

UPDATED AS OF 16 AUGUST 2021

FAQS FOR MANAGEMENT CORPORATIONS (MCSTs) AND MANAGING AGENTS (MAs)

Convening of Annual General Meeting (AGM)

Q1. When should a MCST hold the next annual general meeting?

A1. Under section 27(1) of the Building Maintenance and Strata Management Act (BMSMA), a MCST shall hold the second or subsequent annual general meeting (AGM) in each calendar year and not more than 15 months from the last preceding AGM.

** Under Section 26(1) of BMSMA, the owner developer shall hold the first AGM of MCST latest by the 13th month from the date of constitution of MCST.*

Q2. Can MCSTs conduct AGMs via electronic means?

A2. MCSTs may do so. Please refer to the circular and guidance notes, dated 7 April 2021, issued by BCA at <https://go.gov.sg/bca-circular-e-general-meeting>.

Q3. What must a subsidiary proprietor (SP) do if he/she wishes to stand for election of council member in a general meeting conducted via electronic means?

A3. If an SP wishes to be nominated to stand for the election of council member, we encourage him/her to send his/her name by writing or email to the Secretary of MCST at least 48 hours before the start of the meeting.

Alternatively, he/she may attend the general meeting via electronic means and inform the Chairperson of the meeting of the intention to be nominated for election of council member.

Q4. How does an MCST go about arranging for an AGM conducted by electronic means? Will BCA recommend any vendor for this purpose?

A4. The MCST should refer to the circular and guidance notes, dated 7 April 2021, issued by BCA (<https://go.gov.sg/bca-circular-e-general-meeting>). The MCST should also engage or appoint a vendor who can provide the services of conducting the AGM via electronic means, which can meet the requirements set in the guidance note.

BCA does not recommend or restrict the type or group of vendors whom MCSTs can engage or appoint for this purpose.

Q5. Can an MCST hold a physical AGM?

A5. An MCST can hold a physical AGM with no more than 50 persons attending the meeting in person together, or such number of persons who can be accommodated at the venue where there is at least one metre safe distancing between any two individuals, whichever is lower. MCSTs conducting physical AGMs must comply with the relevant Safe Management Measures (SMMs) as laid out in the circular and guidance notes, dated 7 April 2021, issued by BCA (<https://go.gov.sg/bca-circular-e-general-meeting>).

Depending on the venue size, the attendance cap could be lower than 50 persons in order to comply with the SMMs. For AGMs expecting to have an attendance that exceeds 50 persons or the number of persons that can be accommodated at the venue in compliance with the SMMs, MCSTs are advised to conduct the meetings by electronic means.

Attendees must maintain at least 1 metre safe distancing between other attendees at all times during the AGM. Attendees must wear masks at all times during the AGM. Attendees must minimise socialising among one another at all times during the AGM. Socialising before or after the AGM should also be discouraged.

Q6. If MCST expects an attendance of more than 50 persons, can MCST conduct the AGM via both electronic means and physical meeting?

A6. For AGMs expecting to have an attendance that exceeds 50 persons or the number of persons that can be accommodated at the venue in compliance with the safe management measures, MCSTs are advised to conduct the meetings by electronic means. Please refer to A4.

MCST should take note of the real risk that more than 50 attendees will turn up at the physical location. When such situation arises, the MCST will be faced with the quandary of allowing more than 50 attendees in the meeting and breaching the 50 pax cap in the Control Order. The MCST may also find it difficult to handle a crowd larger than it had anticipated, and may have difficulties adhering to the safe management measures (such as at least 1 metre distancing between 2 individuals, due to the area of the meeting location).

Further, if the MCST has to turn away attendees, the MCST may breach the rights of the attendees, who are subsidiary proprietors (“SPs”), to participate in the meeting. This will expose the MCST to possible challenges by the SPs that the proceedings of the general meeting are not proper or that the SPs are denied the right to vote at the meeting.

Q7. Besides AGM, can an MCST or management Council hold any other types of meetings in person?

A7. The MCST can hold physical extraordinary general meetings, with no more than 50 persons attending the meeting in person, or such number of persons who can be accommodated at the venue where there is at least one metre safe distancing between any two individuals, whichever is lower. This arrangement can also apply to physical council meetings held by management councils.

MCSTs and management councils conducting physical meetings must comply with the relevant Safe Management Measures (SMMs), including SMMs in the COVID-19 (Temporary Measures) (Control Order) Regulations. For more information, you may wish to refer to the circular and guidance notes, dated 7 April 2021, issued by BCA (<https://go.gov.sg/bca-circular-e-general-meeting>).

For meetings expecting to have an attendance that exceeds 50 persons or the number of persons that can be accommodated at the venue in compliance with the SMMs, MCSTs are advised to conduct the meetings by electronic means.

