

The Singapore Public Sector Standard Conditions of Contract (“PSSCOC”) published by the Singapore Building and Construction Authority (“BCA”) is a standard form contract used for all public sector construction projects in Singapore.

The latest version of the PSSCOC is the Eighth Edition which was published in July 2020 (“Eighth Edition”). Public sector construction projects entered into prior to July 2020 would have used the Seventh Edition of the PSSCOC which was published 6 years ago in July 2014 (“Seventh Edition”).

- The Eighth Edition includes a much needed amendment to the PSSCOC to define “force majeure.” In the Seventh Edition, although “force majeure” was a ground for extension of time for completion of works, there was no definition of “force majeure.” There was therefore uncertainty as to what events would qualify as a “force majeure” under PSSCOC and in particular, whether the Employer could grant the Contractor an extension of time due to the COVID-19 pandemic. Under the Eighth Edition, “force majeure” is now defined as “an event which is beyond the Contractor’s reasonable control.”
- The following additional ground for the grant of an extension of time for completion of works has also been included in the Eighth Edition:

Clause 14.2(q) of the PSSCOC

Epidemics or pandemics resulting in shortages of the labour, goods, materials or Construction Equipment required for the Works or inability to proceed with any part of the Works.

In the context of the current COVID-19 pandemic, the new Clause 14.2(q) provides greater certainty to the Contractor which was lacking in the Seventh Edition.

Unfortunately, for construction contracts entered into using the Seventh Edition, the amendments of the Eighth Edition will not apply unless parties had specially agreed that the Standard Conditions shall mean the PSSCOC as amended from time to time by BCA or the parties enter into an amendment agreement to replace the Seventh Edition in the contract with the Eighth Edition.

Please refer to the BCA website for [the list of all amendments to the PSSCOC \(8th Edition\)](#).

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