

A.L. 295 ta' l-2007**ATT DWAR L-IPPJANAR TA' L-IŻVILUPP
(KAP. 356)****ATT DWAR IL-HARSIEN TA' L-AMBJENT
(KAP. 435)****Regolamenti ta' l-2007 dwar l-Immaniġġar Ambjentali tas-Siti
tal-Kostruzzjoni**

BIS-SAHHA tas-setghat moghtija bl-artikolu 60 ta' l-Att ta' l-1992 dwar l-Ippjanar ta' l-Iżvilupp u l-artikolu 9 ta' l-Att dwar il-Harsien ta' l-Ambjent, il-Ministru ta' l-Affarijiet Rurali u ta' l-Ambjent, bi qbil mal-Vici Prim Ministru u Ministru tal-Ġustizzja u l-Intern, ghamel dawn ir-regolamenti li ġejjin:-

PARTI I**Preliminari**

1. (1) It-titolu ta' dawn ir-Regolamenti huwa **Regolamenti ta' l-2007 dwar l-Immaniġġar Ambjentali tas-Siti tal-Kostruzzjoni.** Bidu u dhul fis-sehh.

(2) Dawn ir-Regolamenti ghandhom jidhlu fis-sehh f'dik id-data jew dati kif il-Ministru responsabbli ghall-Ambjent bi qbil mal-Ministru responsabbli ghall-ippjanar ta' l-iżvilupp, jista' jistabilixxi b'avviż fil-Gazzetta tal-Gvern u dati differenti jistgħu jiġu hekk stabbiliti għal skopijiet u tipi ta' kostruzzjoni differenti, kif imfissra fl-Iskeda VI u d-disposizzjonijiet differenti ta' dan l-Att.

2. Dawn ir-regolamenti ghandhom l-iskop li jillimitaw id-degradazzjoni ambjentali permezz ta' prattici xierqa ta' immaniġġar tal-kostruzzjoni li jikkawżaw l-inqas inkonvenjenza lill-ġirien, li jnaqqsu r-riskju ta' dannu lill-pubbliku, li jharsu l-proprjetà li tappartjeni lill-Gvern u lill-Kunsilli Lokali, u kemm jista' jkun inaqqsu l-hsara lill-ambjent. Id-disposizzjonijiet ta' dawn ir-Regolamenti m'għandhom bl-ebda mod jiġu interpretati bhala li għandhom xi rilevanza għar-responsabbilitajiet li jirrigwardaw siti ta' kostruzzjoni li jemanaw minn strumenti leġislattivi oħrajn. Skop.

3. F' dawn ir-regolamenti, sakemm il-kuntest ma jirrikjedix mod ieħor: -

“avviż biex tieqaf” ghandu jkollha l-istess tifsira bhal dik mogħtija fl-Att dwar l-Ippjanar ta' l-Iżvilupp;

“emergenza” tfisser sitwazzjoni mhux mistennija, jew grajja li taħsad u li ma kienitx prevedibbli, li tirikjedi azzjoni immedjata sabiex tiġi korretta sabiex jiġu protetti l-hajjiet u, jew il-propjetà u, jew il-mezz ekonomiku tal-qliegħ ta' l-ghixien;

“*footprint*” tfisser l-ispazju kontenut fi hdan il-hitan esterni ta' bini fil-livell ta' l-ewwel sular, inkluż btiehi interni, xaftijiet, terrazzini jew btiehi interni totalment magħluqa jew imdawra bil-bini, iżda esklużi terrazzini, btiehi retroposti, btiehi mhux totalment magħluqa jew imdawra bil-bini;

“Gvern” tfisser kemm il-Gvern ta' Malta u l-Kunsilli Lokali stabbiliti taħt l-Att dwar il-Kunsilli Lokali;

“il-*vicinanza* immedjata” tfisser iż-żona sa tletin metru minn kull sit, u tinkludi l-footprint tas-sit in kwistjoni imsemmi fir-regolament 12 u fejn, permezz ta' immanigġar irregolari ta' sit tal-kostruzzjoni, titnaqqas l-importanza soċjali, storika jew ambjentali tas-sit jew żona msemmija f' dak ir-regolament;