Safe Management Measures

Q8. How should the MCST compute the maximum number of persons who can use a sports facility at any one time?

A8. Sports facilities (e.g. hard courts, swimming pools) should have capacity limits to avoid crowdedness and minimise the risk of large clusters forming. Refer to table below.

Usable Area of the Facility	Maximum Capacity
More than 50 square metres	Should be limited to 1 person per 10 square metres of usable area or 50 persons, whichever is lower. Each group should be 3 metres apart and each person in the group should be 2 metres apart
Smaller than 50 square metres	Should be limited to 5 persons.

Q9. What is the maximum number of people a sport or recreational facility (indoor settings) can accommodate?

A9. Based on SportSG advisory dated 7 August 2021 and FAQs (<https://www.sportsingapore.gov.sg/Newsroom/Media-Releases/2021/August/Safe-Management-Measures-for-Sport-and-Physical-Exercise,-a-,Activity>), all sport / recreational facilities can only admit a maximum number of persons according to its useable area based on 10 sqm per person, up to a maximum of 50 persons.

From 10 August 2021, indoor mask-off sport and physical exercise and activity can be in a class up to 30 participants or the capacity limit of the venue, and in groups of 5 persons (including instructor) if all persons are vaccinated[#].

Indoor mask-on and all outdoor (mask-on and mask-off) sport and physical exercise and activity can be in a class up to 50 participants or the capacity limit of the venue, and in groups of 5 persons (including instructor) irrespective of their vaccination status.

Q10. Who can access indoor facilities such as gyms or fitness studios and what activities can be allowed?

A10. MCSTs are advised to determine if they will be able to effectively implement vaccination-differentiated SMMs (VDS) at their indoor facilities. Facilities that do not implement checks on vaccination status will not be allowed to conduct unmasked indoor activities or provide common equipment. These facilities may only continue to conduct indoor masked activities without provision of equipment. All sport/recreational facilities can only admit a maximum number of persons according to its Gross Floor Area based on 10 Sqm per person, up to a maximum of 50 persons. Please refer to SportsSG's Guidelines and FAQs pertaining to Safe Management Measures for Sport and Physical Exercise & Activity.

Q11. If MCST is unable to implement vaccination-differentiated SMMs (VDS) in the indoor gym and/or fitness studio, what should the MCST do?

A11. If the MCST are unable to implement vaccination-differentiated SMMs, they can consider the following options:

- To conduct only indoor masked activities without provision of equipment and up to the permissible number addressed in FAQ 10 above.
- To suspend use of indoor gym or fitness studio

The MCST should issue a circular to the residents to inform and explain the actions taken.

Q12. The development has 3 separate swimming pools. Can the MCST aggregate or add up the areas of the 3 swimming pools to compute the maximum number of persons who can use the swimming pools?

A12. No. The maximum number of persons who can use each swimming pool shall be computed from the usable area of each individual swimming pool.

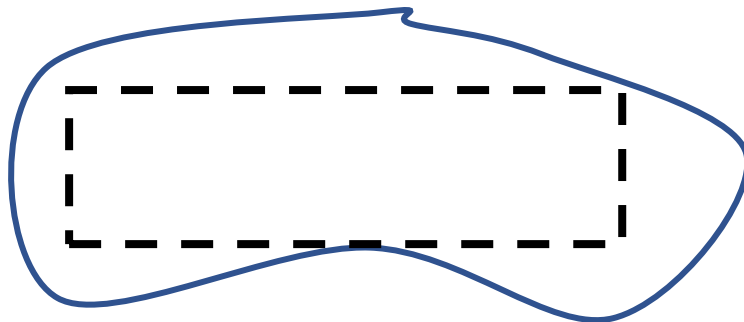
Q13. How is the usable area defined for a) swimming pool, b) other water-based facilities, c) other associated features (e.g. sauna), and d) hard courts?

A13. For a) swimming pool and b) other water-based facilities, the usable area of the facility refers to its Plan Area and cut-off at the edge of the drain/edge of the wall of the facility, whichever is smaller. For c) other associated features, the usable area refers to the Plan Area of the facility, excluding shower/washing facilities like changing/shower room. For d) hard courts, the usable area of the facility refers to its Plan Area and cuts off at the fence/wall of the facility.

Q14. The swimming pool is not of regular shape. How does the MCST determine the area?

A14. The MCST can refer to the building plan of the development for the Plan Area of the swimming pool. Alternatively, the MCST can draw the best possible approximation of a regular shape within the outline of the pool to facilitate calculation. In the example below, the dotted rectangle can be used to calculate the area of the pool (indicated in blue outline).

