
First published in the *Government Gazette*, Electronic Edition, on 15 December 2023 at 5 pm.

No. S 854

BUILDING CONTROL ACT 1989

BUILDING CONTROL (AMENDMENT NO. 3) REGULATIONS 2023

In exercise of the powers conferred by section 49 of the Building Control Act 1989, the Minister for National Development makes the following Regulations:

Citation and commencement

1. These Regulations are the Building Control (Amendment No. 3) Regulations 2023 and come into operation on 18 December 2023.

Amendment of regulation 2

2. In the Building Control Regulations 2003 (G.N. No. S 666/2003) (called in these Regulations the principal Regulations), in regulation 2 —

(a) after the definition of “Approved Document”, insert —

““architectural works” means any building works other than structural works, geotechnical building works, fixed installation works and works relating to mechanical or electrical installations in buildings;”;

(b) after the definition of “code of practice”, insert —

““deemed approved” means deemed approved by the Commissioner of Building Control under section 5AA(1) of the Act;”;

(c) in the definition of “immaterial changes”, after “approved plans”, insert “or deemed approved plans”; and

(d) in the definition of “record plan”, after “approved plan”, insert “or deemed approved plan”.

New regulation 3B

3. In the principal Regulations, after regulation 3A, insert —

“Lodgment works

3B. For the purposes of section 5AA(7)(a) of the Act, lodgment works are any of the building works specified in the Ninth Schedule.”.

Amendment of Part II heading

4. In the principal Regulations, in Part II, in the Part heading, replace “AND APPROVAL” with “, APPROVAL AND LODGMENT”.

New regulation 4A

5. In the principal Regulations, after regulation 4, insert —

“Lodgment of plans for deemed approval of lodgment works

4A.—(1) For the purposes of section 5AA(2)(b) of the Act, the plans of any lodgment works —

(a) must include the following:

- (i) building plans;
- (ii) detailed structural plans and design calculations;
- (iii) site formation plans and pile layout plans;
- (iv) where applicable, civil defence shelter plans;
- (v) where applicable, demolition works plans;

(b) must be prepared in accordance with regulations 6 to 11; and

(c) must be prepared in such a manner that the lodgment works, when designed and constructed in accordance with those plans, would comply with —

- (i) the objectives and performance requirements set out in the Fifth Schedule; and

(ii) where applicable, the relevant requirements in the technical code entitled “Technical Requirements for Household Shelters” issued by the Commissioner of Civil Defence under section 14 of the Civil Defence Shelter Act 1997, as amended from time to time.

(2) For the purposes of section 5AA(2)(a) of the Act, a lodgment of the plans of any lodgment works must be accompanied by the following documents:

- (a) a notification signed by the developer or the builder of the lodgment works of the appointment of the qualified person who prepared the plans;
- (b) a certificate by that qualified person stating that the plans are prepared in accordance with paragraph (1)(c);
- (c) where a written permission of the competent authority is required under the Planning Act 1998 in respect of any development of land involving the proposed lodgment works, a copy of the notice of grant of written permission issued by the competent authority or a copy of the lodgment receipt in lieu of written permission issued by the competent authority;
- (d) where an application has been made under section 6A(1) of the Act for a waiver or modification of any requirement of these Regulations, a copy of the application.

(3) A lodgment under paragraph (2) must —

- (a) be in the form required by the Commissioner of Building Control; and
- (b) be accompanied by the appropriate fee specified in the Second Schedule.”.

Amendment of regulation 5

6. In the principal Regulations, in regulation 5(1), replace “referred to in regulation 4 shall bear” with “mentioned in regulation 4 or 4A (as the case may be) must be accompanied by”.

Amendment of regulation 6

7. In the principal Regulations, in regulation 6 —

- (a) in the regulation heading, after “**approval**”, insert “**and lodgment**”;
- (b) after “Act”, insert “, amended plans under section 5A(1) of the Act, plans of any lodgment works under section 5AA(1) of the Act, and amended plans of any lodgment works under section 5AB(1)(b)(i) of the Act”;
- (c) after “signed”, insert “, or be accompanied by an endorsement signed,”;
- (d) replace paragraph (b) with —
 - “(b) contain project information in the format that the Commissioner of Building Control specifies;”;
- (e) in paragraph (c), delete “be fully annotated and suitable notations and symbols shall be used to show or”;
- (f) in paragraph (d), replace “bear” with “contain”; and
- (g) in paragraph (g), before “be numbered”, insert “if applicable,”.