“inkonvenjenza” tfisser kull att, ommissjoni jew haġa li hija viżwalment offensiva jew tikkawża rwejjah jew storbju, jew li tikkawża jew x'aktarx li tikkawża leżjoni, sikkatura, offiża, dannu, periklu jew hsara ta' kull natura, jew li hija jew x'aktarx tkun ta' hsara jew perikoluża għas-saħħa jew għall-ambjent jew bini;

“kostruzzjoni” tfisser xogħolijiet, attivitajiet, avvenimenti u prattiċi għal, jew in konnessjoni mal-bini, alterazzjoni, rinnovazzjoni, demolizzjoni, skavar jew tneħħija f' xi sit jew bini f' kull tip ta' xogħolijiet ta' kostruzzjoni kif imfissra fl-Iskeda VI;

“Kumitat Kongunt” għandha l-istess tifsira kif għandha fl-Att dwar il-Kunsilli Lokali;

“Kummissarju” tfisser Kummissarju tal-Ġustizzja skond l-Att dwar il-Kummissarji tal-Ġustizzja;

“Kunsill Lokali” għandha l-istess tifsira kif għandha fl-Att dwar il-Kunsilli Lokali;

“kuntrattur” tfisser individwu, soċjetà, kumpannija jew kull entità legali oħra li tkun ingaġġata għat-twertieq ta’ kull tip ta’ xogholijiet ta’ kostruzzjoni jew servizzi relatati mis-sid ta’ sit ta’ kostruzzjoni;

“l-Att” tfisser l-Att dwar l-Iżvilupp ta’ l-Ippjanar jew l-Att dwar il-harsien ta’ l-Ambjent kif applikabbli;

“l-Awtorità” tfisser l-Awtorità ta’ Malta dwar l-Ambjent u l-Ippjanar jew kull awtorità li tista’, minn żmien għal żmien, tiġi mahtura sabiex tassumi r-responsabbiltà għal dawn ir-Regolamenti;

“lokalità” għandha l-istess tifsira kif għandha fl-Att dwar il-Kunsilli Lokali, u tinkludi, għall-iskopijiet ta’ dawn ir-regolamenti, toroq arterjali u ta’ distribuzzjoni u ż-żoni l-oħra kollha esklużi mill-kompetenza tal-kunsilli lokali taht l-istess Att;

“manager tas-sit” tfisser persuna li twettaq id-dmir jew dmirijiet mnissla mid-disposizzjonijiet ta’ dawn ir-regolamenti. It-tali persuna għandha tiġi mahtura minn, u tkun responsabbli għan-nom, tas-sid sabiex tiżgura l-implimentazzjoni korretta ta’ dawn ir-Regolamenti.

Il-manager tas-sit appuntat jista’ jkun wiehed minn dawn li ġejjin:

a) is-sid innifsu;

b) is-supervizur tal-proġett kif imfisser fir-Regolamenti ta’ l-2004 dwar il-Post tax-Xogħol (Bżonnijiet Minimi tas-Sahħa u s-Sigurtà tax-Xogħol f’siti ta’ Kostruzzjoni) A. L. 281 ta’ l-2004.

c) Perit kif imfisser fl-Att dwar il-Periti; jew Kap. 390.

d) Kwalunkwè persuna kompetenti oħra;

“materjal perikoluż” huwa kull oġġett jew aġent (bioloġiku, kimiku, fiżiku) li għandu l-potenzjal li jikkawża hsara lill-bnedmin, animali jew l-ambjent jew waħdu jew permezz ta’ interazzjoni ma’ fatturi oħra kif imfissra fil-leġislazzjoni lokali;

“il-Ministeru” tfisser il-Ministeru responsabbli għall-ambjent;

“il-Ministru” tfisser il-Ministru responsabbli mill-Ambjent jew dak il-Ministru li jista’, minn żmien għal żmien jiġi mahtur sabiex jassumi r-responsabbiltà għal dawn ir-Regolamenti;

“proprjetà privata” tfisser kull art, kemm jekk żviluppata kemm jekk le, jew kull struttura permanenti ohra li t-titolu tagħha huwa vestit f’persuna jew entità privata;

“proprjetà pubblika” tinkludi kull post li l-pubbliku għandu aċċess għalih;

“Qorti” tinkludi Tribunal Lokali stabbilit taħt l-Att dwar il-Kummissarji tal-Ġustizzja;

“sid” għandu jkollha l-istess tifsira mfissra fl-Att dwar l-Ippjanar ta’ l-Iżvilupp;

