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**K A M R A T A L - P E R I T I**

*To support members of the profession in achieving excellence in their practice of architecture and engineering in the interest of the community*

**DIRECTIVE 02/2019**

28th January 2019

**RE: Marsamxett Balcony Grant Scheme**

Reference is made to the Expression of Interest (EOI) issued by the Planning Authority regarding the Marsamxett Balcony Scheme. Said EOI indicates that only those fees of *periti* who registered with the Authority will be reimbursed as part of the grant scheme, and this only up to €500.00.

The *Kamra tal-Periti* was not consulted on this EOI, and has the following observations:

- This call is unprecedented, since it was never a requirement for *periti* to register directly with the Authority in order to be on some "list". All *periti*, by virtue of their warrant, are eligible to submit applications on behalf of their clients, and do not require any form of endorsement or registration by the Authority.
- The call guarantees that fees due to the *periti* who register with the Authority will be reimbursed directly by the Authority, up to the afore-mentioned cap. This means that unless *periti* are registered with the Authority, reimbursement to the applicant cannot be guaranteed; this cannot be accepted, not least because 80% of the funds come from EU sources. It also means that *periti* who are not on the list are disadvantaged since their clients cannot claim reimbursement of their fees.
- The Authority has also taken it upon itself to decide what appears to be the appropriate fees for the services required, by establishing a cap on the amount that would be covered by the fund. In most cases, this will barely cover the fees required to undertake a survey of the property.

The *Kamra tal-Periti* has communicated with the Planning Authority regarding the above, and was informed that the creation of this register was deemed to be required because a number of potential applicants were not able to engage *periti* to submit applications on their behalf, either because of lack of finance or because the *periti* they approached were not in a position to undertake the services required. The Authority also informed that the *Kamra* that the amount of fees covered by the grant was determined by the PPCD (Planning and Priorities Co-ordination Division). Despite the *Kamra's* objections to the EOI, the Authority has not withdrawn said EOI, and the list of *periti* who registered is now available online.

*Periti* are reminded of their obligation at law to enter into a written agreement with their clients regarding the amount of fees due, clearly outlining the services to be carried out and the terms of payment (refer to the *Kamra's Directive* on this matter. *Periti* are also reminded that they are not obliged to receive payment for their services only after the grant is awarded, but at any time during the provision of the services that they deem fit, and that such dates are to be clearly stipulated in the agreement with the client.

**Perit Simone Vella Lenicker**  
**President**