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Support for new law on safety at work sites
Er Chong Kee Sen
Vice President
NTU Civil and Environmental Engineering Alumni Association

WE REFER to the article 'New safety laws make owners liable too' (ST, June 16). We support the new Workplace Safety and Health Act which puts the onus of safety on everyone involved in a worksite, from owners and developers to contractors, engineers and workers.

We would also like the Building and Construction Authority (BCA) to take a similar approach in regulating the Building Construction Industry.

The present Building Control Act and Regulations emphasise the roles and responsibilities of the design consultants (engineers and architects) as well as the builders. Punishments are mainly aimed at the design consultants or the builders or their respective site supervisors.

As the example in the article indicates, the legislative framework of developed countries differs from our present regulatory practices.

The United States, Australia, Britain and Japan in general hold the owner or developer to retain overall responsibility for the project and safety, while design consultants are additionally responsible for the design, and builders are responsible for the construction.

In the event of a building failure or mishap, the building regulator in its prosecution action would name the owner as well as all others who contributed to the mishap as defendants.

There are good reasons in the practices of developed countries.

Owners and developers, being one of the key players in a project, cannot simply claim to know nothing, do nothing and leave the work to others. They owe the public a duty of care and should have at least a responsibility to ensure that those parties that he engage have sufficient resources to carry out the work safely.

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Action will be taken on workplace safety lapses

I REFER to the letter, 'Support for new law on safety at work sites' by Mr Er Chong Kee Sen, vice-president of the Nanyang Technological University Civil and Environmental Engineering Alumni Association (ST, June 29).

Mr Er Chong expressed support for the new Workplace and Safety Health Act which places the onus of safety on everyone involved in the worksite, including the owner or developer.

The Workplace and Safety Health Act imposes a duty of care on various stakeholders (including developers and owners of buildings) who have management and control over workplace risks to ensure the safety and health of people affected by the undertaking.

The Building Control Act, which focuses on building safety, complements the Workplace and Safety Health Act by further stipulating specific duties and responsibilities for parties involved in the design, construction and maintenance of the building. This is so public safety is safeguarded.

The developer/owner has his own duty and responsibility throughout the building life.

For example, before a project can start, the developer/owner has to ensure that appropriate qualified persons (the architect and professional engineers) are appointed to carry out the design and supervision and a builder is engaged for the construction works.

After construction, the developer/owner has to ensure that a new building must not be occupied unless a permit from the Building and Construction Authority has been obtained.

The owner also has the responsibility to ensure that a completed building is properly maintained.

During construction, the design of the building is entrusted to the qualified person (registered architect or professional engineer) whose duty is to ensure that his design meets all the safety requirements.

The builder, too, is expected to carry out the work in accordance with the approved design.

We wish to assure Mr Er Chong and readers that any of the parties who fail to discharge their statutory duties under the Building Control Act is liable to prosecution action, and the authority will act judiciously to take enforcement action on those who have contravened the law.

**Reply by Ong See Ho
Commissioner of Building Control
Building and Construction Authority**