

Our Ref: APPBMSMA-2021-05 Electrical and Mechanical Engineering Group

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Dear Sir/Madam

DUTIES OF SPECIALIST PROFESSIONAL ENGINEERS' ("SPE") DURING ANNUAL EXAMINATION, INSPECTION AND TESTING, AND TESTING AND COMMISSIONING OF LIFTS AND ESCALATORS

Objective

This advisory seeks to remind SPEs of their duties during the annual examination, inspection and testing of lifts and escalators for the purpose of renewal of a Permit-To-Operate ("PTO"), and during the testing and commissioning of lifts and escalators.

For Renewal of PTO – Annual examination, inspection and testing for the purposes of application for and renewal of PTOs for lifts and escalators

2. Regulations 7(1)(b) and 19(1)(b) of the Building Maintenance and Strata Management (Lift, Escalator and Building Maintenance) Regulations 2016 ("the Regulations") require the owner of a lift or escalator, before applying for any PTO, to engage a lift service contractor or escalator service contractor, as the case may be, to examine, inspect and test the lift or escalator in the presence of an SPE.

3. Under Regulations 8 and 20 of the Regulations, an application to the Commissioner of Buildings for a PTO for a lift or escalator must be accompanied by an SPE's certificate certifying that:

- a. The lift service contractor or escalator service contractor has carried out the examination, inspection and testing of the lift or escalator, in the presence of the SPE and in accordance with the requirements of the Regulations;
- b. The SPE is of the opinion that the lift or escalator is in a condition fit for operation; and,
- c. The SPE is not a partner, associate, director, officer or employee of the owner of the lift or escalator or the lift service contractor or escalator service contractor carrying out the examination, inspection and testing of the lift or escalator.

4. You are hence reminded of your statutory duties, especially the above mentioned, should you be an SPE appointed to oversee the examination, inspection and testing of a lift or escalator for the application for or renewal of a PTO.

5. Please note that pursuant to Regulations 8(5) and 20(5) of the Regulations, it is an offence for an SPE to make a statement, referred to in paragraph 3 above, that is false or misleading in a material particular. Any SPE found guilty shall be liable to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months, or both.

For First PTO – Ensuring that lifts and escalators comply with the relevant standards during installation

6. For all new lifts and escalators installed in Singapore, pursuant to Regulation 42(2)(g) or 43(3)(d) of the Building Control Regulations 2003, the appointed Professional Engineer in mechanical or electrical engineering (PE(M/E)) is required to issue a Certificate of Supervision of Installation of Escalator(s)/Lift(s) (“CSC04”) as part of the requirements to obtain a Temporary Occupation Permit/Certificate of Statutory Completion (TOP/CSC) for the building works.

7. Should the installed lift or escalator fail to meet the Code or standard a modification or waiver thereof must be obtained from the Commissioner of Building Control. Failing to do so, the PE(M/E) may be guilty of an offence under section 43A of the Building Control Act for producing a declaration that is false in a material particular for the purpose of obtaining TOP/CSC from the Commissioner. The PE(M/E) may be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both.

8. In addition, it is an offence under section 127 of the Building Maintenance and Strata Management Act (Chapter 30) for an appointed SPE certifying a non-complying lift is in compliant with the relevant Standard or Code for the application the first PTO to the Commissioner of Buildings. The SPE may be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Yours faithfully

[Signature is not required]

TEO ORH HAI

GROUP DIRECTOR

ELECTRICAL AND MECHANICAL ENGINEERING GROUP

for COMMISSIONER OF BUILDINGS

BUILDING CONTROL ACT (CHAPTER 29)

Furnishing documents false in a material particular

43A. Any person who, being required by or by virtue of this Act or any subsidiary legislation made thereunder to make or produce to the Commissioner of Building Control any plan, declaration, certificate, report, record, notice or other document, or who, for the purpose of obtaining any licence, permit, waiver or approval from the Commissioner of Building Control under this Act or its subsidiary legislation or for the purpose of establishing any fact relevant to the administration of this Act or its subsidiary legislation —

(a) makes or produces any plan, declaration, certificate, report, record, notice or other document which is false in a material particular; or

(b) produces any plan, declaration, certificate, report, record, notice or other document which is false in a material particular, or has not been made by the person by whom it purports to have been made, or has been in any way altered or tampered with, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both.

