

**STREET WORKS ACT
(CHAPTER 320A, SECTION 53)**

**STREET WORKS (WORKS ON PUBLIC STREETS)
REGULATIONS**

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[1st September 1995]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Street Works (Works on Public Streets) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —

“applicant” means any person who makes or has made an application under regulation 5 and includes a person whose application has been granted by the Authority;

“Building and Construction Authority” means the Building and Construction Authority established under the Building and Construction Authority Act (Cap. 30A);

“Code of Practice” means the Code of Practice issued by the Authority under regulation 12 and includes any amendment which may be made to the Code of Practice from time to time;

“costs” includes any administrative expenses reasonably incurred;

“defects liability period”, in relation to any works which have been carried out on a public street, means the defects liability period as specified in the Code of Practice in respect of that type of works;

“emergency works” means works which must be carried out immediately in order to put an end to or to prevent the occurrence of any circumstances (whether existing or imminent or which the person requiring the works to be carried out believes on reasonable grounds to be existing or imminent) which are likely to cause serious danger to any person or property;

“National Environment Agency” means the National Environment Agency established under the National Environment Agency Act (Cap. 195);

“National Parks Board” has the same meaning as in the National Parks Board Act (Cap. 198A);

“professional engineer” means a person who is registered as a civil or structural engineer under the Professional Engineers’ Act (Cap. 253) and who possesses a valid practising certificate issued under that Act;

“road lines” means any lines or other markings which are required by the Authority to be drawn on the surface of a public street for the guidance or direction of motorists or pedestrians using the public street;

“works” includes —

- (a) any construction work on a public street that is likely to affect the structural integrity and safe operation of any public street or road structure;
- (b) utility works within the meaning of section 2 of the Act;
- (c) street works within the meaning of section 2 of the Act;
- (d) any works that require occupation of a public street or that affect the flow of traffic; and
- (e) any works which are preparatory or incidental to any works referred to in paragraphs (a) to (d), such as the temporary storage or depositing of any building materials or debris or the placing of any equipment or the erection of any temporary structure, on the public street on which the works are to be or are being carried out.

Application

3. These Regulations shall apply to any works carried out on any public street by or for any person other than the Authority.

PART II

AUTHORITY’S APPROVAL FOR WORKS ON PUBLIC STREET

Works not to be carried out without Authority’s approval

4.—(1) No person shall commence or carry out, or permit or authorise the commencement or carrying out of, any works on a public street unless he has obtained the approval of the Authority for the works to be carried out.

(2) Notwithstanding paragraph (1), the approval of the Authority shall not be required in respect of the following works on a public street:

- (a) maintenance of greenery by or on behalf of the National Parks Board;
- (b) street cleansing by or on behalf of the National Environment Agency; and
- (c) maintenance of manholes for public utilities.

Application for Authority's approval

5.—(1) An application for the approval of the Authority for any works to be carried out on a public street shall —

- (a) be made in such form or manner as the Authority may require;
- (b) contain such information as may be required by these Regulations or by the Authority; and
- (c) be accompanied by —
 - (i) an application fee of \$165;
 - (ii) the plans relating to the works prepared in accordance with the Code of Practice;
 - (iii) a certified true copy of an insurance policy taken out in the name of the applicant or the contractor appointed by the applicant which indemnifies the Authority against all claims and liabilities in respect of any injury, damage or loss which may be suffered by any person by reason of the carrying out of the works;
 - (iv) where the approval of any other Government or statutory authority is required in order that the works may be carried out, a copy of such approval; and
 - (v) such other documents as the Authority may require.

(2) Where the works proposed to be carried out will affect or is likely to affect the structure of any bridge, underpass, tunnel or culvert or the stability of any slope, wall or other structure, the applicant shall state that fact in his application.

