



THE PROFESSIONAL CENTRE
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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 11/2020

16th April 2020

RE: COVID-19 Pandemic: Vulnerable Individuals & Site Inspections

The *Kamra tal-Periti* is hereby giving notice to all members of the profession of a Directive that has been approved by the Council with regard to:

- (1) Periti considered as Vulnerable Individuals;
- (2) Third parties considered as vulnerable individuals; and
- (3) General provisions regarding site inspections and travel between the Islands.

Directives 08/20 and 09/20 are hereby repealed, and replaced by this Directive.

This Directive has been endorsed by the Superintendent of Public Health

1. Periti considered as Vulnerable Individuals

Note: This part of the Directive is practically identical to that previously covered by Directive 08/20, except for the new procedure in Point (iii) and some amendments to the notification forms.

Vulnerable individuals, as defined by Legal Notice 111 of 2020, are prohibited from leaving their residence except for certain essential needs.

In view of such restrictions, and until further notice, *periti* in the above categories are to immediately notify their clients of the restrictions imposed on them. In addition *periti* affected by these restrictions are to follow the procedures outlined below.

- i. For all works where the closure of the construction site¹ does not pose any risk of danger or damage to the site itself or adjacent third parties², immediately submit a Notification COVID-19 KTP-01 (Vulnerable persons) no risk using the template provided.
- ii. For all works where the closure of the construction site poses a risk of minor damage to the site and/or adjacent third parties, immediately submit a Notification COVID-19

¹ For the purposes of this Directive a “*construction site*” means any open site where ongoing works involve demolition, site clearance, excavation, construction, finishes and/or services, and which are being carried out under your direction;

² For the purposes of this Directive “*adjacent third parties*” means any third party and/or their property and includes private and/or public third parties as well as the general public;



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KTP-02 using the template provided. In this case, the Developer³ is to be notified to forward such Notification to all affected third parties. It is recommended that you advise the Developer and their appointed Contractor/s to also submit to their respective insurance providers.

- iii. For works where the closure of the construction site poses a risk of significant damage to, and/or a risk to the structural stability of, the site and/or adjacent third parties, immediately submit a “Request for exemption from mandatory quarantine” from the Superintendent of Public Health, through this [link](#). In the section titled “*Applicant's reason/s for request of exemption*” state “*as per enclosed declaration*” and submit the form. Upon receiving an acknowledgement, submit the Request for dispensation COVID-19 KTP 03 (Vulnerable persons) risk to structural stability or significant damage using the template provided to covid19.sph.exemptions@gov.mt and to all the entities listed in the template. In this case, no works that require the direction of the *perit* are to proceed until the dispensation is issued from the Superintendent of Public Health, and thereafter works are to proceed strictly in accordance with the content of the request for dispensation. In this case, the Developer is to be notified to inform any affected third parties, and once dispensation is received the *perit* is to inform all the entities to whom the Request outlined above was submitted. Once the works for which dispensation has been granted are complete, the *perit* is to proceed in accordance with points 1 or 2 accordingly.
- iv. For works outlined in point 3 above, and where the *perit* is minded to not request dispensation from the Superintendent in view of the overriding reasons of public health, the *perit* is to immediately contact the *Kamra tal-Periti* for further guidance, outlining the sites which pose concern and the proposed way forward accordingly.

With respect to the cases outlined in point 3 above, *periti* are also encouraged to contact the *Kamra tal-Periti* if they require any specific guidance depending on the nature of the works under way.

The relevant notices are to be issued on your letterhead and may be amended accordingly depending on the specific situation.

In addition, in all cases, the Project Supervisor should be notified so s/he may ensure that the site is sealed off to prevent access by unauthorised persons.

With respect to *periti* who live with people in these vulnerable groups, while there is currently no restriction on their going out to work, it is advisable to prepare yourselves for such eventuality.

³ For the purposes of this Directive “*developer*” has the same meaning ascribed to it in Legal Notice 136 of 2019.



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2. Third parties considered as vulnerable Individuals

Note: This part of the Directive is practically identical to that previously covered by Directive 09/20, except for the amended procedure in Point (iii) and some changes to the notification forms.

Vulnerable individuals, as defined in Legal Notice 111 of 2020, are prohibited from leaving their place of residence except for essential needs. In view of such restrictions, which are intended to safeguard the health of the persons concerned, the *Kamra tal-Periti* is hereby issuing the following Directives,:

- i. Prior to carrying out any inspections for the purposes of preparing condition reports before the commencement of works or property valuations or any other reason which requires access to any property, *periti* are to ask their client to obtain a declaration from the owner of the property to be inspected as to whether or not the property is occupied by any person in the categories stated in the Legal Notice.
- ii. No inspections for the purposes outlined above are to be undertaken under any circumstances if the property in question is occupied by persons in the categories listed in the Legal Notice.
- iii. In the case of inspections that are required for the purposes of assessing potentially dangerous structures, either as a result of lack of maintenance or as a result of works underway on adjacent sites or any other reason whereby damage to the structure has been reported to the *perit* by the affected party, the *perit* is to request dispensation from the Superintendent of Public Health to carry out such inspection using the template Request for dispensation COVID-19 KTP 04 (Vulnerable persons) inspections of property. The request is to be submitted to the Superintendent of Public Health on query.covid19@gov.mt, the Commissioner of Police, the *Kamra tal-Periti*, your Client and your Professional Indemnity Insurance provider, as well as others as you may deem appropriate.

No inspections are to be carried out until the relevant clearance is issued by the Superintendent of Public Health. Once such dispensation is received, the *perit* is to notify accordingly all the entities listed in the Request form, and is to proceed with the inspection accordingly.

3. General recommendations regarding site inspections and travel between the Islands

In all cases where inspections are required to be carried out in third party property, it is recommended that *periti* follow these precautions:



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- Request that not more than one person is present in the property during the inspection, whenever possible;
- Request that all windows and doors (internal and external) are kept open to avoid having to touch surfaces;
- Request that you are allowed to inspect the damaged area without interruptions to limit your presence within the property, and that a distance of 2m is maintained between you and the person showing you around;
- Carry your own sanitiser spray or gel, and use it before entering and after leaving the property.

Legal Notice 112 of 2020 stipulates that “*in public spaces, groups of more than three (3) persons are prohibited including in queues and bus stops ...*” Although construction sites are not regarded as “*public spaces*”, it is recommended that this measure is implemented also on construction sites.

With respect to travel between Malta and Gozo, it is to be noted that this is currently permitted for work-related reasons as per Legal Notice 118 of 2020. Travellers will be required to make a declaration to this effect upon embarkation.

The *Kamra tal-Periti* is currently working with the Superintendent of Public Health to issue more detailed guidelines regarding safety on construction sites at this time. These are planned to be concluded next week.

Perit Simone Vella Lenicker
President