New regulation 6A

8. In the principal Regulations, after regulation 6, insert —

“Maximum number of qualified persons to prepare plans of lodgment works

6A.—(1) The plans mentioned in section 5AA(1) of the Act or amended plans mentioned in section 5AB(1)(b)(i) of the Act for each of the following types of lodgment works must be prepared and signed (or be accompanied by an endorsement signed) by no

more than one appropriate qualified person as determined in accordance with the Third Schedule:

- (a) architectural works;
- (b) structural works.

(2) To avoid doubt, the plans mentioned in paragraph (1)(a) and (b) may be prepared and signed (or be accompanied by an endorsement signed) by the same qualified person.”.

Amendment of regulation 8

9. In the principal Regulations, in regulation 8(a) —

- (a) in sub-paragraph (i), replace “verged in red” with “clearly verged”; and
- (b) in sub-paragraph (iii), after “north point”, insert “, or the georeference,”.

Amendment of regulation 9

10. In the principal Regulations, in regulation 9 —

- (a) in paragraph (1)(b), after “signed”, insert “, or be accompanied by an endorsement signed,”;
- (b) in paragraph (1)(c), after “thereto”, insert “, or be accompanied by such a certificate”;
- (c) in paragraph (1)(d), after “plans”, insert “, or be accompanied by such a certificate”;
- (d) in paragraph (1)(e), replace “clearly indicate” with “contain information”;
- (e) in paragraph (1)(f), replace “show” with “contain information on”;
- (f) in paragraph (1)(h), replace “indicate” with “contain information on”;
- (g) in paragraph (2)(b), after “endorsed”, insert “, or be accompanied by an endorsement signed,”;

-
-
- (h) in paragraph (2)(c), after “prepared the design calculations”, insert “, or be accompanied by such a certificate”; and
- (i) in paragraph (2)(d), replace “on the first page of” with “in”.

Amendment of regulation 10

- 11.** In the principal Regulations, in regulation 10 —
- (a) in paragraph (1)(b), after “or”, insert “contain information on”;
- (b) in paragraph (1)(c), (d) and (f), replace “show” with “contain information on”; and
- (c) in paragraph (2), replace “show” with “contain information on”.

Amendment of regulation 10A

- 12.** In the principal Regulations, in regulation 10A(2) —
- (a) in sub-paragraph (b), after “endorsed”, insert “, or be accompanied by an endorsement signed,”;
- (b) in sub-paragraph (c), after “prepared the design calculations”, insert “, or be accompanied by such a certificate”; and
- (c) in sub-paragraph (d), replace “on the first page of” with “in”.

Amendment of regulation 10B

- 13.** In the principal Regulations, in regulation 10B —
- (a) in paragraph (1), replace “regulation 4(1)(a)(vi)” with “regulations 4(1)(a)(vi) and 4A(1)(a)(v)”;
- (b) in paragraph (3)(b) and (c), after “showing”, insert “or containing information on”.

Amendment of regulation 11

14. In the principal Regulations, in regulation 11 —

- (a) in paragraph (1), replace “regulation 4(1)(a)(iv)” with “regulations 4(1)(a)(iv) and 4A(1)(a)(iv)”;
- (b) in paragraph (2)(a), after “signed”, insert “, or be accompanied by an endorsement signed,”;
- (c) in paragraph (2), replace sub-paragraph (b) with —
 - “(b) bear a certificate on the first and last sheets of the plans, or be accompanied by a certificate, from the qualified person stating that —
 - (i) the plans have been prepared in accordance with these Regulations; and
 - (ii) the plans have been prepared in such a manner that the household shelter, public shelter or storey shelter, when designed and constructed in accordance with those plans, would comply with these Regulations and the relevant technical requirements under the Civil Defence Shelter Act 1997; and”;
- (d) in paragraph (3), after “calculations and”, insert “either”;
- (e) in paragraph (3), after “of the calculations”, insert “or be accompanied by such a certificate”; and
- (f) in paragraphs (4)(b) and (5), replace “showing” with “containing information on”.

Amendment of regulation 14

15. In the principal Regulations, in regulation 14 —

- (a) in the regulation heading, after “**Approval**”, insert “**and deemed approval**”; and

- (b) in paragraph (2), after “section 5(3)(a) of the Act”, insert “, or deemed approval of any plans of lodgment works under section 5AA(1) of the Act,”.

