

The Certificate of Completion and Compliance (CCC) has replaced the Certificate of Fitness (CFO) for Occupation to smoothen the delivery process of building.

Under the new act, the architect or engineer of a project who submits building plan is defined as the "principal submitting person" who will have to issue the CCC before occupants can take ownership of their homes.

Previously, the power to check the technical aspects of a project and issue the CFO was with the local authorities. (They will continue issuing CFOs for projects where building plans were approved before the CCC date of enforcement.)

The Housing and Local Government Ministry is mindful of the many problems posed by the old system such as a delay in certification by technical agencies, additional conditions imposed by the council at the time of CFO application and lack of technical officers in the council to process the CFO.

### Under the CFO system

Under this system, the CFO is issued after:

- the local authority receives the E form (UKBS) which is an application for the issuance of a CFO
- all conditions by the local authorities have been met
- related technical agency certification has been received
- the local authority has visited the site.

However, the existing law stipulates that a CFO is deemed issued 14 days from the date the E form is verified as received by the local authority (PBT).

The law also allows registered building draughtsman (with the Architect Board) to issue the CCC for buildings not exceeding two storeys high with area less than 300m<sup>2</sup>.

### CCC — a new system

The new system has the following characteristics:

- IT is an extension of the existing CCC system for singly-built buildings to buildings in other categories
- THE CCC is issued by the Principal Submitting Person (PSP), who is a professional architect, professional engineer or a registered building draughtsman who submits building plans.
- PLANNING permission and building plans should be approved by PBT beforehand
- PBT is authorised to inspect the site at

# PARADIGM SHIFT

— CCC replaces CFO *The star - 14/4/2007.*



**New system:** Housing and Local Government Minister Datuk Seri Ong Ka Ting looking at models of a development which must now be certified by the professionals.

any time and to issue a notice if there is a breach or divergence from the approved building plan

- PBT can issue a notice in writing to a PSP to withhold a CCC issuance if the breach or divergence is not rectified
- PBT is allowed to execute rectifications considered necessary if the PSP fails to do so
- A RESPONSIBILITY process matrix is introduced. Each construction component needs to be verified by professionals and contractors or trade contractors. 21 Form G will be inserted as a new schedule under UBBL 1984 (amendment) 2007
- THE CCC will only be issued by the PSP after all parties are satisfied with the supervision of the construction and that the building has been completed according to the provisions of the laws and terms in the building plan approval

### Tightening the CCC system

To tighten the CCC system, amendments are made to relevant acts as follows:

- STREET, Drainage and Building Act 1974 (Act 133)
  - i. A penalty for the offence of not abiding

by the orders of PBT is increased and imprisonment for a term not exceeding three years and a fine of up to RM10,000 or

- ii. General penalty increased
- iii. Substantive allocations regarding PSP's obligations are included, clearly including the penalty in the form of fine and imprisonment if found guilty of an offence relating to the CCC
- UNIFORM Building By-Laws 1984
  - i. Responsibilities in the matrix form are included through 21 new forms to verify completion and compliance of each construction component
  - ii. The parties that issue the CCC without complying to the provisions of the acts can be charged and reported to the controlling professional bodies
- ENGINEER Registration Act 1967 (Act 138) and Architect Act 1967 (Act 117)
  - i. Stricter disciplinary actions on professionals by increasing fines, extending the duration of membership suspension and cancellation of membership registration

### Roles and responsibilities of PBT

- approving building plans
- approving the planning permission application
- conducting site inspections on own initiative or due to complaints
- issuing a notice to PSP in the event of non-compliance with approved plans and law
- taking action to rectify any non-compliance by PSP if it considers such works or measures are necessary
- charging the PSP and professionals and reporting to the relevant Professional Board for contravenes the Act
- commanding that buildings that are higher than five storeys and are more than 10 years old from the date when the CCC was issued, to be inspected for safety level if necessary

### The roles and responsibilities of PSP

- SUBMITTING building plans to PBT for approval
- COORDINATING plans other than the building plan to PBT before construction

operations at the site commence

- SUPERVISING construction works at the site and ensure that the laws and technical conditions of the PBT are abided by
- REPORTING building breaches, explaining reasons for breach and stating recovery actions in the event of a breach during construction
- PRESENTING a work resumption notice to PBT
- ENSURING non-compliance matters during construction as directed by PBT are rectified before the CCC is issued
- ISSUING the CCC to owners or developers, as well as a copy to PBT and relevant Professional Board
- ENSURING verification of all G forms are completed and in order and presenting a copy of the G forms to the PBT and relevant Professional Board

### The benefits of the CCC system

- VACANT Possession (VP) can be issued together with the CCC. This can overcome problems and implications that are associated with the CFO where home buyers receive the house keys but cannot move in because the CFO has not been issued
- WITH the introduction of responsibility process in the matrix form, there is an improvement in the accountability and transparency aspect where actions can be taken on the responsible party in the event of failure or flaws in a building, hence the work quality will be ensured
- ONLY qualified and expert parties of a development will be given the responsibility to certify the safety of a building which is the PSP.

### Conclusion

For the purpose of CCC system's standardisation and effective supervision, a standardised enforcement date for all states has been set as April 12, 2007.

This system is consistent with the government's desire to encourage a self-regulation approach which was introduced in the new National Economy Growth Planning strategy.

This effort reflects the government's commitment to continuously enhancing the service delivery system.