- (3) The application shall be made by the following person:
- (a) where the works are required by a statutory authority, an officer of the statutory authority who has been duly authorised for that purpose; and
 - (b) in any other case, by a professional engineer engaged by the person for whom the works are to be carried out.
- (4) Every application made under this regulation shall be posted such as to reach the office of the Authority not less than 7 days before the date of the commencement of the works.

Appointment of contractor to carry out works

6.—(1) An applicant shall in his application provide such particulars of the contractor whom he has appointed to carry out the works as the Authority may require.

(2) An applicant shall not appoint any person as a contractor to carry out any works on any public street unless that person is registered by the Building and Construction Authority as a contractor under a head of registration approved by the Authority.

Authority may grant or refuse application

7.—(1) Upon receiving an application made under regulation 5, the Authority may —

- (a) subject to regulations 8, 9 and 10, grant the application subject to such conditions as it thinks fit to impose; or
- (b) refuse the application without assigning any reason.

(2) In granting an application, the Authority may specify the time within which the works must be completed.

Approval of plans

8.—(1) The Authority shall not grant an application made under regulation 5 unless the Authority approves all the plans relating to the works in respect of which the application is being made.

(2) The Authority may, before granting an application, require the applicant to make such alterations to the plans relating to the works as the Authority may specify.

Approval of contractor appointed by applicant

9.—(1) The Authority shall not grant an application made under regulation 5 unless the Authority is satisfied that the contractor appointed by the applicant is a fit and proper person to be entrusted with the carrying out of any works on a public street.

(2) Where the Authority is satisfied that the contractor appointed by the applicant is not a fit and proper person to be entrusted with the carrying out of any works on a public street, the Authority may refuse to grant its approval for the carrying out of the works unless the applicant appoints another contractor to carry out the works.

(3) If upon having granted an application made under regulation 5 the Authority becomes cognisant of any fact which establishes to its satisfaction that the contractor appointed by the applicant is not a fit and proper person to be entrusted with the carrying out of any works on a public street, the Authority may, by notice to the applicant —

- (a) revoke its approval of the contractor appointed by the applicant; and
- (b) suspend its approval for the carrying out of the works until the applicant has appointed another contractor to carry out the works.

(4) For the purpose of establishing that a contractor is not a fit and proper person to be entrusted with the carrying out of any works on a public street, the Authority shall award against a contractor who has, in the course of carrying out any works on any public street for any person, committed any of the defaults as set out in the first column of the Schedule the number of demerit points set out in the second column thereof.

(5) Any demerit points awarded under paragraph (4) shall take effect from the date of the commission of the default.

(6) The Authority shall notify a contractor of any demerit points awarded against him under this regulation.

(7) For the purpose of this regulation, any contractor who has, within any one calendar month, been awarded a total number of 200 or more demerit points shall be deemed to be a person who is not fit and proper to be entrusted with the carrying out of any works on any public street.

Authority may require applicant to furnish security

10.—(1) For the purpose of ensuring that the works proposed to be carried out on a public street shall be carried out —

- (a) to the satisfaction of the Authority; and
- (b) in accordance with —
 - (i) the plans or any amendment thereof as approved by the Authority; and
 - (ii) these Regulations, the Code of Practice and any condition imposed and direction given by the Authority,

the Authority may, before granting an application made under regulation 5, require the applicant or the contractor appointed by the applicant to furnish security in such manner and for such amount as the Authority may specify.

(2) If the works in respect of which the application is granted or any part thereof is not carried out to the satisfaction of the Authority or in accordance with the plans or any amendment thereof as approved by the Authority or with these Regulations, the Code of Practice or any condition imposed or direction given by the Authority, the Authority may, at any time after service of a notice in writing on the applicant and on the person who furnished the security under this regulation (if not the applicant) —

- (a) carry out or cause to be carried out any necessary remedial works; and
- (b) recover out of the security furnished under this regulation the total amount of the costs incurred by the Authority in connection with the remedial works or so much thereof as the security will cover.