Replacement of regulation 17

16. In the principal Regulations, replace regulation 17 with —

“Refund of fees

17.—(1) Any fee paid to the Commissioner of Building Control under these Regulations is not refundable.

(2) Despite paragraph (1), the Commissioner of Building Control may, in his or her discretion, refund in whole or in part, any fee paid under these Regulations.”.

Amendment of regulation 18

17. In the principal Regulations, in regulation 18, replace the regulation heading with —

“Requirements for deviation from approved plans”.

New regulation 18A

18. In the principal Regulations, after regulation 18, insert —

“Requirements for deviation from lodged plans

18A.—(1) This regulation applies to a lodgment of amended plans of lodgment works mentioned in section 5AB(1)(b)(i) of the Act.

(2) Where the departure or deviation from the initial plans involves a material change to the lodgment works, the developer of the lodgment works must lodge with the Commissioner of Building Control —

- (a) the plans of the lodgment works showing such departure or deviation; and
- (b) if the departure or deviation involves material changes to the structural design, the structural plans and design calculation showing such departure or deviation.

(3) Where the departure or deviation involves only an immaterial change to the lodgment works, the developer of the lodgment works is only required to submit to the Commissioner of Building Control —

- (a) the record plans;
- (b) a certificate by the qualified person who prepared the amended plans stating that to the best of the qualified person's knowledge and belief, the departure or deviation —
 - (i) has been completed in accordance with the provisions of the Act and these Regulations; and
 - (ii) does not affect the objectives and performance requirements set out in the Fifth Schedule relating to the deemed approved plans;
- (c) if the departure or deviation involves an immaterial change to the structural design, all of the following documents:
 - (i) a certificate by the qualified person who prepared the amended plans stating that to the best of the qualified person's knowledge and belief, the departure or deviation does not affect the structural adequacy or stability of the building;
 - (ii) on the completion of the lodgment works, a report stating the departure or deviation together with the detailed structural plans and design calculations showing such departure or deviation; and
- (d) such other certificate or document as may be required by the Commissioner or Building Control.

(4) Every lodgment under paragraph (1) must be accompanied by the appropriate fee specified in the Second Schedule.”.

Amendment of regulation 19

19. In the principal Regulations, in regulation 19 —
- (a) in the section heading, after “**approval**”, insert “**or deemed approval**”;
 - (b) after “the approval”, insert “or deemed approval”; and
 - (c) after “date of approval”, insert “or deemed approval, as the case may be”.

Amendment of regulation 22

20. In the principal Regulations, in regulation 22(d), after “approved”, insert “or deemed approved”.

Amendment of regulation 42

21. In the principal Regulations, in regulation 42(2) —
- (a) in sub-paragraphs (e) and (f), after “approved”, insert “or deemed approved”;
 - (b) in sub-paragraph (fa)(iii), replace “or approvals” with “, approvals or certifications”;
 - (c) in sub-paragraph (fa)(ix), delete “and” at the end; and
 - (d) in sub-paragraph (fa), after sub-paragraph (ix), insert —
 - “(x) any certification issued by the Director-General of Public Health under Part 5A of the Environmental Public Health Act 1987; and”.

Amendment of regulation 43

22. In the principal Regulations, in regulation 43(1)(c) and (3)(c), after “approved”, insert “or deemed approved”.

Amendment of regulation 45

23. In the principal Regulations, in regulation 45(1), after “approved”, insert “or deemed approved”.

Amendment of regulation 49

24. In the principal Regulations, in regulation 49, after “approved”, insert “or deemed approved”.

Amendment of Second Schedule

25. In the principal Regulations, in Second Schedule —

- (a) in the Schedule reference, replace “4(2), 13, 18(6)” with “4(2)(b), 4A(3)(b), 13(c), 18(6), 18A(4)”;
- (b) in paragraph 1(1), in the definition of “first storey”, after “Act,” insert “or of a lodgment under section 5AA of the Act,”;
- (c) in paragraph 1(1), in the definition of “first storey”, after “the application”, insert “or lodged with the Commissioner of Building Control, as the case may be”; and
- (d) after Part 3, insert —

“PART 3A

FEES FOR LODGMENTS UNDER SECTION 5AA OF ACT

Lodgment fees for deemed approval of plans and amended plans of lodgment works

10A. The fee payable for a lodgment of the plans or amended plans of lodgment works under section 5AA of the Act is the aggregate of the following:

