

LICENSING OF BUILDERS

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Simplified Guide

Disclaimer

This Simplified Guide outlines the Licensing of Builders under *Building Control (Amendment) Act 2007 Part VA 'Licensing of Builders'* and Building Control (Licensing of Builders) Regulations 2008. It covers more on general licensing requirements and application matters and serves as a brief introduction to the relevant Act and Regulations. The provisions of the relevant Act and Regulation shall prevail over the Simplified Guide.

The Building and Construction Authority disclaims any liability (including negligence) to any person in respect of anything and the consequences of anything done or not done by any such person in reliance upon anything in or omitted from this Simplified Guide.

The Simplified Guide may be amended from time to time and readers should check the website of the Building and Construction Authority: www.bca.gov.sg for the latest version.

INTRODUCTION

1. The Building Control (Amendment) Bill was passed in September 2007. One of the new provisions introduced in the Building Control (Amendment) Act is to license builders who conduct building works as well as specialist works that have safety impact. The licensing scheme came into operation on 16th December 2008. Detailed information on the Licensing of Builders can be found in the *Building Control (Amendment) Act 2007 Part VA 'Licensing of Builders'* and Building Control (Licensing of Builders) Regulations 2008.

OBJECTIVE OF LICENSING OF BUILDERS

2. The objective of Licensing of Builders is to ensure that builders carry out their duties competently and professionally and are conversant with the statutory requirements in the Building Control (Amendment) Act.

GENERAL INFORMATION ON APPLICATION

Availability of Application Form

3. The Licensing of Builders application form is obtainable at BCA's website at www.bca.gov.sg > Building Control & Management > Application Form and BCA office, located at 5 Maxwell Road, #02-01, Tower Block MND Complex.

Application Procedure

4. All applications shall be made to the Commissioner of Building Control in the English language in the prescribed application form and accompanied by the appropriate application fee. Please ensure the completeness of the submissions. Processing will commence only after the submission is found to be in order. BCA may refuse to accept the application form if it is not completed or not lodged in accordance with the Regulations and/or not accompanied by relevant fee. The Commissioner may require other documents and information in any particular case.

Application Fees

5. The application fees are as listed in Building Control (Licensing of Builders) Regulations 2008. Payment shall be made by Cashcard, Credit cards (Master/Visa), GIRO or NETS. The application fee shall be payable in advance and is not refundable.

Outcome of Application

6. Under normal circumstances, the processing time for each application takes about 2 weeks if the application form is duly completed with supporting documents. BCA will notify each applicant on the outcome of the application via mail and email. The outcome of application can also be found at www.bca.gov.sg > Building Control & Management > e-Directory. A copy of the Licence Certificate (optional) may be purchased from BCA.

References

7. An applicant for the license shall attend personally before the Commissioner of Building Control and provide clarification to the Commissioner such as additional particulars, information and document if so required in writing by the Commissioner. If the applicant fails, without reasonable excuse to provide the required clarifications, the Commissioner may reject the application.

CONDITIONS OF APPLICATION

General Evaluation Criteria

In deciding whether to grant a licence, the Commissioner of Building Control may make inquiries and investigations that are reasonable and appropriate in the circumstances so as to be satisfied as to -

- a) the good character of the applicant, or if the applicant is a corporation or partnership, the general character of the management of the corporation or of the partners, as the case may be;
 - b) the financial condition of the applicant; and
 - c) whether the public interest will be served by the granting of the licence, including:
 - seeking confirmation about the experience of applicants through site inspections and referee checks; and
 - carrying out checks with the Commissioner for Workplace Safety and Health.
8. The Commissioner of Building Control may refuse to grant a licence to any corporation or partnership if, in the opinion of the Commissioner, the past conduct of any director, manager or employee of the corporation or any partner, manager or employee of the partnership affords reasonable grounds for believing that the corporation or partnership, as the case may be, will not carry on the business of a general/specialist builder in accordance with any written law with honesty and integrity.
9. The Commissioner may refuse to grant any licence to any general builder or specialist builder before the expiration of not less than 12 months from the date of revocation of the builder's licence.

Other Evaluation Criteria

10. The Commissioner of Building Control may grant a builder's licence subject to such other conditions as the Commissioner thinks fit and may at any time vary any existing conditions (other than those already stated) of such a licence or impose additional conditions thereto.

Update of Particulars

11. A licensed builder is required to notify the Commissioner (in writing) of the following:-
- a) the appointed Approved Person ceases to take charge of and direct the management of the business of the builder, within 28 days of the cease of carrying out such duties;
 - b) the appointed Technical Controller ceases to supervise the execution and performance of building works undertaken by builder, within 28 days of cease of carrying out such duties; and
 - c) management status, address or any other pertinent particulars.
 - d) expiry date of the Employment Pass if the appointed Approved Person and Technical Controller is a foreigner

Validity

12. Every licence shall, unless earlier revoked, be valid for a period of 3 years and upon expiry, the licence may be renewed. An application for the renewal of a licence shall be submitted to the Commissioner not later than one month before the date of expiry of the licence and accompanied by the relevant renewal fee. If an application for the renewal of a licence is submitted less than one month before the expiry date of the licence, relevant renewal fee plus a late application fee per licence will be applicable. The Commissioner may refuse to renew any licence for which the renewal application is submitted 14 days or less before the date of expiry of the licence.

