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**BUILDING AND CONSTRUCTION INDUSTRY
SECURITY OF PAYMENT ACT
(CHAPTER 30B)**

**BUILDING AND CONSTRUCTION INDUSTRY
SECURITY OF PAYMENT (AMENDMENT)
REGULATIONS 2012**

In exercise of the powers conferred by section 41 of the Building and Construction Industry Security of Payment Act, the Minister for National Development hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Building and Construction Industry Security of Payment (Amendment) Regulations 2012 and shall come into operation on 1st December 2012.

Amendment of regulation 7

2. Regulation 7 of the Building and Construction Industry Security of Payment Regulations (Rg 1) (referred to in these Regulations as the principal Regulations) is amended by inserting, immediately after paragraph (2), the following paragraph:

“(2A) The adjudicator appointed under section 14 of the Act may, at any time before the making of the determination and on such terms as to costs or otherwise as he thinks just, allow such amendments to be made to an adjudication application as he thinks fit.”.

Amendment of regulation 8

3. Regulation 8 of the principal Regulations is amended by inserting, immediately after paragraph (1), the following paragraph:

“(1A) The adjudicator appointed under section 14 of the Act may, at any time before the making of the determination and on such terms as to costs or otherwise as he thinks just, allow such amendments to be made to an adjudication response as he thinks fit.”.

Amendment of regulation 12**4. Regulation 12 of the principal Regulations is amended —**

- (a) by deleting “\$500” in paragraph (a)(i) and substituting “\$600”;
- (b) by deleting “\$1,000” in paragraph (a)(ii) and substituting “\$1,200”;
- (c) by deleting the word “and” at the end of paragraph (a)(ii); and
- (d) by deleting paragraph (b) and substituting the following paragraphs:
 - “(b) the fee payable to an adjudicator (excluding a review adjudicator or a panel of review adjudicators) shall be computed on the basis of a rate not exceeding \$300 per hour or \$2,400 per day, and shall not exceed in the aggregate the following maximum amount:
 - (i) where the claimed amount exceeds \$24,000, 10% of the claimed amount; or
 - (ii) in any other case, \$2,400; and
 - (c) the fee payable to a review adjudicator or a panel of review adjudicators shall be computed on the basis of a rate not exceeding \$300 per hour or \$2,400 per day, and shall not exceed in the aggregate the following maximum amount:
 - (i) where the claimed amount exceeds \$24,000, 10% of the claimed amount; or
 - (ii) in any other case, \$2,400.”.

New regulations 13 and 14

5. The principal Regulations are amended by inserting, immediately after regulation 12, the following regulations:

“Deposit for adjudicator’s fees for adjudication proceedings

13.—(1) An authorised nominating body may require the claimant to pay an initial deposit in respect of the fees payable to the adjudicator for the adjudication proceedings, and such initial deposit shall be paid at the time of lodgment of the adjudication application.