Example



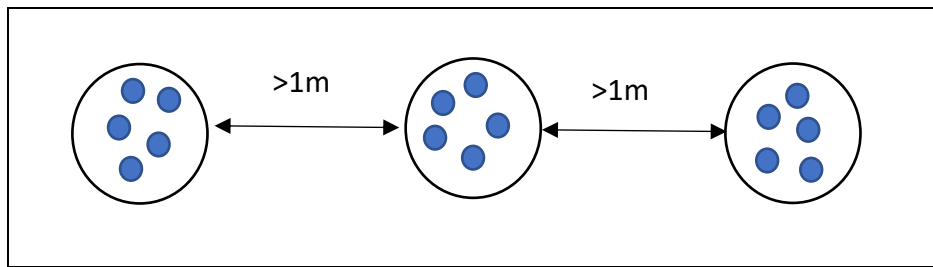
Q15. The common swimming pool is linked or connected to the private pool of each housing unit (e.g. for units on the ground floor). When the MCST computes the maximum number of persons who can use the common swimming pool, should the area of the private pools be included?

A15. No. The MCST should not include the area of the private pools as part of the area of the common pool to compute the maximum number of persons who can use the common swimming pool.

Q16. Can individuals from different households use a facility together?

A16. Individuals from different households can use a facility together. The provision for children 12 years and below applies[^]. In general, the individuals should maintain a safe distance of at least 1 metre when using any facility. If a 1 metre safe distancing between individuals is not feasible or practical, it can be applied between groups of up to 5 persons, but there should be no mixing or interaction between groups which are using the same facility. Please see the illustration below.

If the activities involve exercising or playing of sports, then a longer safe distance of 2~3 metres should be maintained.



Q17. What are the common facilities that should be closed?

A17. All outdoor barbeque pits, including cooking facilities such as stoves and grilles, must be closed till further notice.

Q18. Can residents consume food and drinks in the common area of the condominium?

A18. Social gathering of up to any 5 persons is allowed. While consumption of food and drinks in common area is not prohibited, residents should avoid crowded areas and minimise social interactions and must practice safe management measures at all times. This includes wearing of a mask immediately after eating or drinking and maintaining 1 meter distancing from another person.

Q19. What are the requirements for holding solemnisations, receptions, and wakes/funerals in the common property within condominiums?

A19. Marriage solemnisations may take place (not in a place of residence) for up to 500 persons if all are fully vaccinated[#]. Otherwise, only up to 50 attendees will be allowed without pre-event testing.

Wedding receptions are allowed for up to 250 attendees if all are fully vaccinated[#].

For more information on the SMMs, please visit <https://covid.gobusiness.gov.sg/safemanagement/sector> (under 'Marriage solemnisations and wedding receptions').

For wakes and funerals, up to 30 persons (excluding funeral workers and vendors) will be allowed at any one time on all days. MCSTs can refer to the full list of SMMs applicable at <https://covid.gobusiness.gov.sg/safemanagement/sector> (under 'Funeral events').

The number of attendees for the events is also subject to the individual venue's capacity limit based on safe management principles. MCSTs may also set additional conditions for the use of their facilities, such as a lower limit for attendance based on their capacity or ability to ensure that SMMs are implemented.

Q20. Can MCSTs choose not to allow the holding of solemnisations, wakes/funerals or post-funeral religious rites in the common property within condominiums?

A20. MCSTs have a duty to control, manage and administer the common property for the benefit of all subsidiary proprietors in the development, in accordance with the applicable by-laws (including prescribed by-law 18(2) in the Second Schedule to the Building Maintenance (Strata Management) Regulations). Therefore, MCSTs should assess and determine their capacity and ability to put in place the necessary SMMs for the respective event/activity, and may set additional conditions for the use of their premises. Otherwise, MCSTs can choose to disallow these events/activities within the development. As a good practice, MCSTs are encouraged to inform residents, for instance, through a circular or notice, should MCSTs decide to disallow these events/activities.

Q21. Do MCST and security guards have the power to enforce if residents report non-compliances to safe management measures?

A21. MCST and security guards should step up patrol of the common areas and ensure that residents observe the safe distancing measures implemented by the Government to reduce the risk of COVID-19 transmission. Residents can alert the security guards or MCST of any evidence of non-compliances to safe management measures. Where necessary, the MCST can escalate the report to BCA at <http://www.bca.gov.sg/feedbackform> with detailed information (e.g. location, date and time, and photographic evidence).

Q22. Some residents are not following guidelines to maintain safe distancing or are having large gathering at common areas or at their homes, what can we do?

A22. Social gatherings of 5 persons in each group outside their homes are allowed under the COVID-19 (Temporary Measures) (Control Order) Regulations 2020 to combat the coronavirus outbreak. Further, each household may only receive up to 5 unique visitors per day.

