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**No. S 55**

**BUILDING CONTROL ACT  
(CHAPTER 29)**

**BUILDING CONTROL  
(ACCREDITED CHECKERS AND  
ACCREDITED CHECKING ORGANISATIONS)  
(AMENDMENT) REGULATIONS 2008**

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 (Accredited Checkers and Accredited Checking Organisations) (Amendment) Regulations 2008 and shall come into operation on 15th February 2008.

**Amendment of regulation 2**

**2.** Regulation 2 of the Building Control (Accredited Checkers and Accredited Checking Organisations) Regulations (Rg 2) (referred to in these Regulations as the principal Regulations) is amended —

- (a) by deleting the words “section 16(4)” in paragraph (1) and substituting the words “section 16(5)”;
- (b) by inserting, immediately after the words “accredited checker” in the 2nd, 3rd and 4th lines of paragraph (2), the words “or a specialist accredited checker”; and
- (c) by inserting, immediately after the words “accredited checker” in the penultimate and last lines of paragraph (2), the words “or a specialist accredited checker, as the case may be”.

**Amendment of regulation 3**

**3.** Regulation 3(2) of the principal Regulations is amended by inserting, immediately after the words “undertakes work”, the words “which is required by the Act or the building regulations to be

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undertaken by an accredited checker who is either a director, partner, member or an employee of an accredited checking organisation and”.

### **New regulation 3A**

4. The principal Regulations are amended by inserting, immediately after regulation 3, the following regulation:

**“Qualifications for registration and renewal of registration as specialist accredited checkers**

**3A.**—(1) No person shall be registered under the Act as a specialist accredited checker, or have his registration as a specialist accredited checker renewed, unless he can satisfy the Commissioner of Building Control that —

- (a) he is a professional engineer registered under the Professional Engineers Act (Cap. 253) as a specialist professional engineer in the specialised branch of engineering known as geotechnical engineering;
- (b) he has had, after registration as a professional engineer under the Professional Engineers Act, practical experience in civil or structural engineering at a professional level for a period of not less than 10 years, of which at least 5 years shall be in geotechnical engineering in Singapore;
- (c) by virtue of his ability, standing in the profession or special knowledge or practical experience in geotechnical engineering he is deserving of such distinction; and
- (d) he is insured against professional liability for a minimum sum of not less than \$500,000.

(2) The Commissioner of Building Control may, subject to such conditions as he may specify, waive the requirements of paragraph (1)(d) in respect of any period if the applicant satisfies the Commissioner that he will not undertake work as a specialist accredited checker on his own behalf during that period.

(3) The Commissioner of Building Control may refuse to renew any registration as a specialist accredited checker which has previously been suspended or cancelled.”.

**Amendment of regulation 4**

5. Regulation 4(1) of the principal Regulations is amended by deleting the words “registered under section 16 of the Act” in sub-paragraph (a)(i) and substituting the words “who is not a specialist accredited checker”.

**Amendment of regulation 5**

6. Regulation 5 of the principal Regulations is amended by inserting, immediately after the words “accredited checker”, the words “, a specialist accredited checker”.

**Amendment of regulation 7**

7. Regulation 7(3) of the principal Regulations is amended by deleting the words “where an accredited checking organisation is appointed under section 17 of the Act” and substituting the words “where the work of the accredited checker is required by the Act to be undertaken by an accredited checker who is either a director, partner, member or an employee of an accredited checking organisation”.

**New regulation 7A**

8. The principal Regulations are amended by inserting, immediately after regulation 7, the following regulation:

**“Duties of specialist accredited checkers**

**7A.—**(1) It shall be the duty of a specialist accredited checker appointed in respect of building works which comprise wholly or partly of any underground building works to —

- (a) evaluate, analyse and review the geotechnical aspects of the underground building works and perform such original calculations with a view to determining the adequacy of the geotechnical aspects of those underground building works to be erected or carried out in accordance with the plans of those building works; and
- (b) verify that the geotechnical aspects of the underground building works are consistent with the plans of those underground building works and any amendment thereto.