(3) Where —

(a) the Authority has, pursuant to paragraph (2), recovered any costs from the security furnished under this regulation; and

(b) the works required by the applicant are not yet completed, the Authority may require the applicant or the contractor appointed by the applicant to furnish further security in such manner and for such amount as the Authority may specify.

(4) Upon the completion of the works —

(a) where the works have been carried out and the public street reinstated, to the satisfaction of the Authority, the Authority may —

(i) return the whole of the security to the person who furnished it; or

(ii) retain, for the duration of the defects liability period, such part of the security as the Authority thinks sufficient to cover the costs of any remedial works which might become necessary and return the balance of the security to the person who furnished it; and

(b) where the works have not been carried out or the public street has not been reinstated, to the satisfaction of the Authority, the Authority may —

(i) carry out or cause to be carried out any necessary remedial works and recover out of the security the total amount of the costs incurred by the Authority in connection with the remedial works or so much thereof as the security will cover; and

(ii) retain, for the duration of the defects liability period, such part of the balance of the security, if any, as the Authority thinks sufficient to cover the costs of any remedial works which might become necessary and return the balance of the security to the person who furnished it; or

(iii) if it thinks fit return the whole of the balance of the security, if any, to the person who furnished it.

Authority's approval deemed to be revoked if works are not carried out

11.—(1) Where —

- (a) the Authority has granted an application made under regulation 5; and
- (b) the applicant does not commence the works within 28 days of the date approved by the Authority for the commencement of the works,

the approval of the Authority for the applicant to carry out the works shall, unless the Authority directs otherwise, be deemed to have been revoked at the expiry of the 28 days.

(2) Where for any reason an applicant is unable to commence the works on the date approved by the Authority for the commencement thereof, the applicant shall forthwith notify the Authority in writing.

PART III

REQUIREMENTS FOR CARRYING OUT WORKS ON PUBLIC STREET

Code of practice

12.—(1) The Authority may, from time to time, issue a Code of Practice on the carrying out of works on public streets, setting out therein such standards, procedures and other requirements pertaining to the carrying out of such works as the Authority thinks fit.

(2) Without prejudice to the generality of paragraph (1), the Code of Practice may contain provisions relating to —

- (a) the provision of temporary traffic signs, blinkers, barriers, cones, rotating lamps and other indications to direct the flow of traffic at or near the part of the public street where works are being carried out; and
- (b) the works necessary for the reinstatement of the public street to the satisfaction of the Authority.

(3) The Authority may from time to time amend the Code of Practice if it thinks necessary.

Duty to give notice of commencement of works

13.—(1) Subject to any direction which the Authority may give, the person for whom any works are to be carried out on any public street and the person carrying out such works shall give not less than 7 days' notice in writing of the commencement of the works to —

- (a) the Authority;
- (b) any other Government or statutory authority or person whose operations or whose utility or apparatus may be affected by the carrying out of the works; and
- (c) any other person carrying out any other works on the public street.

(2) The notice referred to in paragraph (1) shall contain the following information:

- (a) the date on which it is proposed to commence the works;
- (b) a description of the works to be carried out;
- (c) the manner in which the operations, utility or apparatus of the person to whom the notice is given is likely to be affected by the works;
- (d) the steps, if any, which will be taken to protect the utility or apparatus from damage; and
- (e) such other information which the Authority may from time to time require.

(3) The works shall not be carried out before the expiry of the period referred to in paragraph (1), except with the consent of every person to whom notice is required to be given under this regulation.

- (4) The person for whom the works are being carried out shall —
- (a) consult the owner of any utility or apparatus which is likely to be affected by the works for the purpose of determining the steps to be taken to protect the utility or apparatus from damage while the works are being carried out;
 - (b) comply with any reasonable requirement of the owner of the utility or apparatus for the protection of the utility or

apparatus or otherwise allow the owner of the utility or apparatus to take such steps which are necessary and reasonable for the protection of the utility or apparatus; and

- (c) allow the owner of the utility or apparatus reasonable access to the work site for the purpose of inspecting the utility or apparatus.

