



Annual General Meeting 2022

## **President's Report**

05/12/2022

127, Sliema Road  
Gzira GZR 1633  
Malta

t. +356 21314265  
e. [info@kamratalperiti.org](mailto:info@kamratalperiti.org)  
w. [kamratalperiti.org](http://kamratalperiti.org)

**Kamra  
tal-Periti**

Dear Colleagues and friends,

I stand before you this evening in the wake of yet another tragedy to beset our industry – another life senselessly lost. Another family grieving. Three men in intensive care. The public angered, cynical, and in disbelief.

It would have been very easy for the Council to react by pointing fingers. After all, we have been advocating for reforms, applying pressure at every available opportunity, organising very well-attended extraordinary general meetings, and publishing articulate documents for years now.

Dark forces of resistance have stalled the progress our industry and profession so desperately need. It is a resistance stemming from fear, incompetence, selfishness, greed, speculation, and ignorance.

The result of this resistance, as we have witnessed too many times this year already, is death. A quality of life that ranks among the lowest in the industrialised parts of the world. A built environment that has been wrecked by individualism and profit. Younger generations who cannot wait to leave the country. Exploitation of foreign workers. Traffic congestion, flooding, noise and air pollution, and excessive waste generation. A profession that has been humiliated and hollowed out.

The need for a complete rethink of the entire system is as true today as it was in 2007, when we started advocating for it. Change is best undertaken when the risk of adverse impacts is addressed well in advance. Unfortunately, as frequently happens in Malta, change only happens after a crisis. This can only result in unconsidered knee-jerk reactions as we have witnessed in 2019, with the now infamous regulations that were purported to make construction sites safer, and which were brought into force against our professional advice.

It would, however, be unfair to state that nothing has changed in the past two years. As I stated in my message to you last week, change has been occurring albeit at a grindingly slow pace.

The first major reform was the new Periti Act. It was a law that took fifteen long years to get through Parliament. Fifteen years of wasted time. Fifteen years during which we could have

implemented the reforms necessary in our profession. Nevertheless, it is a law which is now in place with unanimous parliamentary approval.

It is a law, however, that has not yet come into force since it requires a specific legal notice to do so. That legal notice was due to be published on 5th August of this year. However, following discussions with Minister Zrinzo Azzopardi it was jointly agreed that the publication of the legal notice would be delayed due to a sensitive logistical consideration, which I cannot divulge at this time.

The second major reform was the Building and Construction Authority Act. While I appreciate that some of you may not be particularly thrilled about this, I still consider it a critical milestone for our industry. The passing of the Bill through Parliament was also fraught with difficulties. The risk of getting this law wrong was high.

The Periti Act and BCA Act were going through Parliament concurrently. Two acts that would redefine our profession and the industry for years to come. It was an extremely intense period, right at the start of my term, during which we had to ensure that both these Acts got approved in the soundest possible way.

Throughout this, I had the full support of the Council, and in particular that of Simone who shared the burden with me.

Meanwhile, we undertook a series of internal reforms within the Kamra to be better placed to meet the new obligations the Periti Act would place on us, as well as respond effectively to the challenges that our profession was facing.

The first change was to increase the number of Council meetings, from one a fortnight to one a week. This was the only way to be able to cope with the vast agenda the Council has to address, ranging from draft legislation and policy to driving forward the agenda of quality in the profession. Most importantly, it provided the opportunity to steadfastly fulfil its remit of overseeing the conduct of members of the profession. The use of digital meeting platforms was instrumental in sustaining these many meetings. I must thank all Council members, Jeanette, Simone, Ivynne, Matias, Lara, Adrian, Toni and Damian for their dedication and their contributions during these meetings.

The Council approved new Standard Operating Procedures for dealing with conduct complaints, splitting the process into two phases:

The first phase is the prima-facie investigation during which the Council probes the complaint and the response from the perit to establish whether the matter fell within the Council's legal remit.

Once that is determined, on a without-prejudice basis, the Council would hold formal conduct hearings under oath when further evidence is required. The testimony would be transcribed and circulated to the parties and their lawyers.

In 2021, the Council closed 29 prima-facie investigations and 3 formal conduct cases, while in 2022 it closed 15 prima-facie investigations and 17 formal conduct cases. On its current agenda, the Council has 7 ongoing, 5 suspended, and 43 pending prima-facie investigations, and approximately a further 20 not yet on the agenda; and additionally, 5 ongoing formal conduct cases and nine appeals currently being heard before the Court of Appeals.

While working very hard to address complaints expeditiously, in the interest of due process and fairness both for the complaints and the respondents, conduct cases need time to be processed justly and rigorously.

During my term I sought to prioritise conduct on the Council's agenda. I firmly believe we have a duty towards the profession and the public to exercise the powers that are entrusted to us by Parliament to the best of our abilities, without fear or favour. It is understandable that members of the profession who receive an adverse Council decision may feel aggrieved and choose to file an appeal. However, it is unacceptable for members of the profession to challenge the good faith of such decisions, and in so doing, use the press to try to harm the process or the Kamra. Even more so, when these very same members of the profession use the press and social media to apply pressure on the Council to discipline their colleagues on grounds which have no ethical or legal basis. This is unbecoming behaviour, which brings further disrepute upon the profession.

