
First published in the *Government Gazette*, Electronic Edition, on 15 May 2024 at 6 pm.

No. S 416

BUILDING CONTROL ACT 1989

BUILDING CONTROL (LICENSING OF BUILDERS) (AMENDMENT) REGULATIONS 2024

In exercise of the powers conferred by section 29L of the Building Control Act 1989, the Minister for National Development makes the following Regulations:

Citation and commencement

1.—(1) These Regulations are the Building Control (Licensing of Builders) (Amendment) Regulations 2024 and, except for regulation 13, come into operation on 15 June 2024.

(2) Regulation 13 is deemed to have come into operation on 31 December 2021.

Amendment of regulation 2

2. In the Building Control (Licensing of Builders) Regulations 2008 (G.N. No. S 641/2008) (called in these Regulations the principal Regulations), in regulation 2 —

- (a) in the definition of “applicant”, replace “holder of the licence” with “licensee”;
- (b) in the definitions of “approved person” and “technical controller”, replace “or a holder of a licence” with “a licence or a licensee”;
- (c) in the definitions of “approved person” and “technical controller”, replace “natural person” with “individual”;
- (d) in the definitions of “approved person” and “technical controller”, replace “holder,” with “licensee,”;
- (e) delete the definition of “holder”;

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- (f) in the definition of “licence”, in paragraphs (a), (b) and (c), replace “holder thereof” with “person to whom the licence is granted”;
- (g) after the definition of “licence”, insert —
 ““licensee” has the meaning given by section 29A of the Act;” and
- (h) in the definition of “register”, replace “licensed builders” with “licensees”.

Amendment of Part II heading

3. In the principal Regulations, in Part II, in the Part heading, replace “LICENSED BUILDERS” with “LICENSEES”.

Amendment of regulation 3

4. In the principal Regulations, in regulation 3, replace paragraph (1) with —

“(1) In these Regulations, “appropriate form”, in relation to any purpose for which a specific form is required to be used for the purposes of these Regulations, means the relevant form that —

- (a) is provided by the Commissioner of Building Control; and
- (b) is set out on the website at <https://www1.bca.gov.sg/procurement/pre-tender-stage>.”.

Amendment of regulation 4

5. In the principal Regulations, in regulation 4 —

- (a) in the regulation heading, replace “**licensed builders**” with “**licensees**”;
- (b) in paragraph (1), replace “licensed builders” with “licensees”;
- (c) in paragraph (1), replace “holders of the following licences” with “following licensees”;

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- (d) in paragraph (1)(a), (b) and (c), replace “holders of” with “licensees granted”;
- (e) in paragraph (1)(c), replace sub-paragraphs (i) to (vi) with —
- “(i) piling works described in paragraph (a) of the definition of “specialist building works” in section 2(1) of the Act;
 - (ii) ground support and stabilisation works described in paragraph (b) of the definition of “specialist building works” in section 2(1) of the Act;
 - (iii) instrumentation and monitoring works described in paragraph (c) of the definition of “specialist building works” in section 2(1) of the Act;
 - (iv) structural steelwork described in paragraph (d) of the definition of “specialist building works” in section 2(1) of the Act;
 - (v) pre-cast concrete work described in paragraph (e) of the definition of “specialist building works” in section 2(1) of the Act;
 - (vi) in-situ post-tensioning work described in paragraph (f) of the definition of “specialist building works” in section 2(1) of the Act;
 - (vii) any building work that is declared under paragraph (g) of the definition of “specialist building works” in section 2(1) of the Act.”;
- (f) in paragraph (2), replace “holder of a licence” with “licensee”;

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- (g) in paragraph (2)(a), (c) and (d), replace “holder’s” with “licensee’s”; and
- (h) in paragraph (2)(a), (b), (c), (e), (f) and (g), replace “holder” with “licensee”.

Replacement of regulations 7 and 8

6. In the principal Regulations, replace regulations 7 and 8 with —

“Application for general builder’s licence

7.—(1) An application for a general builder’s licence must be made in accordance with —

- (a) if the application is by an individual — paragraph (2);
- (b) if the application is by a corporation (whether carrying on business as a sole proprietor or otherwise) — paragraph (3); or
- (c) if the application is by a partnership (whether comprising 2 or more individuals, 2 or more corporations or both individuals and corporations) — paragraph (4).