Appointment of supervisor

14.—(1) Subject to any direction which the Authority may give, the person for whom any works are to be carried out on any public street shall appoint a suitably qualified person to supervise the carrying out of the works.

(2) The person carrying out any works on a public street shall ensure that whenever the works are being carried out, there is at least one suitably qualified person present at the site of the works to supervise the carrying out of the works.

(3) For the purpose of paragraph (1), a person is suitably qualified for appointment as a supervisor if he holds the appropriate qualification specified in the Code of Practice in respect of the type of works which are to be carried out.

General duties of person carrying out works

15.—(1) It shall be the duty of the person carrying out any works on a public street and the person for whom the works are being carried out to —

- (a) ensure that the works are carried out in accordance with the plans or any amendment thereof as approved by the Authority and with these Regulations, the Code of Practice and any condition imposed and direction given by the Authority;
- (b) ensure that the carrying out of the works does not cause or become a cause of danger to persons using the public street;
- (c) minimise any inconvenience which may be caused to persons using the public street;
- (d) ensure that the structure of the public street or any road related facility is not damaged or altered as a result of the works;

- (e) ensure that any utility or apparatus situated on or along, or beneath the surface of, the public street (not being the utility or apparatus in respect of which the works are being carried out) is adequately protected from damage when the works are being carried out; and
- (f) render all necessary assistance and co-operation to —
 - (i) the Authority;
 - (ii) any other Government or statutory authority or person whose operations or whose utility or apparatus may be affected by the carrying out of the works; and
 - (iii) any other person carrying out any other works on the public street,

as the circumstances may require.

(2) If any of the requirements referred to in paragraph (1) is not complied with, the Authority may take such steps as it thinks necessary to ensure that such requirement is met and recover any costs incurred by it from the person for whom the works are being carried out or from any security furnished under regulation 10 in respect of the works.

Lighting of work site and erection of traffic signs, etc.

16.—(1) It shall be the duty of the person carrying out any works on a public street and the person for whom the works are being carried out to ensure that —

- (a) any part of the street which is broken up or open, or which is obstructed by any equipment, debris or other material or thing, is adequately guarded and lit; and
- (b) such temporary traffic signs, blinkers, barriers, cones, rotating lamps and other indications as are necessary for the guidance or direction of motorists and pedestrians using the street are properly erected, operated and maintained, in accordance with the Code of Practice or such directions as the Authority may give from time to time.

(2) If any of the requirements referred to in paragraph (1) is not complied with, the Authority may take such steps as it thinks necessary to ensure that such requirement is met and recover any costs incurred by it from the person for whom the works are being carried out or from the security furnished under regulation 10 in respect of the works.

(3) Where pursuant to paragraph (2) the Authority causes any temporary traffic sign, blinker, barrier, cone, rotating lamp or other indication to be erected at the work site, the person for whom the works are being carried out shall, in addition to any costs payable by him under paragraph (2), pay to the Authority a fee of \$65 unless the Authority, in its discretion, remits the whole or part of such fee.

Where works affect structure of bridge, etc., or stability of slope, etc.

17. Where any works to be carried out on a public street affects or is likely to affect the structure of any bridge, underpass, tunnel or culvert or the stability of any slope, wall or other structure, the person for whom the works are being carried out and the person carrying out such works shall —

- (a) allow the Authority or any authorised officer thereof reasonable access to the work site to inspect the carrying out of the works; and
- (b) comply with such direction as the Authority may give in relation to the protection of the bridge, underpass, tunnel, culvert, slope, wall or other structure.