“sit ta’ kostruzzjoni” tfisser sit fejn ikun qed isir xogħol ta’ kostruzzjoni kemm jekk ikun fuq art pubblika jew privata;

“stekkat” tfisser struttura temporanja li tagħlaq sit ta’ kostruzzjoni waqt ix-xogħolijiet ta’ kostruzzjoni, sabiex tirrestringi l-aċċess u tipprovdi protezzjoni lill-pubbliku;

“trasgressur” tfisser persuna jew entità legali li inhargitlu jew inhargitilha tahraka;

“triq” tinkludi kull triq, sqaq, pjazza, mogħdija, bankina, pont, xatt il-baħar, moll jew post iehor ta’ passaġġ jew aċċess pubbliku;

“uffiċjal” tfisser kull persuna awtorizzata mill-Ministru biex tohroġ akkużi relatati ma’ dawn ir-regolamenti u għandha tinkludi:-

(a) Uffiċjal tal-Pulizija; u

(b) Uffiċjal ta’ l-Infurzar, Gwardjan Lokali jew kull persuna ohra maħtura mill-Ministru, jew l-awtorità minnu delegata, sabiex iwettaq l-infurzar ta’ dawn ir-regolamenti kif stabbilit taħt l-Att dwar l-Ippjanar ta’ l-Iżvilupp;

“żona turistika” għandha tfisser dawk iż-żoni indikati mill-awtorità kompetenti responsabbli mit-turiżmu bhala żoni turistiċi;

“żoni ta’ intensità ta’ żvilupp kbira,” tfisser dawk il-lokalitajiet li huma mnizzlin fl-Iskeda VII li tinsab ma dawn ir-Regolamenti;

Applikabilità.

4. Dawn ir-regolamenti japplikaw għal kull kostruzzjoni, thaffir bl-ilma jew disturbu ohrajn lill-ħamrija, inkluż thammil ta’ l-art, skavar ta’ l-art, livellar ta’ l-art, iggradar, operazzjoni ta’ qtugh u mili, u attivitajiet anċillari li jinkludu vjaġġar għas-sit ta’ kostruzzjoni, vjaġġar

fuq toroq ta' aċċess għal u mis-siti tal-kostruzzjoni u attivitajiet ta' demolizzjoni.

PARTI II

Kundizzjonijiet Ġenerali

5. Sabiex tippermetti l-konformità ma' dawn ir-regolamenti, jistgħu jiġu provduti b'mod temporanju meters ta' l-ilma, minn operatur liċenzjat ta' network ta' distribuzzjoni pubblika ta' l-ilma, iżda biss f'siti fejn is-sid għandu konferma bil-miktub mill-Awtorità li s-sit ta' kostruzzjoni huwa soġġett għall-permess tal-bini validu.

Provviista ta' *meters* temporanji tad-dawl u l-ilma.

PART III

Kundizzjonijiet oħra

6. (1) Id-disposizzjonijiet ta' dawn ir-regolamenti għandhom japplikaw għax-xogholijiet ta' kostruzzjoni kollha li mhumiex eżentati fl-Iskeda VI li tinsab ma' dawn ir-regolamenti u għandhom jiddahlu fis-seħh mill-Ministru in parti jew fl-intier tagħhom.

Applikabilità.

(2) Jekk ikun hemm kunflitt bejn dawn ir-regolamenti u l-pjan ta' l-immaniġġar tal-kostruzzjoni debitament approvat mill-MEPA u, jew kundizzjonijiet magħmula mill-MEPA fil-permess għall-iżvilupp, il-Pjan tal-Immaniġġar tal-Kostruzzjoni għandu jipprevali.

7. Minghajr preġudizzju għall-htigijiet speċifiċi stipulati fl-Att għall-Iżvilupp ta' l-Ippjanar, kull sid li jwettaq jew jikkummissjona xogholijiet ta' kostruzzjoni għandu jiżgura li x-xogħol isir b'tali mod li jikkawża l-inqas inkonvenjenza billi jiżgura illi jkun hemm konformità mad-disposizzjonijiet inklużi taħt l-Iskeda I, II, III u IV li jinsabu ma' dawn ir-regolamenti.

L-inqas inkonvenjenza għall-girien.