(2) An application by an individual for a general builder’s licence must be accompanied by —

- (a) a copy of the applicant’s degree, diploma or other certificate showing the applicant’s educational qualification;
- (b) written evidence of the applicant’s practical experience (whether in Singapore or elsewhere) in the work of a general builder or as a supervisor of general building works;
- (c) a declaration by the applicant that he or she has not acted as an approved person or the technical controller of a builder whose licence has been revoked in the 12 months before the date of the application;

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- (d) the documents and information mentioned in paragraph (6) for each individual who is or is to be the applicant's technical controller; and
 - (e) any other documents and information that the Commissioner of Building Control may require in a particular case.
- (3) An application by a corporation for a general builder's licence must be accompanied by —
- (a) a copy of the certificate of incorporation issued for the corporation under section 19 of the Companies Act 1967;
 - (b) a list of the corporation's directors and the members of the corporation's board of management;
 - (c) the corporation's business profile, such as its principal activities of business, principal place of business, its capital and particulars of its officers and shareholders;
 - (d) the documents and information mentioned in paragraph (5) for the individual who is or is to be the applicant's approved person as far as the corporation's business relates to general building works in Singapore;
 - (e) the documents and information mentioned in paragraph (6) for each individual who is or is to be the applicant's technical controller; and
 - (f) any other documents and information that the Commissioner of Building Control may require in a particular case.
- (4) An application by a partnership must be accompanied by —
- (a) a list of the partners of the partnership and the partnership's business profile, such as its principal activities of business, principal place of business, the business's registered name and the particulars of its managers;

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- (b) for each corporation in the partnership —
- (i) a copy of the certificate of incorporation issued for the corporation under section 19 of the Companies Act 1967;
 - (ii) a list of the corporation’s directors and the members of the corporation’s board of management; and
 - (iii) the corporation’s business profile, such as its principal activities of business, principal place of business, its capital and particulars of its officers and shareholders;
- (c) the documents and information mentioned in paragraph (5) for the individual who is or is to be the applicant’s approved person as far as the partnership’s business relates to general building works in Singapore;
- (d) the documents and information mentioned in paragraph (6) for each individual who is or is to be the applicant’s technical controller; and
- (e) any other documents and information that the Commissioner of Building Control may require in a particular case.
- (5) The documents and information for an individual who is or is to be an approved person for an applicant are as follows:
- (a) the individual’s name and residential address;
 - (b) a copy of the individual’s degree, diploma or other certificate showing the individual’s educational qualification;
 - (c) written evidence of the individual’s practical experience (whether in Singapore or elsewhere) in the work of a general builder or as a supervisor of general building works;
 - (d) the individual’s written consent to carry out the duties of an approved person for the applicant;

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- (e) a declaration by the individual that the individual is not acting, and for so long as the individual is the approved person for the applicant does not intend to act, as a technical controller for any other licensee;
 - (f) a declaration by the individual that the individual has not acted as an approved person or the technical controller of a builder whose licence has been revoked in the 12 months before the date of the application;
 - (g) where the applicant is a corporation — whether the individual is a director of the corporation or a member of the corporation’s board of management;
 - (h) where the applicant is a limited liability partnership — written evidence that the individual is lodged as a manager of the limited liability partnership under section 29(2) of the Limited Liability Partnerships Act 2005;
 - (i) where the applicant is a partnership that comprises at least one corporation — whether the individual is a director of a corporation in the partnership or a member of such a corporation’s board of management.
- (6) The documents and information for an individual who is or is to be a technical controller for an applicant are as follows:
- (a) the individual’s name and residential address;
 - (b) a copy of the individual’s degree, diploma or other certificate showing the individual’s educational qualification;
 - (c) written evidence of the individual’s practical experience (whether in Singapore or elsewhere) in the work of a general builder or as a supervisor of general building works;

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- (d) the individual's written consent to carry out the duties of a technical controller for the applicant (unless the individual is the applicant);
 - (e) a declaration by the individual that the individual is not acting, and for so long as the individual is the technical controller for the applicant does not intend to act, as a technical controller for any other licensee;
 - (f) a declaration by the individual that the individual has not acted as an approved person or the technical controller of a builder whose licence has been revoked in the 12 months before the date of the application;
 - (g) where the applicant is a corporation — whether the individual is a director of the corporation, a member of the board of management of the corporation or an employee of the corporation, and if the individual is an employee, the individual's designation, duties and responsibilities;
 - (h) where the applicant is a partnership that comprises at least one corporation — whether the individual is a director of a corporation in the partnership, a member of such a corporation's board of management, or an employee of such a corporation, and if the individual is an employee, the individual's designation, duties and responsibilities.