The Council agenda, however, was far broader than professional conduct. We sought to structure ourselves in such a way as to uphold as best we could the entire spectrum of our professional practice.

To this end, we set up a number of Permanent Committees beneath the Council, each with their respective delegated agenda.

They include, the Permanent Committee on Architecture chaired by Chris Micallef, the Permanent Committee on Engineering chaired by Dr Jeanette Muñoz Abela, the Permanent Committee on Planning chaired by Jacques Borg Barthet, the Permanent Committee on Property chaired by Mario Pirotta, and the Permanent Committee on Business and Practice Management chaired by Adrian Mangion. Two further committees are planned to be set up, including one on Heritage and another on the Environment.

Each of these committees has a specific agenda and is working on a number of initiatives. I wish to touch upon a few of these with you this evening.

The Architecture Committee is in the process of initiating the preparation of an Architecture Framework, which will establish processes and criteria to ensure quality in design underpinned by the UN Sustainability Goals, in collaboration with the Ministry of Finance and Employment. The Committee is also working on setting up Design Review Panels as a second phase of this initiative, to provide architects with the opportunity to have a proper review of architectural designs by a panel of respected design architects which would offer a critical review to improve design outcomes. Panel recommendations would be used to support eventual planning applications and would constitute a material consideration at law, which may legally supersede arbitrary quantitative design parameters found in planning documents such as DC15. I was hoping to announce a conclusion on the negotiations regarding this initiative, however last Friday we were faced with an unexpected hurdle which we hope to address in the coming weeks.

We have also invited the Government to form a joint Board with equal representation of the Kamra and Government to produce our first National Architecture Policy. The architecture policy will be a strategic document that will seek to identify the technical problems underlying the state of architecture in this country, establish KPIs, and allocate appropriate funding to undertake the research and implement the strategy. Minister Zrinzo Azzopardi was very receptive to our proposal and we expect to be in a position to provide more concrete updates about this in the coming weeks.

The Engineering Committee is working on developing a process for Risk Assessment and Management which, as per our agreement with the BCA reached earlier this year, will eventually

replace parts of the schedules in LN 136 of 2019. This committee was also tasked with developing a curriculum for the new warrant system, and responding to several public consultation documents related to the engineering side of the profession.

The Planning Committee has been working on drafting a position document on planning, similar to that which we had published regarding building regulations. The draft document has been finalised by the Committee a few weeks ago and will be published for consultation in the coming weeks.

The Property Committee, which handles matters ranging from property valuations to surveying, project management to land registration, has quite a broad remit. Over the past months it has been working on drafting new valuation standards, preparing for our eventual membership of TEGOVA, consulting with the Land Registry Agency on the new online land registry portal, and preparing courses on servitudes, in collaboration with the Faculty of Laws, to be launched in January.

The Business Committee was tasked with undertaking a survey of the profession to better understand its composition and specialisations, finalising standard contract templates already drafted by our legal consultants, and preparing Plans of Work for various types of projects.

The Council is in the process of preparing an online journal with articles related to the built environment. This initiative is being headed by Matias. Additionally, the Council must also represent the profession in various international bodies, including ACE, ECCE, UIA, UMAR, and CAA. Earlier this year, in fact, we hosted the first post-COVID in-person General Meeting of ECCE in Valletta, with the support of the Ministry for Public Works and Planning and the Ministry for Gozo.

Besides representing your interests internationally, we were of course responsible for representing you in meetings held with the Government, public authorities, and other stakeholders. Our main focus, as you can expect, was the BCA.

I am pleased to announce today that the conclusion of the last May's EGM with a powerful motion setting a deadline for the licensing of contractors by October bore its fruits. At the end of October, Minister Zrinzo Azzopardi presented us with the concepts behind the registration and licensing of contractors.

The detail was presented to us on a PowerPoint presentation by the BCA last Tuesday, and today we received the draft legal notice covering the first phase of the registration and licensing of contractors. This is welcome news, particularly in the current context. However, there is still a lot of work to be done to modernise the industry to meet the qualitative standards that our European counterparts are accustomed to. Nevertheless, I must use this opportunity to commend Minister Zrinzo Azzopardi for showing resolve at every meeting we have with him to make effective reforms and to consult with the Kamra throughout.

I must also thank our representatives on the Warranting Board, Prof. Torpiano, Catherine Galea and Toni Bezzina for their work. During this period we also needed to address the serious administrative problems within the Warranting Board. We discussed this matter with the Minister when he took office, and he immediately agreed to replace the chairperson and secretary to ensure that this important body begins to function efficiently again.

Towards the end of 2021, we undertook a rebranding of the Kamra to mark the new responsibilities it will be taking on with the passing of the new Periti Act. The Kamra's new identity reflects the social and cultural aspirations of today, and will serve as a constant reminder for the profession of its responsibility to promote sustainable development that strikes a balance between the economic, social and environmental needs of the country by harnessing and employing its creative and technical competences.

One of the biggest regrets of my term will of course be our inability to host the Premju Emanuele Luigi Galizia. The COVID-pandemic restrictions and our crazy workload thwarted our attempts to organise them. I trust that the next Council will be able to reinstate this important event in the profession's calendar to truly recognise those among us who, against all odds, succeed in producing a beautiful and well-built legacy for the future.



**Andre Pizzuto**  
**President**