8. It-toroq kollha u l-proprjetà pubblika oħra, f'distanza ta' 10 metri mis-sit, li jiġu danneġġjati permezz ta' operazzjonijiet li jirrigwardaw xogholijiet ta' kostruzzjoni, għandhom jissewwew jew jinbidlu mis-sid u jingiebu f'kundizzjoni li hija mill-inqas tajba daqs dik li kienu jinsabu fiha qabel il-kostruzzjoni u għandhom jiġu ristawrati għall-kundizzjoni originali tagħhom b'materjali simili u skond kull regolamenti oħrajn. Tali limitu ma jipprekludix kull obbligazzjoni oħra min-naha tas-sid li jagħmel tajjeb għal kull hsara oħra li testendi lil hinn mid-distanza ta' 10 metri u li huma ppruvati li huma konsegwenza diretta ta' dik l-attività ta' kostruzzjoni. Kull ostaklu għandu jitneħħa

Restawr.

meta l-htieġa għat-tali ostaklu, li tinkludi kull senjalazzjoni temporanja mqieghda waqt ix-xogħol ta' kostruzzjoni, ma tibqax aktar mehtieġa.

Obbligazzjoni fuq is-sid u l-manager tas-sit.

9. (1) Is-sid huwa obligat li jahtar 'Manager tas-Sit' li għandu jkun responsabbli, għan-nom tas-sid, sabiex jiżgura li s-sit ta' kostruzzjoni u l-attivitajiet ta' kostruzzjoni li jkunu qed isiru fis-sit huma konformi mad-disposizzjonijiet kollha ta' dawn ir-regolamenti.

(2) Is-sid għandu jissottometti lill-Awtorità, fl-Avviz ta' Bidla u sussegwentement bil-miktub għal kull tibdil tal-Manager tas-Sit:-

(a) l-isem tal-Manager tas-Sit,

(b) in-numru tal-Karta ta' l-identità tal-Manager tas-Sit; u

(ċ) dikjarazzjoni ta' aċċettazzjoni debitament iffirmata mill-Manager tas-Sit illi huwa obligat ruhu li jaċċetta dan ir-rwol u li huwa qara u fehem id-disposizzjonijiet ta' dawn ir-regolamenti.

(3) Għall-iskopijiet ta' dawn ir-regolamenti, il-Manager tas-Sit mhuwiex intitolat li jassumi kull mir-responsabilitajiet assoċjati mal-professjoni ta' perit kif imfissra fl-att dwar il-Periti, jekk il-Manager tas-Sit li jkun ġie appuntat mhuwiex perit.

(4) Il-Ministru jista', minn żmien għal żmien, jagħmel Regolamenti speċifiċi biex jinholoq Reġistru ta' Managers tas-Sit, sabiex jistipula l-kwalifiki tagħhom, Kodiċi ta' Kondotta u programm ta' żvilupp kontinwu.

(5) Fin-nuqqas ta' nomina għall-hatra ta' Manager tas-sit, is-sid għandu jitqies *ipso facto* bħala l-Manager tas-sit għall-iskopijiet ta' dawn ir-Regolamenti.

(6) Jekk ikun inbidel is-sid minhabba li s-sit ta' kostruzzjoni inbiegħ, jew għal kull raġuni oħra, waqt li jkunu għadhom iridu jitwettqu jew ikunu qed jitwettqu xogħolijiet ta' kostruzzjoni, is-sid oriġinali għandu d-dmir li jinforma lill-Awtorità billi jimla l-Formola ta' Avviz - Bidla fis-Sid/Manager tas-Sit, liema formola tista' tingabar mill-Ministeru jew mill-entità mahtura mill-Ministeru, jew imnizzla mis-sit ta' l-Internet tal-Ministeru jew tal-entità mahtura mill-Ministeru, u mibgħuta bil-posta reġistrata lill-Awtorità jew mogħtija bl-idejn lill-Awtorità, fi żmien xahar mit-trasferiment tat-titolu tal-proprjetà. L-istess formola għandha tiġi debitament iffirmata mis-sid il-ġdid bħala dikjarazzjoni tal-aċċettazzjoni tar-responsabilitajiet tiegħu, bħala s-sid il-ġdid, skond it-termini ta' dawn ir-regolamenti. Sakemm l-Awtorità

tirċievi t-tali formola ta' avviż, is-sid oriġinali jinżamm responsabbli għal kull kontravvenzjoni ta' dawn ir-regolamenti.

