# SINGAPORE STANDARD SS 519:2006 (ICS 91.040.30)

## **SPECIFICATION FOR**

# Performance of managing agents for strata residential properties

Published by SPRING Singapore 2 Bukit Merah Central Singapore 159835 SPRING Singapore Website: www.spring.gov.sg Standards Website: www.standards.org.sg



# SINGAPORE STANDARD SS 519:2006 (ICS 91.040.30)

## **SPECIFICATION FOR**

# Performance of managing agents for strata residential properties

All rights reserved. Unless otherwise specified, no part of this Singapore Standard may be reproduced or utilised in any form or by any means, electronic or mechanical, including photocopying and microfilming, without permission in writing from the SPRING Singapore at the address below:

Head Standardisation Department SPRING Singapore 2 Bukit Merah Central Singapore 159835 Telephone: 62786666 Telefax: 62786667 Email: stn@spring.gov.sg

ISBN 981-4154-27-X

## Contents

Foreword \_\_\_\_\_

### CLAUSES

0	Introduction
1	Purpose and scope
2	Explanatory notes to Annex A – Specimen Agreement
2.1	Explanatory notes
2.2	Contracting parties and Article 2 (Appointment) of Annex A
2.3	Article 1 (Definitions) of Annex A
2.4	Article 2 (Appointment) of Annex A and Specimen Resolutions in Annex B and C
2.5	Article 3 (Management fee) and Article 4 (Scope of duties and obligations and services of the Managing Agent) of Annex A
2.6	Article 4 (Scope of duties and obligations and services of the Managing Agent) of Annex A
2.7	Article 5 (Duration of appointment) and Schedule 3 of Annex A
2.8	Article 6.1 (Termination of Managing Agent's appointment by Management Corporation) of Annex A
2.9	Article 6.2 (Termination of Managing Agent's appointment by Council) and Article 7 (Standard of conduct) of Annex A
2.10	Article 8 (Managing Agent not to contract as agent of Management Corporation) of Annex A
3	Explanatory notes to Annex D – Specimen Resolution of MCST

### ANNEXES

А	Specimen Agreement – Appointment of Managing Agent agreement	11
В	Specimen Resolution of MCST (where draft Agreement is tabled)	24
С	Specimen Resolution of MCST (where no draft Agreement is tabled)	25
D	Specimen Resolution of MCST (where council is authorised to appoint the Managing Agent)	27

Page

eage 6

#### Foreword

This Singapore Standard is prepared by the Working Group under the purview of the Services Standards Committee. It replaces TR 3 : 2001 – "Technical Reference for performance of managing agents for private sector residential properties."

TR 3 arose because it was observed that there were varying standards of professionalism and conduct amongst persons and firms who provide their services as managing agents to developers and owners of private sector strata residential properties in Singapore. To address the situation, SPRING Singapore in collaboration with the Building & Construction Authority and other key industry players developed TR 3.

TR 3 was first published in September 2001. It was a landmark document which aimed to enhance the standard of service delivery and professional practices in the property management industry. TR 3 provided a specimen agreement spelling out the roles and responsibilities of managing agents in running private sector strata residential properties. It was issued to the industry for use with the aim of allowing for comments to be gathered over the next two years.

Feedback on TR 3 was obtained from two key stakeholders, namely, the users (i.e. management corporations) and the service providers (i.e. managing agents) which indicated that TR 3 was generally good and acceptable but could be further improved. Therefore, the Working Group was appointed to take into account the feedback and elevate TR 3 to a Singapore Standard. In carrying out their task, the Working Group also had the benefit of considering the publication "PMR 2 : 2003 (Industry Standards of Performance for AMCIS Approved Managing Agents (APMAs))" which is published by the Association of Management Corporations in Singapore (AMCIS).

Each member of the Working Group was appointed to the Working Group in his or her personal capacity and not as an agent or representative of a specific organisation. Nonetheless some of the members of the Working Group come from the background of being members of the Singapore Institute of Surveyors and Valuers (SISV), the Association of Property and Facility Managers (APFM) and the AMCIS, each of whom, as part of their objectives and activities, accredits managing agents, and the Working Group benefited from the experience of these organisations these members brought to bear on the project of upgrading TR 3 to a Singapore Standard. The complete list of organisations in which the members of the Working Group are involved is set out in the Section where the names of these members are given. This shows the full range of expertise which has been drawn on in the making of the Singapore Standard.

At the time that TR 3 was first issued the legislation governing managing agents was the Land Titles (Strata) Act (Cap. 158). In the course of its review by the Working Group the Building Maintenance and Strata Management Act 2004 was enacted. With suitable and other amendments the relevant provisions relating to management corporations and managing agents which were originally in the Land Titles (Strata) Act (Cap. 158) were transferred to the Building Maintenance and Strata Management Act which came into effect on 1 April 2005. New substantial provisions were also enacted by the Building Maintenance and Strata Management Act is currently the main legislation governing management corporations and managing agents. Accordingly, some of the features which were in the specimen agreement provided in TR 3 do not appear in this Singapore Standard and vice versa.

As this Singapore Standard may be used for all strata residential properties which are governed by the Building Maintenance and Strata Management Act, the words "private sector" which appeared originally in TR 3 have not been retained.

Attention is drawn to the possibility that some of the elements of this Singapore Standard may be the subject of patent rights. SPRING Singapore shall not be held responsible for identifying any or all of such patent rights.

#### NOTE

- 1. Singapore Standards are subject to periodic review to keep abreast of technological changes and new technical developments. The changes in Singapore Standards are documented through the issue of either amendments or revisions.
- 2. Compliance with a Singapore Standard does not exempt users from legal obligations.