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**BUILDING CONTROL ACT
(CHAPTER 29)**

**BUILDING CONTROL (BUILDABILITY)
REGULATIONS 2011**

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

Citation and commencement

1. These Regulations may be cited as the Building Control (Buildability) Regulations 2011 and shall come into operation on 15th July 2011.

Definitions**2. In these Regulations —**

“buildable design score” means the score relating to the extent to which a design of a building affects the ease of construction of that building, computed in accordance with the Buildable Design Appraisal System as set out in the Code of Practice;

“building plans” means the building plans referred to in regulation 4(1)(a)(i) of the Building Control Regulations 2003 (G.N. No. S 666/2003);

“Code of Practice” means the Code of Practice on Buildability issued by the Building and Construction Authority;

“constructability score” means the score relating to the extent to which an adoption of construction techniques and processes affects the productivity level of any building works, computed in accordance with the Constructability Appraisal System as set out in the Code of Practice;

“Construction Productivity Data” means data required for the purpose of assessing the productivity level of any building works, which includes the following:

- (a) manpower utilisation;
- (b) construction output; and
- (c) documentation relating to the construction of the building works;

“detailed structural plans” means the detailed structural plans referred to in regulation 4(1)(a)(ii) of the Building Control Regulations 2003;

“gross floor area” has the same meaning as “floor area” in rule 2(1) of the Planning (Development Charges) Rules (Cap. 232, R 5);

“submission requirements” means the requirements specified in the Requirements on Submission of Construction Productivity Data issued by the Building and Construction Authority.

Application

3.—(1) Subject to paragraphs (2) and (5), regulations 4, 6, 7, 11 and 13 shall 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 15th July 2011 and which involve a gross floor area of 2,000 square metres or more.

(2) Regulations 4, 6, 7, 11 and 13 shall not apply to building works consisting of repairs, alterations or additions to an existing building (whether carried out within or outside the existing building) in respect of which an application for planning permission is submitted on or after 15th July 2011 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 sub-paragraphs (a) and (b),

is 2,000 square metres or more.

(3) Subject to paragraphs (4) and (5), regulations 5, 8, 9, 10, 12 and 14 shall apply to any building works in respect of which an application for planning permission is submitted on or after 15th July 2011 and which involve a gross floor area of 5,000 square metres or more.

(4) Regulations 5, 8, 9, 10, 12 and 14 shall not apply to building works consisting of repairs, alterations or additions to an existing building (whether carried out within or outside the existing building) in respect of which an application for planning permission is submitted on or after 15th July 2011 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 sub-paragraphs (a) and (b),

is 5,000 square metres or more.

(5) These Regulations shall also not apply to any building works relating to —

- (a) any culvert, bridge, underpass, tunnel, earth retaining or stabilising structure, slipway, dock, wharf or jetty;
- (b) any theme park;
- (c) any place of worship;
- (d) any power station; or
- (e) any waste processing or treatment plant.

Minimum buildable design score

4. Every qualified person appointed under section 8(1)(a) or 11(1)(d)(i) of the Act and every developer, in respect of any building works to which this regulation and regulations 6, 7, 11 and 13 apply, shall ensure that the building works are designed and carried out such that the buildable design score of the building works is not less than —

- (a) the minimum buildable design score for the relevant category of building works as set out according to the type of use in the Code of Practice and, in the case of building works consisting of mixed categories of building works, the sum of the minimum buildable design scores for each of the categories pro-rated in proportion to the percentage of gross floor area used for that category; and
- (b) the minimum buildable design score for the relevant type of building works as set out in the Code of Practice and, in the case of building works consisting of repairs, alterations or additions to an existing building which are carried out both within and outside the existing building, the sum of the minimum buildable design scores for each type of building works pro-rated in proportion to the percentage of gross floor area involved for that type of building works.

Minimum constructability score

5. Every builder appointed under section 8(1)(c) of the Act in respect of any building works to which this regulation and regulations 8, 9, 10, 12 and 14 apply shall ensure that construction of the building works is carried out such that the constructability score of the building works is not less than the minimum constructability score for the relevant gross floor area of the building works as set out in the Code of Practice.

Submission of buildable design score

6.—(1) Every developer shall, at the time of application for approval of building plans under section 5(1) of the Act, submit the buildable design score to the Commissioner of Building Control.

(2) The submission of the buildable design score referred to in paragraph (1) shall —

- (a) bear 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 are designed such that the buildable design score of the building works is not less than the minimum buildable design score; and

- (b) be accompanied by such documents as the Commissioner of Building Control may determine.