- (a) where the lodgment works consist of —
 - (i) the erection or extension of any one or more general buildings in a development;
 - (ii) the demolition of any part of that building or those buildings in sub-paragraph (i); or
 - (iii) site formation works connected with or carried out for the purpose of the lodgment works described in sub-paragraph (i) or (ii),
 the fee calculated in accordance with paragraph 10B;
- (b) where the lodgment works consist of —
 - (i) the erection or extension of a specified building;

-
-
- (ii) the demolition of any part of a specified building; or
 - (iii) site formation works connected with or carried out for the purpose of the lodgment works described in sub-paragraph (i) or (ii),
the fee calculated in accordance with paragraph 10C;
 - (c) where the lodgment works consist of the demolition of an entire general building or specified building (including site formation works connected with or carried out for the purpose of those lodgment works), the fee calculated in accordance with paragraph 10D;
 - (d) subject to sub-paragraph (e), where the lodgment works consist of the alteration, addition or repair of a general building (including site formation works connected with or carried out for the purpose of those lodgment works), the fee calculated in accordance with paragraph 10E;
 - (e) where the lodgment works —
 - (i) consist of any alteration, addition or repair of a general building that is a non-residential general building (including site formation works connected with or carried out for the purpose of those lodgment works); and
 - (ii) require the submission of any structural plans,
the fee calculated in accordance with paragraph 10F;
 - (f) where the lodgment works consist of the alteration, addition or repair of a specified building (including site formation works connected with or carried out for the purpose of those lodgment works), the fee calculated in accordance with paragraph 10G.

Fee for erection, extension or demolition of general buildings

10B. The fee mentioned in paragraph 10A(a) in relation to lodgment works in respect of a general building or general buildings in a development mentioned in that paragraph, is half the amount computed in accordance with paragraph 3.

Fee for erection, extension or demolition of specified buildings

10C. The fee mentioned in paragraph 10A(*b*) in relation to lodgment works in respect of a specified building mentioned in that paragraph, is half the amount computed in accordance with paragraph 4.

Fee for demolition of entire general building or specified building

10D. The fee mentioned in paragraph 10A(*c*) —

- (*a*) in relation to the demolition of an entire general building, is half the amount computed in accordance with paragraph 4A(*a*); and
- (*b*) in relation to the demolition of an entire specified building, is half the amount computed in accordance with paragraph 4A(*b*).

Fee for alterations, additions or repairs of general buildings

10E.—(1) The fee mentioned in paragraph 10A(*d*) in relation to lodgment works in respect of a general building mentioned in that paragraph, is half the amount computed in accordance with paragraph 5(1).

(2) Where any alteration or addition of the general building involves increasing the floor area of the general building, in addition to the fee specified in sub-paragraph (1), there must be paid a fee that is half the amount computed in accordance with paragraph 5(2).

Fee for alterations, additions or repairs of non-residential buildings

10F.—(1) The fee mentioned in paragraph 10A(*e*) in relation to lodgment works in respect of a general building mentioned in that paragraph, is half the amount computed in accordance with paragraph 6(1).

(2) Where any alteration or addition of the general building involves increasing the floor area of the general building, in addition to the fee specified in sub-paragraph (1), there must be paid a fee that is half the amount computed in accordance with paragraph 6(2).

Fee for alterations, additions or repairs of specified buildings

10G.—(1) The fee mentioned in paragraph 10A(f) in relation to the lodgment works in respect of a specified building mentioned in that paragraph, is half the amount in paragraph 7(1).

(2) Where any alterations or addition of the specified building involves increasing the area of the plan view of the specified building, in addition to the fee specified in sub-paragraph (1), there must be paid a fee that is half the amount computed in accordance with paragraph 7(2).”.

Amendment of Third Schedule

26. In the principal Regulations, in the Third Schedule, replace the Schedule reference with —

“Regulations 6 and 6A(1)”.

Amendment of Fifth Schedule

27. In the principal Regulations, in the Fifth Schedule, in the Schedule reference, replace “18(3A)” with “4A(1)(c), 18(3A)(b), 18A(3)(b)”.

New Ninth Schedule

28. In the principal Regulations, after the Eighth Schedule, insert —

“NINTH SCHEDULE

Regulation 3B

PART 1**LODGMET WORKS**

1. Any single storey detached non-residential building, if —
 - (a) the span of beam or roof trusses does not exceed 6 metres;
 - (b) the span of any cantilever does not exceed 3 metres;
 - (c) the height of the building does not exceed 6 metres; and
 - (d) the building works do not involve any excavation works exceeding 2 metres in depth.

