

Building Control (Environmental Sustainability) Regulations 2008

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BUILDING CONTROL ACT
(CHAPTER 29)

BUILDING CONTROL (ENVIRONMENTAL SUSTAINABILITY) REGULATIONS
2008

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

Citation and commencement

1. These Regulations may be cited as the Building Control (Environmental Sustainability) Regulations 2008 and shall come into operation on 15th April 2008.

Definitions

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

“appropriate practitioner”, in relation to any building works, means —

- (a) the qualified person appointed under section 8(1)(a) or 11(1)(d)(i) of the Act to prepare the plans of those building works in accordance with the Act;
- (b) any other qualified person appointed under the Act in respect of those building works; or
- (c) a professional engineer registered under the Professional Engineers Act (Cap. 253) in the branch of mechanical engineering or electrical engineering,

who is, under the Code, recognised as competent to assess the building works and, using the scoring methodology specified in the Code, to express by a numerical score the degree of compliance of those building works with the Code;

“building envelope” means the elements of a building which enclose air-conditioned spaces through which thermal energy may be transferred from the exterior;

“building plans”, in relation to any building works, means the building plans referred to in regulation 4(1)(a)(i) of the Building Control Regulations 2003 (G.N. No. S 666/2003) relating to those building works;

“building services” means any part of, or any controls associated with —

- (a) the air-conditioning system or any assembly of components for the treatment of air, controlling its temperature, humidity, cleanliness and distribution within an air-conditioned space; and
- (b) the mechanical ventilation system for the purposes of supplying or removing air to or from a building or part thereof by mechanical means or devices;

“Code” means the Code for Environmental Sustainability of Buildings issued by the Building and Construction Authority;

“existing building” means any building in respect of which a certificate of statutory completion or a temporary occupation permit has been issued;

“Government Land Sales Programme” means a programme under which State land is sold by or on behalf of the Government for development and through a public selection process;

[S 542/2014 wef 01/09/2014]

“Green Mark Certification” means certification under the BCA Green Mark Certification Standard for New Buildings approved by the Commissioner of Building Control and issued by the Building and Construction Authority;

[S 256/2010 wef 05/05/2010]

“gross floor area” has the same meaning as “floor area” in the Planning (Development Charges) Rules (Cap. 232, R 5);

“mixed-use building” means a non-residential building part of which is constructed or used, or is to be constructed or used, solely as a residence or private dwelling;

“non-residential building” means a building other than a residential building;

“residential building” means a building that is constructed or used, or is to be constructed or used, solely as a residence or private dwelling;

[S 542/2014 wef 01/09/2014]

“State land” has the same meaning as in section 2 of the Singapore Land Authority Act (Cap. 301).

[S 542/2014 wef 01/09/2014]

Application

3.—(1) Subject to paragraph (2), these Regulations shall apply only to any of the following building works in respect of which an application for planning permission is submitted to the competent authority under the Planning Act (Cap. 232) on or after 15th April 2008:

- (a) building works which involve a gross floor area of 5,000 square metres or more;

[S 631/2021 wef 01/12/2021]

- (b) building works which involve increasing the gross floor area of an existing building by 5,000 square metres or more;

[S 631/2021 wef 01/12/2021]

- (c) building works relating to an existing building which involve a gross floor area of 5,000 square metres or more.

[S 631/2021 wef 01/12/2021]

(2) Notwithstanding paragraph (1)(c), these Regulations shall not apply to any building works consisting of repairs or alterations to an existing building unless those building works involve the provision, extension or substantial alteration of the building envelope and building services in or in connection with an existing building.

Minimum Green Mark score and relevant Green Mark Certification

4.—(1) For the purposes of these Regulations, the minimum requirement for any building works to which these Regulations apply shall, subject to paragraphs (2), (3) and (4), be the following:

- (a) where the building works relate to a residential building not referred to in sub-paragraph (c), (d) or (e) — a Green Mark score of 50 points calculated in accordance with the Code;

[S 256/2010 wef 05/05/2010]

[S 542/2014 wef 01/09/2014]

- (b) where the building works relate to a non-residential building not referred to in sub-paragraph (c), (d) or (e) — a Green Mark score of 50 points calculated in accordance with the Code; and

[S 256/2010 wef 05/05/2010]

[S 342/2012 wef 20/07/2012]

[S 542/2014 wef 01/09/2014]

- (c) where the building works relate to any building on land sold on or after 5th May 2010 under the Government Land Sales Programme and the building is wholly or partly within an area described in the first column of the First Schedule — the relevant Green Mark Certification indicated in the second column of the First Schedule;

[S 256/2010 wef 05/05/2010]

[S 342/2012 wef 20/07/2012]

[S 542/2014 wef 01/09/2014]

- (d) where the building works relate to any building on land sold on or after 20th July 2012 under the Government Land Sales Programme and the building is wholly or partly within an area described in the first column of the Second Schedule — the Green Mark Certification indicated in the

second column of the Second Schedule; and

[S 342/2012 wef 20/07/2012]

[S 542/2014 wef 01/09/2014]

- (e) where the building works relate to any building on land sold on or after 1 September 2014 under the Government Land Sales Programme and the building is wholly or partly within an area described in the first column of the Third Schedule — the relevant Green Mark Certification indicated in the second column of the Third Schedule.

[S 542/2014 wef 01/09/2014]

(2) Where any building works to which these Regulations apply relate —

- (a) to both residential and non-residential buildings and the respective parts of building works relating to the residential building and to the non-residential building each involve a gross floor area of 2,000 square metres or more; or
- (b) to any mixed-use building and the building works relating to each of the following parts of the building involve a gross floor area of 2,000 square metres or more:
 - (i) the part of the building which is constructed or used, or is to be constructed or used, as a residence or private dwelling; and
 - (ii) the remaining parts of the same building,

each part of those building works shall be regarded as separate building works, and the minimum Green Mark score or relevant Green Mark Certification in paragraph (1)(a), (b), (c), (d) or (e), as the case may be, shall apply to each part as if each were separate building works.

[S 256/2010 wef 05/05/2010]

[S 542/2014 wef 01/09/2014]

(3) Where any building works to which these Regulations apply relate —

- (a) to both residential and non-residential buildings and any respective part of the building works relating to the residential building or to the non-residential building involve a gross floor area of less than 2,000 square metres; or
- (b) to any mixed-use building and the building works relating to either of the following parts of the building involve a gross floor area of less than 2,000 square metres:
 - (i) the part of the building which is constructed or used, or is to be constructed or used, as a residence or private dwelling; or