Submission of structural buildable design score

7.—(1) In addition to the requirements in regulation 6, if an application for approval of detailed structural plans of any proposed building works under section 5(1) of the Act is made before an application for approval of the building plans, then the person making the application shall, at the time of application for approval of detailed structural plans of the building works, submit the buildable design score relating to the structural elements of the building works (referred to in this regulation as the structural buildable design score) to the Commissioner of Building Control.

(2) The submission of the structural buildable design score referred to in paragraph (1) shall —

- (a) bear 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 as to the structural buildable design score of the building works; and
- (b) be accompanied by such documents as the Commissioner of Building Control may determine.

Submission of constructability score

8.—(1) Every builder referred to in regulation 5 shall submit the constructability score to the Commissioner of Building Control at the time of application for permit to carry out structural works under section 6(1) of the Act or within such time after the grant of the permit as the Commissioner of Building Control may, in his discretion, allow.

(2) The submission of the constructability score referred to in paragraph (1) shall be accompanied by such documents as the Commissioner of Building Control may determine.

Site records of construction techniques and processes

9.—(1) Every builder referred to in regulation 5 shall keep and maintain the following at the premises on which the building works are carried out:

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- (a) a progress report on the types of construction techniques and processes adopted for the purpose of ensuring that the building works are constructed in accordance with the minimum constructability score referred to in regulation 5, which shall include photographs evidencing the adoption of such construction techniques and processes;
 - (b) records of the construction processes put in place for the building works; and
 - (c) such other document, report and record as the Commissioner of Building Control may determine.

(2) The builder shall make available, at the request of the Commissioner of Building Control, any document, report or record referred to in paragraph (1) for his inspection.

Submission of Construction Productivity Data

10. Every builder referred to in regulation 5 shall submit the Construction Productivity Data of the building works to the Commission of Building Control in accordance with the submission requirements on a monthly basis and at such times as may be required by the Commissioner of Building Control.

Departure and deviation from approved plans

11. Any person who wishes to depart or deviate from any plan of building works approved by the Commissioner of Building Control under section 5(3)(a) of the Act shall ensure that the departure or deviation is designed and is carried out such that the buildable design score of the building works is not less than the minimum buildable design score as required under regulation 4.

Departure and deviation from adopted construction techniques and processes

12. Every builder referred to in regulation 5 who wishes to depart or deviate from any construction technique or process adopted for the purpose of computing the constructability score referred to in regulation 8 shall —

- (a) at least 3 working days prior to carrying into effect such departure or deviation —
 - (i) notify the Commissioner of Building Control of his intention and the departure or deviation; and

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- (ii) submit the recomputed constructability score resulting from the departure or deviation to the Commissioner of Building Control; and
 - (b) ensure that, notwithstanding the departure or deviation, the construction of the building works is carried out such that the constructability score of the building works is not less than the minimum constructability score referred to in regulation 5.

Submission of as-built buildable design score

13.—(1) On completion of the building works, the developer shall submit the buildable design score of the building works as completed (referred to in this regulation as the as-built buildable design score) to the Commissioner of Building Control at the following time:

- (a) at the time of application for a temporary occupation permit in respect of the building works; or
- (b) in a case where no application is made for a temporary occupation permit, at the time of application for a certificate of statutory completion in respect of the building works.

(2) The submission of the as-built buildable design score referred to in paragraph (1) shall —

- (a) bear 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 as-built buildable design score of the building works is not less than the minimum buildable design score; and
- (b) be accompanied by such documents as the Commissioner of Building Control may determine.

Submission of certificate of compliance of constructability score

14.—(1) On completion of the building works, the developer shall submit a certificate in such form as may be required by the Commissioner of Building Control (referred to in this regulation as the certificate of compliance of constructability score) to the Commissioner of Building Control at the following time:

- (a) at the time of application for a temporary occupation permit in respect of the building works; or

(b) in a case where no application is made for a temporary occupation permit, at the time of application for a certificate of statutory completion in respect of the building works.

(2) The submission of the certificate of compliance of constructability score referred to in paragraph (1) shall bear an endorsement by the builder referred to in regulation 5 that the construction of the building works has been carried out such that the constructability score of the building works is not less than the minimum constructability score.

Penalty

15. Any person who contravenes regulation 4, 5, 8, 9, 10, 11, 12, 13 or 14 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

Revocation

16. The Building Control (Buildable Design) Regulations (Cap. 29, Rg 8) are revoked.

Savings and transitional provision

17. Notwithstanding regulation 16, the revoked Building Control (Buildable Design) Regulations in force immediately before 15th July 2011 shall continue to apply to building works, in respect of which an application for planning permission under the Planning Act (Cap. 232) has been submitted to the competent authority before 15th July 2011.

Made this 13th day of April 2011.

TAN TEE HOW
Permanent Secretary,
Ministry of National Development,
Singapore.

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(To be presented to Parliament under section 52 of the Building Control Act).