Revocation of Licences, etc.

13. The Commissioner may revoke or impose other restriction on the builder's business as a general builder or specialist builder as stated in the Building Control (Amendment) Act 2007.

CLASSES OF BUILDERS' LICENCES

Classes of Builders' Licences	Restricted to contracts of certain estimated final price	Description	Application Fees
General Builder Class 1 – GB1	No restriction	General building works excluding works that have been designated as specialist works to be carried out by Specialist Builder	S\$1800
General Builder Class 2 – GB2	Each of not more than S\$6 million		S\$1200
Specialist Builder (Piling Works) – SB(PW)	No restriction	Piling works comprising installation and testing of precast reinforced concrete or prestressed concrete piles, steel piles, bored cast-in-place reinforced concrete piles, caissons and special pile types like micro-piles, barrettes piles and composite piles, embedded retaining wall piles like diaphragm walls, contiguous bored piles or secant piles.	S\$1500
Specialist Builder (Ground Support and Stabilisation works) – SB(GS)		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.	
Specialist Builder (Site Investigation Work) – SB(SI)		Site investigation work comprising field investigations, exploratory drilling or boring, logging, sampling, coring, in-situ plate-loading tests, pressure meter tests, penetration tests, vane shear tests, probing tests, permeability tests, geological mapping and geophysical surveys, and installation and monitoring of instruments measuring forces, deformation, displacements, pore and earth pressures, and ground-water levels.	
Specialist Builder (Structural steelwork) – SB(SS)		Structural steelwork comprising – (i) fabrication of structural elements; (ii) erection work like site cutting, site welding and site bolting; and (iii) installation of steel supports for underground building works.	
Specialist Builder (Pre-cast concrete work) – SB(PC)		Pre-cast concrete work comprising fabrication of precast structural elements.	
Specialist Builder (In-situ post-tensioning work) – SB(PT)		In-situ post-tensioning work comprising setting out of tendon profiles, laying of conduits, anchorages and bursting reinforcement, pulling or stressing of cables, pressure grouting of conduits.	

Details:-

1. General builders may conduct the following minor specialist building works:-
 - a) all specialist building works associated with minor specialist building works;
 - b) structural steelwork comprising fabrication and erection work for structures with a cantilever length of not more than 3 metres, a clear span of less than 6 metres and a plan area not exceeding 150 square metres; and
 - c) pre-cast concrete work comprising casting of pre-cast reinforced concrete slabs or planks on site.
2. General builders may also conduct all types of construction works, including the above six specialist works if the project does not require checks from an Accredited Checker.
3. Estimated value of building works refers to the total fee chargeable at practical completion for the building works, including any GST payable in relation to the supply of works.

LICENSING of BUILDERS REQUIREMENTS

Classes of Builders' Licensing	Financial (Min Paid-Up Capital)	Approved Person		Technical Controller	
		Course	Practical Experience	Course	Practical Experience
General Builder Class 1 – GB1	S\$300,000	A course leading to a Bachelor's degree or post-graduate degree in any field	At least 3 years (in aggregate) of practical experience in the execution of construction projects (whether in Singapore or elsewhere) after attaining the corresponding qualification	A course leading to a Bachelor's degree or post-graduate degree in construction-related field	At least 5 years (in aggregate) of practical experience in the execution of construction projects (whether in Singapore or elsewhere) after attaining the corresponding qualification
		OR			
		A course leading to a diploma in a construction-related field.	At least 5 years (in aggregate) of practical experience in the execution of construction projects (whether in Singapore or elsewhere) after attaining the corresponding qualification		
		OR			
		A course conducted by BCA known as Essential Knowledge in Construction Regulations & Management for Licensed Builders	At least 10 years (in aggregate) of practical experience in the execution of construction projects in Singapore		
General Builder Class 2 – GB2	S\$25,000	A course leading to a diploma in a construction-related field, or a Bachelor's degree or post-graduate degree in any field	At least 3 years (in aggregate) of practical experience in the execution of construction projects (whether in Singapore or elsewhere) after attaining the corresponding qualification	A course leading to a diploma, Bachelor's degree or post-graduate degree in a construction-related field	At least 5 years (in aggregate) of practical experience in the execution of construction projects (whether in Singapore or elsewhere) after attaining the corresponding qualification
		OR			
		A course conducted by BCA known as Essential Knowledge in Construction Regulations & Management for Licensed Builders	At least 8 years (in aggregate) of practical experience in the execution of construction projects in Singapore		

