> </ul>
12	<p><b>Course of training and practical experience to carry on business of general builder or take charge and direction of general building works</b></p> <p>12. The course of training and practical experience required under section 29F(1)(c)(i), (1A)(b)(i), (2)(c)(i) and (3)(f)(i) of the Act in relation to a class of general builder’s licence is prescribed in Part I of the Second Schedule opposite that class.</p>
13	<p><b>Qualifications and practical experience to supervise general building works</b></p> <p>13. The qualifications and practical experience required under section 29F(1)(d), (1A)(c), (2)(d) and (3)(g) of the Act, in relation to a class of general builder’s licence is prescribed in Part II of the Second Schedule opposite that class.</p>
14	<p><b>Course of training and practical experience to carry on business of specialist builder or take charge and direction of specialist building works</b></p> <p>14. The course of training and practical experience required under section 29G(1)(c)(i), (1A)(b)(i), (2)(c)(i) and (3)(f)(i) of the Act in relation to a specialist builder’s licence for a class of specialist building works is prescribed in Part II of the Second Schedule opposite that licence.</p>
15	<p><b>Qualifications and practical experience to supervise specialist building works</b></p> <p>15. The qualifications and practical experience required under section 29G(1)(d), (1A)(c), (2)(d) and (3)(g) of the Act in relation to a specialist builder’s licence for a class of specialist building works is prescribed in Part I of the Second Schedule opposite that licence.</p>

## ANNEX D

### LIST OF AMENDMENTS UNDER THE BUILDING CONTROL (COMPOSITION OF OFFENCES) (AMENDMENT NO. 2) REGULATIONS 2023

Regulation	Amendment
2	<p><b>Compoundable offences</b></p> <p>2.—The following offences may be compounded by the Commissioner of Building Control in accordance with section 48 of the Act:</p> <p>(e) an offence under section 11(9)(b) of the Act in relation to the contravention of section 11(2)(aa) or (c) or (4) of the Act;</p>