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(2) It shall be the duty of the specialist accredited checker appointed under section 8(1) of the Act in respect of building works which comprise wholly or partly of any underground building works to notify the Commissioner of Building Control of any contravention or non-compliance with the provisions of the Act in connection with any of the geotechnical aspects of the underground building works.

(3) Nothing in this regulation shall impose any such duty referred to in paragraph (2) on a specialist accredited checker in respect of any such contravention or non-compliance which he did not know and could not reasonably have discovered.”.

### **Amendment of regulation 8**

**9.** Regulation 8 of the principal Regulations is amended —

- (a) by deleting the words “the Form set out in the First Schedule” in paragraph (a) and substituting the words “Form A set out in the First Schedule”;
- (b) by renumbering the regulation as paragraph (1) of that regulation, and by inserting immediately thereafter the following paragraph:
  - “(2) A specialist accredited checker shall, without delay after performing his duty in relation to any plans of building works which comprise wholly or partly of any underground building works, prepare and submit to the Commissioner of Building Control —
    - (a) a certificate in Form B set out in the First Schedule; and
    - (b) an evaluation report including the analysis and calculations performed by the specialist accredited checker.”; and
- (c) by deleting the words “of key structural elements” in the regulation heading.

### **Amendment of regulation 9**

**10.** Regulation 9 of the principal Regulations is amended —

- (a) by deleting the words “where an accredited checking organisation is appointed under section 17 of the Act” in paragraph (b) and substituting the words “where the work

of the accredited checker is required by the Act to be undertaken by an accredited checker who is either a director, partner, member or an employee of an accredited checking organisation”; and

- (b) by renumbering the regulation as paragraph (1) of that regulation, and by inserting immediately thereafter the following paragraph:

“(2) Where a specialist accredited checker has completed his duty in relation to any plans of underground building works, he shall without delay submit to the Commissioner of Building Control a declaration that he has no professional or financial interest in those underground building works.”.

### **Deletion and substitution of regulation 10**

**11.** Regulation 10 of the principal Regulations is deleted and the following regulation substituted therefor:

#### **“Failure to meet standards of performance**

**10.** For the purposes of section 17(1)(g) of the Act, an accredited checker, whether he is a director, partner, member or an employee of an accredited checking organisation and acting on its behalf or otherwise, shall be regarded as failing to meet the prescribed standards of performance for that section if he fails, in relation to any plans of building works, to carry out the tasks set out in the Second Schedule.”.

### **Amendment of regulation 11**

**12.** Regulation 11 of the principal Regulations is amended by deleting the words “section 16C(1)” and substituting the words “section 22(1) or (2)”.

### **Amendment of First Schedule**

**13.** The First Schedule to the principal Regulations is amended by deleting the words “THE FORM” in the Schedule heading and substituting the words “FORM A”, and by inserting immediately thereafter the following Form:

## “FORM B

Regulation 8(2)(a)

## CERTIFICATE

1. I \_\_\_\_\_ of \_\_\_\_\_  
 NRIC No./Passport No. \_\_\_\_\_, being a registered specialist accredited checker, hereby certify that I have in accordance with the Building Control (Accredited Checkers and Accredited Checking Organisations) Regulations carried out an evaluation, analysis and review of the plans of the underground building works attached, and to the best of my knowledge and belief the plans do not show any inadequacy in the geotechnical aspects relating to the underground building works if carried out in accordance with those plans.

2. In arriving at my conclusion, I confirm that I have reviewed and evaluated the design in relation to the geotechnical aspects of the underground building works in accordance with regulation 7A of the Building Control (Accredited Checkers and Accredited Checking Organisations) Regulations.

3. I append my Geotechnical Report (comprising \_\_\_\_\_ pages) as well as the analyses and calculations I have performed in carrying out the evaluation, analyses and review of the geotechnical aspects relating to the plans of the underground building works.

.....  
 (Date)

.....”  
 (Signature)

**Amendment of Second Schedule**

**14.** The Second Schedule to the principal Regulations is amended by inserting, immediately after the words “any plans of building works” in the 1st line, the words “(but not the geotechnical aspects of any underground building works comprised in those building works)”.

Made this 1st day of February 2008.

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).