

NEW BCA FORMS

01 APRIL 2024



The Council has noted that two new forms were introduced by the Building and Construction Authority (BCA) in recent days. These are the “*Declaration to the BCA regarding Third Party Property Condition Reports and Excavation Affected Complexes*” and “*Certificate of Insurance*”.

Members of the profession are being hereby informed that these two forms were not discussed and agreed upon by the Kamra tal-Periti. Many of you will recall that the BCA forms were a major sticking point back in 2019, and the repeal of directives by the Kamra was in part conditional to the review and agreement of such forms. Indeed, several circulars had been issued regarding the BCA forms at the time¹. The matter eventually also formed part of the [Letter of Commitment signed by the minister and permanent secretary responsible for sector at the time](#).

It is pertinent to reiterate the fact that S.L.623.06 does not specify the use of forms, and thus their imposition by the BCA of any form is ultra-vires at law. All BCA forms, besides the above two, are only in place because of the agreement reached with the Kamra in October 2019.

As a result of the BCA’s failure to consult with the Kamra tal-Periti on the two aforementioned forms, the Council is hereby directing all members of the profession not to file them.

Members of the profession are kindly requested to keep an eye out for further communication from the Council in the coming days.



Perit André Pizzuto
President

¹ <https://kamratalperiti.org/cir-11-19-building-the-future-towards-a-renewed-profession/>
<https://kamratalperiti.org/cir-14-19-bro-forms/>
<https://kamratalperiti.org/cir-15-19-new-forms-for-use-prior-to-commencement-of-works-or-utilisation-of-planning-permit/>