BUILDING CONTROL ACT (CHAPTER 29) BUILDING CONTROL REGULATIONS 2003

Certificate of statutory completion

42.—(1) On completion of any building works, the developer of the building works shall apply to the Commissioner of Building Control for —

(a) a certificate of statutory completion; or

(b) a temporary occupation permit.

(2) The Commissioner of Building Control may issue a certificate of statutory completion in respect of a building or any part thereof in respect of which any building works have been carried out where —

(g) such other certificate or document as may be required by the Commissioner of Building Control has been submitted.

Temporary occupation permit

43.—(3) A temporary occupation permit may be granted where —

(d) such other certificate or document as may be required by the Commissioner of Building Control has been submitted.

Building Maintenance and Strata Management Act (Chapter 30)

Supply of false or misleading information to Commissioner 127.—(1) Any person who knowingly or recklessly provides the Commissioner with information which is false or misleading in a material particular shall be guilty of an offence if the information is provided —

(a) in purported compliance with a requirement imposed by or under this Act; and

(b) otherwise than as mentioned in paragraph (a) but in circumstances in which the person providing the information intends, or could reasonably be expected to know, that it would be used by the Commissioner for the purpose of discharging his functions under this Act.

(2) Any person who —

(a) alters, suppresses, conceals or destroys; or

(b) causes or permits the alteration, suppression, concealment or destruction of, any document or other record relating to the financial affairs or transactions of an owner developer, a management corporation or subsidiary management corporation with the intention of falsifying the document or record or enabling that organisation or individual to evade any provision of this Act shall be guilty of an offence.

(3) Any person guilty of an offence under this section shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Maintenance and Strata Management (Lift, Escalator and Building Maintenance) Regulations 2016

Examination, inspection and testing of lifts

7.—(1) Before applying for a permit to operate for any lift under regulation 8, the owner of the lift must engage a lift service contractor to examine, inspect and test the lift —

(a) in accordance with the requirements in paragraph (2); and

(b) in the presence of a specialist professional engineer.

Application for permit to operate for lifts

8.— (2) The specialist professional engineer must state the following in the certificate mentioned in paragraph (1)(b)(i):

(a) the lift service contractor has carried out the examination, inspection and testing of the lift, in the presence of the specialist professional engineer and in accordance with regulation 7(1);

(b) the specialist professional engineer is of the opinion that the lift is in a fit condition for operation;

(c) the specialist professional engineer is not a partner, associate, director, officer or employee of the owner of the lift or the lift service contractor carrying out the examination, inspection and testing of the lift under regulation 7(1).

(5) For the purposes of paragraph (2), a specialist professional engineer who makes a statement mentioned in paragraph (2) that is false or misleading in a material particular, knowing the statement to be false or misleading, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both.

Examination, inspection and testing of escalators

19.—(1) Before applying for a permit to operate for any escalator, the owner of the escalator must engage an escalator service contractor to examine, inspect and test the escalator —

- (a) in accordance with the requirements mentioned in paragraph (1A); and*
- (b) in the presence of a specialist professional engineer.*

Application for permit to operate for escalators

20.— The specialist professional engineer must state the following in the certificate mentioned in paragraph (1)(b)(i):

- (a) the escalator service contractor has carried out the examination, inspection and testing of the escalator, in the presence of the specialist professional engineer and in accordance with regulation 19(1);*
- (b) the specialist professional engineer is of the opinion that the escalator is in a fit condition for operation;*
- (c) the specialist professional engineer is not a partner, associate, director, officer or employee of the owner of the escalator or the escalator service contractor carrying out the examination, inspection and testing of the escalator under regulation 19(1).*

(5) For the purposes of paragraph (2), a specialist professional engineer who makes a statement mentioned in paragraph (2) that is false or misleading in a material particular, knowing the statement to be false or misleading, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both.

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