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Electrical and Mechanical Engineering Group

09 December 2022

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Dear Sir/Madam

COMMENCEMENT OF PART 5B OF THE BUILDING CONTROL ACT 1989 (THE “ACT”) AND THE BUILDING CONTROL (REGULATING FIXED INSTALLATION CONTRACTORS) REGULATIONS 2022

Objectives

1. This circular updates the industry on:
 - (a) the commencement of Part 5B of the Act on 9 December 2022;
 - (b) the commencement of the Building Control (Regulating Fixed Installation¹ Contractors) Regulations (the “**Regulations**”) on 9 December 2022; and
 - (c) the corresponding requirements and conditions for the registration of contractors carrying out the (i) fixed installation works², and/or (ii) maintenance, inspection and/or testing of lifts, escalators and/or mechanised car parking systems in Singapore (collectively “**registrable activities**”).

Introduction

2. Currently, under the Building Maintenance and Strata Management (Lift, Escalator and Building Maintenance) Regulations (“**LEBM Regs**”), service contractors for lifts and escalators (“**L&E**”) are required to be registered with BCA to carry out maintenance of L&E.

¹ “Fixed installation” is the term in the BC (Amendment) Act to collectively refer to lift, escalator and mechanised car parking system and includes any supporting structure, machinery, equipment, apparatus, and enclosure used or designed for use for operating a fixed installation.

² Fixed installation works means – (a) installation of any fixed installation; (b) the carrying out of such major alteration or replacement works as may be prescribed in respect of any fixed installation; or (c) the testing and commissioning, following the completion of any works mentioned in (a) or (b), of any fixed installation.

3. In our continued effort to enhance the safety of fixed installations in Singapore, BCA has introduced new classes of registrable activities in the Regulations, to ensure fixed installation contractors possess minimum levels of technical expertise when performing the respective registrable activities.
4. With the gazetting of the Regulations on 8 December 2022 and the commencement of Part 5B of the Act and the Regulations on 9 December 2022, a person carrying out in Singapore any registrable activity/activities will be required to register with BCA. Under section 29N of the Act, a person who carries out any registrable activity in Singapore without being registered under Part 5B of the Act and the Regulations to do so commits an offence.

Registration Requirements

5. For the purposes of the Regulations, there are six classes of registrable activities, as set out in Table 1 below:

Registrable Activities	Corresponding Regulatory Workhead under eBACS
1. Carrying out fixed installation works for lifts	RW02A
2. Maintenance, inspection and/or testing of lifts** or any combination of these activities	RW02B
3. Carrying out fixed installation works for escalators	RW03A
4. Maintenance, inspection and/or testing of escalators or any combination of these activities	RW03B
5. Carrying out fixed installation works for mechanised car parking systems	RW04A
6. Maintenance, inspection and/or testing of mechanised car parking systems or any combination of these activities	RW04B

Table 1

*** Registrants performing this class of registrable activity are required to comply with different conditions of registration, depending on the type of lifts the Registrants maintain, inspect and/or test.*

6. The registration requirements for each class of registrable activity can be found in **Annex A**, and the application fees for each class of registrable activity are set out in **Annex B**.

7. A 6-month grace period will be provided for the industry to register under Part 5B of the Act. During the grace period:
- (a) contractors who are currently registered with BCA under RW02 and RW03 to carry out maintenance works for lifts and escalators;
 - (b) contractors carrying out fixed installations works for lifts, escalators and mechanised car parking systems; and
 - (c) contractors carrying out maintenance, inspection and testing of mechanised car parking systems,
- are permitted to continue carrying out their existing registrable activities without being registered under Part 5B of the Act. Please note that this exemption does not apply to new contractors who wish to carry out maintenance works for lifts and escalators during the grace period and are currently not registered with BCA under RW02 and RW03, which means that these new contractors will be required to be registered under Part 5B of the Act.
8. Service contractors who are currently registered with BCA under the RW02 and RW03 regulatory workheads before the commencement of Part 5B of the Act will be exempt from paying the respective application fees for their first registration for the registrable activities of maintenance, inspection and/or testing of lifts (s/no 2 of Table 1) and maintenance, inspection and/or testing of escalators (s/no 4 of Table 1), if these service contractors apply to be registered under Part 5B of the Act within 6 months from 9 December 2022. These service contractors' registration under Part 5B of the Act will expire on the expiry date of their RW02 and RW03 registrations. Upon these service contractors' registration under Part 5B of the Act, their current RW02 and RW03 registrations will be cancelled.
9. To better manage the registrations for the industry, BCA will be scheduling these contractors for registration under Part 5B of the Act during the grace period. Contractors with current RW02 and RW03 registrations which are expiring during the grace period are encouraged to apply for registration under Part 5B of the Act two (2) months before the expiry of their current registrations.