Classes of Builders' Licensing	Financial (Min Paid-Up Capital)	Approved Person		Technical Controller	
		Course	Practical Experience	Course	Practical Experience
Specialist Builder (all classes)	S\$25,000	A course leading to a diploma in a construction-related field, or a Bachelor's degree or post-graduate degree in any field	At least 3 years (in aggregate) of practical experience in the execution of construction projects (whether in Singapore or elsewhere) after attaining the corresponding qualification	A course leading to a Bachelor's degree or post-graduate degree in field of civil or structural engineering from a recognised institution	At least 5 years (in aggregate) of practical experience in the execution of specialist building works of that class (whether in Singapore or elsewhere) after attaining the corresponding qualifications
		OR			
		A course conducted by BCA known as Essential Knowledge in Construction Regulations & Management for Licensed Builders	At least 8 years (in aggregate) of practical experience in the execution of construction projects in Singapore.		

Details:-

Company Profile

1. All builders must be registered with Accounting and Corporate Regulatory Authority (ACRA) at the time of application. A copy of the latest Bizfile from ACRA shall be submitted for application.
2. Documentations on company profile shall be submitted:-
 - a) For a builder which is incorporated as a partnership, a copy of the agreement establishing the partnership.
 - b) For a builder which is incorporated as a corporation, a copy of the certificate of incorporation issued in respect of the corporation under Companies Act and memorandum and articles of association of the corporation.
3. Sole-proprietorship and partnership (including limited liability partnership) are not eligible for a Class 1 General Builder license.

Financial Capacity (this requirement is for corporation only.)

4. A corporation which applies for a licence shall neither be a company limited by guarantee nor a corporation sole. In addition, a corporation's paid-up capital shall not be less than the above stated amount. Firms incorporated under a foreign jurisdiction shall furnish a copy of completed set of Audited Accounts (not more than 18 months old and translated to English).

Approved Person

5. The approved person is the appointed key personnel under whose charge and direction of the management of the business of the builder, in so far it relates to general building works or specialist building works in Singapore is to be at all times. The approved personnel shall be the sole-proprietor, partner, director or member of the board of management of the corporation. If an employee of a corporation is appointed as the approved person, he shall be employed in such a manner and with such similar duties and responsibilities of a director or member of its board of management.

6. The approved person shall not have acted as an approved person or the technical controller of a builder whose licence has been revoked in the 12 months preceding the date of application.
7. The approved person is not acting, and for so long as he is the approved person for the builder that he does not intend to act, as a technical controller for any other holder of a licence (this criterion is applicable for all business entities except sole-proprietorship).
8. The approved person's consent that he is to carry out the duties of an approved person for the applicant.
9. A letter to appoint the approved person shall be submitted:-
 - a) For a builder which is incorporated as a partnership, a copy of the letter of the person's appointment as the approved person, signed by the partners of the partnership;
 - b) For a builder which is incorporated as a corporation, a copy of the resolution of the board of management of the corporation appointing the person as the approved person for the corporation.

Technical Controller

10. The technical controller(s) is/are the appointed key personnel under whose personal supervision the execution and performance of any general building works or specialist building works in Singapore that the builder, undertakes to be carried out. The technical controller(s) could be the sole proprietor, partner, director or member of board of management of the corporation or an employee (being a person employed in such a manner and with such similar duties and responsibilities of a partner/director or member of its board of management).
11. The technical controller shall not have acted as an approved person or the technical controller of a builder whose licence has been revoked in the 12 months preceding the date of application.
12. The appointed technical controller is not acting, and for so long as he is the technical controller for the applicant that he does not intend to act, as a technical controller for any other holder of licence.
13. The technical controller's consent that he is to carry out the duties of a technical controller for the applicant.

Course

14. 'Construction-related field' means the field of architecture, civil or structural engineering, mechanical or electrical engineering, construction or project management, quantity surveying or building science, facilities and estate management.
15. 'Recognised institution' means (a) the National University of Singapore, (b) the Nanyang Technological University, and any other university that is specified in BCA's website http://www.bca.gov.sg/BuildersLicensing/builders_licensing.html. Institutions recognised by the Professional Engineers Board for registration as a Professional Engineer in the civil or structural engineering discipline or by the Commissioner of Building Control for registration as a Resident Engineer will be acceptable.
16. Information on the course conducted by BCA known as Essential Knowledge in Construction Regulations & Management for Licensed Builders can be found in BCA's website <http://www.bcaa.edu.sg>
17. Relevant certificates showing the educational qualification are required for the application of Builders Licence.

Practical Experience

18. Approved person/technical controller to declare their years of practical experience in the work of a general/specialist builder or as a supervisor of general/specialist builder.
 19. For Technical Controller appointed by a Specialist Builder applying for a Specialist Builder's licence in a particular class of specialist work, only practical experience in that class of specialist work will be considered as relevant for the application of licence.
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