Duty to ensure proper and speedy completion of works

18.—(1) It shall be the duty of the person carrying out any works on a public street and the person for whom the works are being carried out to ensure that the works are carried out and completed —

- (a) in accordance with the plans or any amendment thereof as approved by the Authority and with these Regulations, the Code of Practice and any condition imposed and direction given by the Authority; and

- (b) with all such dispatch as is reasonably practicable and in any event, within the time specified by the Authority for the completion of the works.
- (2) Where for any reason it is not possible for the works to be completed within the time specified by the Authority for the completion of the works —
- (a) the person for whom the works are being carried out shall notify the Authority; and
 - (b) the Authority may, in its discretion, extend the time for the completion of the works.
- (3) Where as a result of the carrying out of any works on a public street an obstruction in the street is caused to a greater extent or for a longer period than is reasonably necessary, the Authority may by notice in writing require the person carrying out the works or for whom the works are being carried out to take such steps as may be specified in the notice to mitigate or eradicate the obstruction.
- (4) If the notice referred to in paragraph (3) is not complied with within the period specified in the notice, the Authority may take such steps as it thinks necessary to mitigate or eradicate the obstruction and recover any costs incurred by it from the person for whom the works are being carried out or from the security furnished under regulation 10 in respect of the works.

Reinstatement of public street

- 19.—**(1) It shall be the duty of the person carrying out any works on any public street and the person for whom the works are being carried out to ensure that the public street is reinstated —
- (a) to the satisfaction of the Authority and in accordance with these Regulations, the Code of Practice and any condition imposed and direction given by the Authority; and
 - (b) with all such dispatch as is reasonably practicable, immediately after the completion of the works.
- (2) If any of the requirements referred to in paragraph (1) is not complied with, the Authority may take such steps as it thinks necessary to reinstate the public street and recover any costs incurred

by it from the person for whom the works are being carried out or from the security furnished under regulation 10 in respect of the works.

Duty to give notice of completion of works

20. The person for whom any works have been carried out on any public street shall, within 7 days of the reinstatement of the public street following the completion of the works, give notice in writing thereof to the Authority.

Departure and deviation from approved plans

21.—(1) Where it is desired that any works being carried out on any public street should depart or deviate from any plan approved by the Authority under regulation 8, the person for whom the works are being carried out shall apply to the Authority for its approval of the departure or deviation.

(2) An application under this regulation shall be accompanied by a copy of the amended plan showing clearly by demarcation, delineation or otherwise the departure or deviation from the original plan approved by the Authority.

(3) The Authority may, in its discretion, approve the departure or deviation subject to such conditions as it thinks fit to impose.

(4) No works shall be carried out in accordance with the proposed departure or deviation unless such departure or deviation has been approved by the Authority.

(5) Where any works are carried out otherwise than in accordance with —

(a) any plan as approved by the Authority under regulation 8 or any departure or deviation therefrom as approved by the Authority under this regulation; or

(b) any condition imposed by the Authority under paragraph (3), the Authority may —

(i) by notice in writing require the person carrying out the works or for whom the works are being carried out to forthwith comply with the original plan as approved by the Authority

under regulation 8 or with the departure or deviation as approved by the Authority under this regulation or with the condition imposed under paragraph (3), as the case may be; or

- (ii) take such steps as it thinks necessary to ensure that the works are carried out with such compliance and recover any costs incurred by it from the person for whom the works are being carried out or from the security furnished under regulation 10 in respect of the works.

PART IV

DUTIES OF PERSON WHO OWNS UTILITY OR APPARATUS ON, ALONG OR BENEATH SURFACE OF, PUBLIC STREET

Application of this Part

22. This Part shall apply to any person who is the owner of any utility or apparatus situated on or along, or beneath the surface of, any public street, whether or not he is the person for whom any works on the public street are being carried out.

Utility or apparatus to be properly maintained

23.—(1) It shall be the duty of the owner of any utility or apparatus situated on or along, or beneath the surface of, any public street to ensure that the utility or apparatus —

- (a) is properly maintained and kept in a working condition at all times;
- (b) does not in any way alter or affect the structure of the public street or any road related facility; and
- (c) does not cause or become a cause of danger or inconvenience to persons using the public street.