-
-
2. Foundation and supporting frames for gantry cranes, overhead cranes, jib cranes or monorail hoists that are independently supported, if —
 - (a) the span of frame between 2 supports does not exceed 6 metres; and
 - (b) the span of any cantilever supporting frame does not exceed 3 metres.
 3. Any single level platform, if —
 - (a) the span of frame between two supports does not exceed 6 metres;
 - (b) the span of any cantilever does not exceed 3 metres;
 - (c) the height of the platform above the adjoining ground or floor level does not exceed 4 metres; and
 - (d) the area of the platform does not exceed 100 square metres.
 4. Any staircase, ladder or similar device that is used solely for providing access to the single level platform described in item 3.
 5. Site formation works (whether or not temporary or permanent) carried out by means of excavation or filling, if —
 - (a) the height of the slope from crest to toe of any excavation or filling exceeds 1.5 metres but does not exceed 4 metres;
 - (b) the average gradient of the slope from crest to toe is less than 22 degrees;
 - (c) there is no presence of soft soils (the N-value of which is 4 or less measured using the Standard Penetration Test) beneath the slope; and
 - (d) all existing structures, building works or other slopes located within the site of the site formation works must be located at a distance of more than 2 times the height of the slope away from the crest or toe of the slope.
 6. Replacement or reinstatement of a safety barrier integrated with a window in any detached house, semi-detached house, terraced or linked house for residential purposes that has 3 storeys or less.
 7. Installation, replacement or reinstatement of any glass panel, if —
 - (a) the glass panel is located at a height of 2.4 metres or more;
 - (b) the glass panel is not installed as part of an exterior feature of any building; and
 - (c) the glass panel is not used as a safety barrier against falling from a height.

-
-
8. Any building works carried out for or in connection with —
- (a) any single storey pre-fabricated modular container used for occupation and which area does not exceed 35 square metres; or
 - (b) any chimney, light mast or the like if the height of any of which does not exceed 20 metres.
9. Any building works carried out for or in connection with any single unit detached house, semi-detached house, terraced or linked house for residential purposes if —
- (a) the house has 3 storeys or less;
 - (b) the house is built by the owner for the owner's own use;
 - (c) the depth of any excavation works carried out does not exceed 2 metres;
 - (d) the visible height of any retaining wall or earth retaining structure does not exceed 4 metres;
 - (e) the span of any cantilever does not exceed 6 metres;
 - (f) all key structural elements are constructed using only conventional materials;
 - (g) no columns are subjected to tension forces;
 - (h) none of the following types of foundations are used:
 - (i) shallow or spread foundation, including any footing or raft of the building with the presence of soft soil (the N-value of which is 4 or less measured using the Standard Penetration Test) within the soil stratum;
 - (ii) driven closed-ended piles;
 - (iii) jacked-in piles, or driven open-ended piles, which cross-section exceeds 200 millimetres by 200 millimetres, or which diameter exceeds 200 millimetres; and
 - (i) mitigation measures (such as relief holes or pre-boring) for the purposes of minimising soil disturbance to the surrounding buildings and other structures are taken before the installation of any jacked-in piles, or driven open-ended piles, which cross-section does not exceed 200 millimetres by 200 millimetres, or which diameter does not exceed 200 millimetres.

PART 2
INTERPRETATION

1. In this Schedule —

“container” means a box, tank or container of standard dimensions that —

(a) is generally used for the carriage of goods; and

(b) is not constructed of short-lived materials;

“conventional material” means any reinforced concrete or structural steel but does not include any fibre reinforced concrete, pre-stressed reinforced concrete, aluminium and light gauge steel.”

*[G.N. Nos. S 598/2004; S 549/2005; S 478/2007;
S 495/2007; S 54/2008; S 250/2008; S 643/2008; S 4/2011;
S 591/2012; S 665/2013; S 287/2016; S 443/2017;
S 709/2017; S 808/2018; S 101/2020; S 695/2020;
S 579/2022; S 905/2022; S 302/2023; S 797/2023]*

Made on 15 December 2023.

TEOH ZSIN WOON
*Permanent Secretary (Development),
Ministry of National Development,
Singapore.*

[202/01-007; AG/LEGIS/SL/29/2020/2 Vol. 1]

(To be presented to Parliament under section 52 of the Building Control Act 1989).