Failure to comply with all relevant requirements is an offence, and BCA will not hesitate to take enforcement action against errant parties. Any non-compliance to the safe management measures should be reported to your MCST or Managing Agents (MAs) immediately. MCSTs are expected to diligently monitor the situation within their estates, and promptly deal with any contraventions of the requirements. For recalcitrant cases, MCSTs/MAs may provide feedback to BCA (<http://www.bca.gov.sg/feedbackform>) with detailed information pertaining to any contravention of the requirements.

Q23. How do MCSTs ensure users comply with the vaccination status required under the relevant safe management measures when using the affected common facilities?

A23. The MCSTs should implement control measures to check the vaccination status of users when permitting the use of common facilities for specific sport and physical activities. For more information on safe management measures (SMMs) for sport and physical exercise and activity, please refer to SportSG advisory and FAQs, updated on 7 August 2021 (<https://www.sportsingapore.gov.sg/Newsroom/Media-Releases/2021/August/Safe-Management-Measures-for-Sport-and-Physical-Exercise,-a-,-Activity>).

MCSTs should determine if they wish to adopt the more stringent SMMs for the affected common facilities or set additional conditions for the use.

Others

Q24. Do MCSTs of condominium need to adopt TraceTogether-Only SafeEntry (“TT-Only SE”) for visitors to their development?

A24. In general, the TT-only SE will have to be implemented at venues where visitors are likely to be in contact for prolonged periods, or where human traffic is high, with effect from 17 May 2021.

TT-only SE is not required for visitors in condominiums. These visitors include renovation workers, food delivery riders, movers, broadband fixing contractors, etc.

MCSTs of condominiums which have required visitors to do SE check in need not do so. It would be sufficient for these MCSTs to encourage visitors to bring along their TT tokens or turn on the TT app when they enter the condominiums. The MCSTs may record the particulars of the visitor (as how MCSTs had done so during pre-COVID days) using alternative means such as in writing in a log book.

Notwithstanding, SE is still required for the employees of the MCST, service providers or contractors (e.g. cleaners and security officers), for whom the condominium is a workplace. MCSTs should accept both TT Token and TT App for check in for them. MCSTs may wish to refer to the user guides on using SafeEntry at <https://support.safeentry.gov.sg/hc/en-us/articles/900000954243>.

Q25. What should the MCST do if the MCST receives feedback on noise from renovation work carried out in a unit of the building?

A25. MCST can consider to facilitate a discussion with the neighbour to come to a compromise to mitigate the noise due to renovation works. They may also consider the following:

- (a) Neighbour can assist to reschedule works with loud noises to perform at lull periods of the day and to discuss with the contractor if the loud drilling period

can be completed within a lesser time to mitigate the noise issues, such as limiting hacking or drilling to certain times of the day or certain days of the week.

(b) If there are unavoidable meetings or home based learning (HBL) during the hacking hours, MCST/MA may like to consider allowing the affected residents to use the function room or other available rooms temporarily.

An individual is considered vaccinated if he/ she has been: a) fully vaccinated, i.e. has received the full regimen of Pfizer-BioNTech/Comirnaty, Moderna or WHO EUL vaccines, with an additional two weeks for the vaccine to be fully effective, b) recovered from COVID-19, or c) has obtained a negative result on a pre-event test taken in the past 24 hours before the expected end of the event.

^The provision for children 12 years and below (i.e. born in and after 2009) will only be applicable to higher-risk mask off activities and large-scale events, e.g. F&B dine-in, gyms.

• If there is more than one child in the group, all children must be from the same household. Other vaccinated individuals[#] can be from different households as the child(ren).

Q26. If there is confirmed COVID-positive case in our MCST, what are the follow up actions MCST need to take?

A26. Should there be a COVID or COVID positive+ case detected in the MCST development, the MCST should take guidance from MOH and NEA. The MCST do not need to inform BCA.

MCST should refer to the guidelines by NEA on the requirements to carry out cleaning and disinfecting on the common facilities. Please visit NEA website: <https://www.nea.gov.sg/our-services/public-cleanliness/environmental-cleaning-guidelines/guidelines/guidelines-for-environmental-cleaning-and-disinfection> for details on this requirement. MCST should also refer to NEA's circular in Feb 2020 on good practices that MCST can implement (pls see <https://www.nea.gov.sg/our-services/public-cleanliness/environmental-cleaning-guidelines/advisories/general-sanitation-and-hygiene-advisory-for-premises-owners-and-operators>)

MCSTs can make their own assessment and decide if there is a need to take any additional precautionary measures (such as temporary closure of certain common facilities). MCST should provide notices / issue circulars to notify residents of the decision accordingly.