(2) If any of the requirements referred to in paragraph (1) is not complied with, the Authority may take such steps as it thinks necessary to ensure that such requirement is met and recover any costs incurred by it from the owner of the utility or apparatus.

Damage to public street as a result of defect, etc., in utility or apparatus

24. Where by reason of any —

- (a) defect, deformation or deterioration in;
- (b) ignition, explosion, implosion or collapse of; or
- (c) discharge or leakage of any gas, liquid or other substance from,

any utility or apparatus situated on or along, or beneath the surface of, any public street, damage is caused to the public street, the owner of the utility or apparatus shall cause the public street to be repaired at his own expense, failing which the Authority may repair the public street and recover the costs incurred by it from the owner of the utility or apparatus.

Cessation of use of utility or apparatus

25.—(1) Where the owner of any utility or apparatus situated on or along, or beneath the surface of, any public street intends to cease using or to abandon the utility or apparatus, he shall give to the Authority not less than 6 weeks' notice in writing unless the Authority allows otherwise.

(2) The owner of the utility or apparatus shall carry out such works as are necessary to ensure that the utility or apparatus so abandoned or ceased to be used does not cause or become a cause of —

- (a) danger or inconvenience to persons using the public street; or
- (b) damage to the public street.

(3) If any of the requirements referred to in paragraph (2) is not complied with —

- (a) the Authority may take such steps as it thinks necessary to ensure that such requirement is met and recover any costs incurred by it from the owner of the utility or apparatus; and
- (b) the owner of the utility or apparatus shall be liable to compensate or indemnify the Authority for any loss or

damage suffered by the Authority as a result of his failure to comply with such requirement.

Liability to indemnify Authority against injury claims, etc.

26. The owner of any utility or apparatus situated on or along, or beneath the surface of, any public street shall indemnify the Authority against any claim in respect of any injury, damage or loss suffered by any other person as a result of —

- (a) the situation or presence of the utility or apparatus; or
- (b) the carrying out of any works on the public street for, or authorised by, the owner of the utility or apparatus.

PART V

MISCELLANEOUS PROVISIONS

Where works on public street result in diversion of traffic

27.—(1) Where by reason of the carrying out of any works on a public street the traffic on the public street has to be diverted onto another public street of a lower classification, the Authority may require the person for whom the works are being carried out to cause the public street of lower classification to be suitably upgraded and maintained for the use of the diverted traffic, failing which the Authority may cause the necessary upgrading and maintenance works to be carried out and recover the costs incurred by it from the person for whom the works on the public street are being carried out or from any security furnished under regulation 10 in respect of the works.

(2) Where by reason of the carrying out of any works on a public street it becomes necessary for the Authority to make up a temporary street for the use of the traffic diverted from the public street, the Authority may recover the costs of making up and maintaining the temporary street from the person for whom the works are being carried out or from any security furnished under regulation 10 in respect of the works.

Apportionment of costs of reconstructing or resurfacing street

28.—(1) Where as a result of the carrying out of any works on a public street it becomes necessary for the Authority to reconstruct or resurface the public street, the Authority may require the person for whom the works were carried out to contribute to the costs incurred by the Authority in reconstructing or resurfacing the public street.

(2) Where the reconstruction or resurfacing of a public street becomes necessary as a result of works carried out on the public street for 2 or more persons, the Authority may require such persons to contribute to the costs incurred by the Authority in reconstructing or resurfacing the public street in such proportions as it thinks fit.

Power of employee or officer of Authority to inspect works

29. Any employee or officer of the Authority duly authorised for that purpose may at any time without notice enter upon the site of any works being carried out on any public street and —

- (a) inspect the works; and
- (b) give such directions as he thinks necessary to the person carrying out the works or for whom the works are being carried out,

for the purpose of ensuring that the works are being carried out in accordance with the plans or any amendment thereof as approved by the Authority and with these Regulations, the Code of Practice and any condition imposed and direction given by the Authority.