Progressive Wage Model ("PWM") and Conditions of Registration

10. With the commencement of Part 5B of the Act and the Regulations, the Commissioner of Building Control will issue the PWM order under section 29Q(3) of the Act ("**PWM Order**"). The PWM Order can be found at this link:
<https://www1.bca.gov.sg/regulatory-info/lifts-escalators/singapore-s-lift-industry-attracting-developing-and-retaining-our-local-workforce/progressive-wage-model-application-for-lift-firms>

11. As conditions of registration under Part 5B of the Act, registrants carrying out maintenance of lifts and/or escalators are required to:
 - (a) pay their employees who are Singapore citizens or permanent residents as further described in the PWM Order ("**eligible employees**") the minimum amount of basic wage and the minimum amount of progressive wage model bonus in accordance with the PWM Order;
 - (b) have a written contract of service with every eligible employee employed to carry out the maintenance, inspection and/or testing of lifts and/or escalators; and
 - (c) issue a payslip containing particulars of an eligible employee's basic wage and other payments received by the eligible employee, as further described in the Regulations.
12. Other than Part 5B of the Act, registrants will also be required to comply with the Conditions of Registration, which may be accessed via this link: <https://www1.bca.gov.sg/regulatory-info/lifts-escalators/lifts-and-escalators-legislation>

Feedback and Clarification

13. More details can be found under our **FAQ** and **Registration Instructions** in this link: <https://www1.bca.gov.sg/regulatory-info/lifts-escalators/lifts-and-escalators-legislation>
14. For further information, feedback or clarification, please submit your enquiry through BCA's Online Feedback Form at <https://www.bca.gov.sg/feedbackform> or call us at (65)1800-342 5222 (1800-DIAL BCA).

Yours faithfully



TEO ORH HAI
GROUP DIRECTOR
ELECTRICAL AND MECHANICAL ENGINEERING GROUP
BUILDING AND CONSTRUCTION AUTHORITY
FOR COMMISSIONER OF BUILDING CONTROL

Annex A

Registered Workheads		Requirement for Technical Person(s) ¹	Minimum work experience	Other registration requirements
RW02A		3 persons (<i>P</i> ² or <i>T</i> ³)	<i>P</i> – 5 years <i>T</i> – 8 years	<ul style="list-style-type: none">Has a minimum paid-up capital of SGD 50,000Payment of application feeProgressive Wage Plan that meets the requirements under section 29Q(3) of the Act
RW03A				
RW04A		1 person (<i>P</i> or <i>T</i>)	<i>P</i> – 0 years <i>T</i> – 3 years	
RW04B				
RW02B	Maintenance of all types of lifts	3 persons (<i>P</i> or <i>T</i>)	<i>P</i> – 5 years <i>T</i> – 8 years	
	Maintenance of lifts with a rated speed of less than 5 meters per second	2 persons (<i>P</i> or <i>T</i>)	<i>P</i> – 3 years <i>T</i> – 5 years	
	Maintenance of home lifts in residential units	1 person (<i>P</i> or <i>T</i>)	<i>P</i> – 0 years <i>T</i> – 3 years	
RW03B		2 persons (<i>P</i> or <i>T</i>)	<i>P</i> – 3 years <i>T</i> – 5 years	

Table 2: Registration requirements

¹ Technical Persons are persons who have a minimum number of years' relevant work experiences (as prescribed under column min work experience) for the respective registrable activities.

² A professional qualification with a recognised degree in Electrical/Electronics or Mechanical engineering or equivalent (hereinafter referred to as "*P*");

³ A technical qualification with a recognised diploma in Electrical/Electronics or Mechanical Engineering or equivalent (hereinafter referred to as "*T*").

Annex B

Lift/Escalator					Mechanised Car Parking System	
Maintenance*			Installation		Maintenance	Installation
	Lift	Escalator	Lift	Escalator		
Band 1 (Applicant is maintaining 1,000 units and above as at the time of application)	\$3,300	\$3,300	\$550	\$550	\$550	\$550
Band 2 (Applicant is maintaining 500 to 999 units as at the time of application)	\$2,300	\$2,300				
Band 3 (Applicant is maintaining up to 499 units as at	\$900	\$900				

Table 3: Application fees for respective registrable activity

* Fee banding for lift & escalator maintenance only - Based on the number of units (by type of registrable activity) maintained by the Registrant (as registered in BCA's database - LEAP), at the time of application. A new entrant who does not maintain any L&E equipment shall fall into Band 3. For example, number of units of lift for an application made for lift maintenance.

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