Application for specialist builder's licence

8. An application for a specialist builder's licence must be made in accordance with regulation 7, except that —

- (a) a reference in that regulation to a general builder is to be read as a reference to a specialist builder; and
- (b) a reference in that regulation to general building works is to be read as a reference specialist building works.”.

Replacement of regulations 12 to 15

7. In the principal Regulations, replace regulations 12 to 15 with —

“Course of training and practical experience to carry on business of general builder or take charge and direction of general building works

12. The course of training and practical experience required under section 29F(1)(c)(i), (1A)(b)(i), (2)(c)(i) and (3)(f)(i) of the Act, in relation to a class of general builder’s licence, is prescribed in Part I of the Second Schedule opposite that class.

Qualifications and practical experience to supervise general building works

13. The qualifications and practical experience required under section 29F(1)(d), (1A)(c), (2)(d) and (3)(g) of the Act, in relation to a class of general builder’s licence, is prescribed in Part II of the Second Schedule opposite that class.

Course of training and practical experience to carry on business of specialist builder or take charge and direction of specialist building works

14. The course of training and practical experience required under section 29G(1)(c)(i), (1A)(b)(i), (2)(c)(i) and (3)(f)(i) of the Act, in relation to a specialist builder’s licence for a class of specialist building works, is prescribed in Part II of the Second Schedule opposite that licence.

Qualifications and practical experience to supervise specialist building works

15. The qualifications and practical experience required under section 29G(1)(d), (1A)(c), (2)(d) and (3)(g) of the Act, in relation to a specialist builder’s licence for a class of specialist building works, is prescribed in Part I of the Second Schedule opposite that licence.”.

Amendment of regulation 16

8. In the principal Regulations, in regulation 16 —
- (a) in paragraph (1), replace “any person” with “any individual”;
 - (b) in paragraph (1)(a), replace “holder of a licence” with “licensee”;
 - (c) in paragraph (1)(a), replace “holder’s” with “licensee’s”;
 - (d) in paragraph (1)(b), replace “the holder of any such licence” with “any such licensee”;
 - (e) in paragraph (1), replace “holder of the licence” with “licensee”;
 - (f) in paragraph (1), replace “the person” with “the individual”; and
 - (g) in paragraph (2), replace “holder of a licence” with “licensee”.

Amendment of regulation 17

9. In the principal Regulations, in regulation 17(1), delete the definition of “lift”.

Replacement of regulation 19

10. In the principal Regulations, replace regulation 19 with —

“Classes of work for definition of construction foreman

19. The prescribed classes of work for the definition of “construction foreman” in section 29H(5) of the Act are the classes of work specified in Parts I, II and III of the Third Schedule.”.

Replacement of regulation 19A

11. In the principal Regulations, replace regulation 19A with —

“Classes of construction supervisor for manpower programme

19A. Only a construction supervisor who oversees the execution or performance of the classes of work specified in Part V or VI of the Third Schedule is a construction personnel who may be included in the manpower programme mentioned in regulation 20.”.

Amendment of Second Schedule

12. In the principal Regulations, in the Second Schedule —

- (a) in the Schedule heading, after “TRAINING”, insert “, QUALIFICATIONS”;
- (b) in Part I, in the Part heading, replace “APPROVED PERSONS” with “COURSE OF TRAINING AND PRACTICAL EXPERIENCE TO CARRY ON BUSINESS OF BUILDER OR TAKE CHARGE AND DIRECTION OF BUILDING WORKS”; and
- (c) in Part II, in the Part heading, replace “TECHNICAL CONTROLLERS” with “QUALIFICATIONS AND PRACTICAL EXPERIENCE TO SUPERVISE BUILDING WORKS”.

Miscellaneous amendments

13. In the principal Regulations —

- (a) in regulation 2, in the definition of “Authority”, replace “(Cap. 30A)” with “1999”;
- (b) in regulation 17(1), in the definition of “fire protection works”, replace “(Cap. 109A)” with “1993”; and

(c) in regulation 17(1), in the definition of “rapid transit system”, replace “(Cap. 263A)” with “1995”.

*[G.N. Nos. S 274/2009; S 200/2011; S 115/2013;
S 786/2014]*

Made on 10 May 2024.

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[MND/Infra/BCA/Legislation/Building Control Regulations;
AG/LEGIS/SL/29/2020/12 Vol. 1]