Authority may carry out tests upon completion of works

30.—(1) The Authority may, upon the completion of any works on any public street, carry out such tests as it thinks necessary to determine whether the works and the reinstatement of the public street thereafter have been carried out in accordance with the plans or any amendment thereof as approved by the Authority and with these Regulations, the Code of Practice and any condition imposed and direction given by the Authority.

(2) The Authority may, in its discretion, require the person for whom the works on any public street were carried out to bear the whole or any part of the costs of the tests.

(3) Where the tests conducted by the Authority reveal that the works or the reinstatement of the public street has not been carried out in accordance with the plans or any amendment thereof as approved by the Authority or with these Regulations, the Code of Practice or any condition imposed or direction given by the Authority, the Authority may —

- (a) require the person for whom the works were carried out to cause to be carried out such remedial works as the Authority may specify; or
- (b) carry out such remedial works as it thinks necessary and recover any costs incurred by it from the person for whom the works on the public street were carried out or from any security furnished under regulation 10 in respect of the works.

Emergency works

31.—(1) Nothing in these Regulations shall be deemed to prevent the owner of any utility or apparatus situated on or along, or beneath the surface of, any public street from commencing any emergency works on the public street before having obtained the approval of the Authority or complied with these Regulations, except that such a person shall, as soon as is practicable, and in any event within 24 hours of the commencement of the emergency works, give notice thereof to the Authority and to any person to whom notice of the commencement of any works on a public street is required to be given under these Regulations.

(2) The Authority may give such directions as it thinks fit to the person carrying out the emergency works or for whom the emergency works are being carried out for the purpose of ensuring that the emergency works are being carried out in accordance with these Regulations and the Code of Practice.

Offence

- 32.** Any person who —
- (a) contravenes or fails to comply with any of these Regulations or with any condition imposed or any notice or direction given by the Authority or by an employee or officer thereof under these Regulations; or
 - (b) obstructs an employee or officer of the Authority in the exercise of his powers under regulation 29,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$100 for every day during which the offence continues after conviction.

Exemption

33. The Authority may, subject to such conditions as it thinks fit to impose, exempt any person or class of persons from any of the provisions of these Regulations.

THE SCHEDULE

Regulation 9
 DEMERIT POINTS TO BE AWARDED FOR CERTAIN DEFAULTS

<i>First column</i>	<i>Second column</i>
<i>Defaults</i>	<i>Number of demerit points awarded</i>
1. Deleted by S 348/2006, wef 23/06/2006.	
2. Placing any equipment, debris, material or thing in such a manner as to cause obstruction to persons using the public street to a greater extent or for a longer period than is reasonably necessary	100.
3. Where the road lines on the reinstated public street are incorrectly drawn	150.
4. Where the requisite temporary road lines have not been drawn on the reinstated public street within 3 hours of the completion of the works	100.

THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Defaults</i>	<i>Number of demerit points awarded</i>
5. Where permanent road lines are not drawn on the reinstated public street within 7 days of the completion of the works	100.
6. Where the materials used in the reinstatement of the public street do not comply with the standards specified in the Code of Practice	150.
7. Where the reinstatement of the part of the public street which was excavated for the purpose of the works is found to have —	
(a) sunken by —	
(i) 5 to 50 mm	50.
(ii) 51 to 100 mm	100.
(iii) more than 100 mm	150.
(b) collapsed or caved in	200.
(c) a high hump of more than 10 mm	25.
8. Failing to comply with any requirement specified in the Code of Practice in relation to —	
(a) the minimum depth at which any utility or apparatus should be situated beneath the surface of a public street	150.
(b) the thickness of any filling material	150.
(c) the standards to be met by any filling material	150.
(d) the standards to be met by asphalt concrete	150.
9. Obstructing the Authority or an employee or officer thereof in exercising any of its or his powers or functions under the Act or these Regulations	100.
10. Failing to comply with any requirement specified in these Regulations or the Code of Practice	100.
11. Failing to display any temporary traffic sign, blinker, barrier, cone, rotating lamp or other indication for the guidance or direction of motorists and pedestrians	200.

THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Defaults</i>	<i>Number of demerit points awarded</i>
12. Failing to display adequate temporary traffic signs, blinkers, barriers, cones, rotating lamps and other indications for the guidance or direction of motorists and pedestrians	100.
13. Displaying any wrong temporary traffic sign	150.
14. Using any temporary traffic sign which is made of material which does not conform to the standards specified in the Code of Practice	75.
15. Failing to ensure that every person employed to carry out the works wears a retro-reflective safety vest while carrying out the works	50.
16. Failing to provide a safe alternative footway for the use of pedestrians while the works are in progress	100.
17. Carrying out works which deviate or depart from the plans approved by the Authority or which are not in accordance with these Regulations, the Code of Practice or any condition imposed or direction given by the Authority, or failing to complete the works within the time specified by the Authority	100.
18. Carrying out works without the supervision of a qualified supervisor	100.
19. Carrying out works without exercising proper care to protect —	
(a) the structure of the public street and any road related facility thereof	150.
(b) any utility or apparatus situated on or along, or beneath the surface of, the public street	150.
20. Carrying out works without having been approved by the Authority under regulation 9	200.
21. Failing to comply with the Authority's directions to protect any bridge, underpass, tunnel, culvert, slope, wall or other structure	100.

THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Defaults</i>	<i>Number of demerit points awarded</i>
22. Failing to ensure that works are carried out and completed —	
(a) in accordance with the plans or any amendment thereto, these Regulations, the Code of Practice or any condition imposed or direction given by the Authority; or	50.
(b) within the time specified by the Authority	50.
23. Failing to inform the Authority that it is not possible for the works to be completed within the time specified by the Authority	50.
24. Carrying out road works during peak hours	150.
25. Failing to submit a professional engineer’s certification of supervision of completed temporary decking within 3 days of completion of the temporary decking and prior to opening for traffic use	100.
26. Where the skid resistance of the temporary decking system is less than 65 British Pendulum Number (BPN)	100.
27. Failing to provide mitigation measures to enhance skid resistance of the surface of temporary decking as instructed by the Authority	100.
28. Failing to inform the Authority of any defects of the temporary decking system	100.
29. Failing to submit monitoring result with a professional engineer’s assessment in accordance with the Authority’s requirement	100.
30. Failing to provide professional engineer’s report and mitigating measures within the time frame stipulated by the Authority when the instrumentation readings breach any of the approved critical monitoring values, comprising alert values and work suspension values	100.

THE SCHEDULE — *continued*

First column

Second column

Defaults

Number of demerit points awarded

31. Failing to suspend work when the instrumentation readings breach the approved work suspension values

400.

S 348/2006]

LEGISLATIVE HISTORY
STREET WORKS (WORKS ON PUBLIC STREETS)
REGULATIONS
(CHAPTER 320A, RG 2)

This Legislative History is provided for the convenience of users of the Street Works (Works on Public Streets) Regulations. It is not part of these Regulations.

1. 1995 Revised Edition — Street Works (Works on Public Streets) Regulations

Date of operation : 1 September 1995

2. G. N. No. S 343/1999 — Street Works (Works on Public Streets) (Amendment) Regulations 1999

Date of commencement : 1 August 1999

3. G. N. No. S 348/2006 — Street Works (Works on Public Streets) (Amendment) Regulations 2006

Date of commencement : 23 June 2006

4. G.N. No. S 334/2012 — Street Works (Works on Public Streets) (Amendment) Regulations 2012

Date of commencement : 1 August 2012