(7) Jekk waqt il-perjodu tal-kostruzzjoni, il- Manager tas-sit jinbidel għal xi raġuni, huwa obligat li jinforma lill-Awtorità bil-miktub. Sakemm l-Awtorità tirċievi t-tali avviż huwa jibqa' prezunt bhala l-manager tas-sit mahtur għas-sit tal-kostruzzjoni.

(8) Il- Manager tas-sit għandu jkun responsabbli, għan-nom tas-sid, sabiex jiżgura li kull permess, ċertifikazzjoni, awtorizzazzjoni jew kull tali approvazzjoni mehtieġa għal kull porzjoni tax-xogħolijiet ta' kostruzzjoni kif rikjest mid-disposizzjonijiet ta' dawn ir-Regolamenti ikunu mahruġa, u li kull struttura temporanja użata sabiex jiġu implimentati d-disposizzjonijiet ta' dawn ir-Regolamenti jiġu debitament ċertifikati fir-rigward tas-sigurtà tagħhom.

PART IV

Infurzar

10. (1) Persuna li twettaq reat taht id-disposizzjonijiet ta' l-Iskedi I u/jew III u/jew IV, għandha, meta tinstab hatja, tehel multa ta' mhux anqas minn mitt lira Maltija (Lm100) iżda ta' mhux iżjed minn hames mitt lira Maltija (Lm500). Penali.

(2) Persuna li twettaq reat taht id-disposizzjonijiet ta' l-Iskeda II għandha, meta tinstab hatja, tehel multa ta' mhux anqas minn elf lira Maltija (Lm1,000) iżda ta' mhux iżjed minn hamest elef Lira Maltin (Lm5,000) u dana flimkien ma' kull multa taht ir-Regolament 10(1) ta' dawn ir-Regolamenti.

(3) Il-hruġ ta' taħrika skond id-disposizzjonijiet tar-Regolamenti 10(1) u10(2) ta' dawn ir-Regolamenti għandha awtomatikament titqies bhala istruzzjoni biex titwaqqaf it-tali kondotta u biex ikun hemm konformità mad-disposizzjonijiet ta' dawn ir-Regolamenti. Jekk min jagħmel ir-reat jonqos milli jikkonforma ma' dawn ir-Regolamenti meta tinhariġlu taħrika, huwa jitqies bhala li jkun hati ta' ċirkostanza aggravanti u jehel multa ta' mhux inqas minn hamsa u għoxrin lira Maltija (Lm25) u ta' mhux iżjed minn hamsin lira Maltija (Lm50), kif il-Kummissarju jista' jstabilixxi, għal kull jum li fih ikompli n-nuqqas mid-data tal-hruġ tat-taħrika.

11. Minghajr preġudizzju għall-Att, jew għal kull liġi ohra, kull persuna, li, b'liema mezz jkunu, tfixkel jew tostakola lil kull ufficċjal mill-eżerċizzju tal-poteri jew funzjonijiet tiegħu taht dawn ir-regolamenti jew tonqos milli tikkonforma ma' kull rikjesta raġonevoli magħmula

Tfixkil jew ostruzzjoni ta' ufficċjal awtorizzat.

lilha mit-tali persuna kif imsemmi hawn aktar qabel jew milli tassistiha fit-twettiq tad-dmirijiet taghha jew tforni lit-tali persuna b'informazzjoni falza jew tonqos milli taghti kull informazzjoni mitluba għall-ghanijiet imsemmija, tehel, meta tinstab hatja, multa ta' hamsin lira Maltija (Lm50) .

Ċirkostanzi
aggravanti.

12. (1) Meta jsir reat f'wiehed jew iżjed mis-siti msemmija fis-subregolament li jmiss, min jagħmel ir-reat għandu, meta jinstab hati, jehel piena ta' mitt lira Maltija (Lm100) flimkien mal-multa stabbilita minhabba l-importanza storika u ambjentali tas-sit.

(2) Iċ-ċirkostanzi aggravanti msemmija fis-subregolament preċedenti jirrigwardaw reat: -

(a) fil-viċinanza immedjata ta' bini skedat li jkun dikjarat bhala tali mill-Awtorità, monument pubbliku, mużew, post ta' qima, sptar jew skola;

(b) fil-viċinanza immedjata ta' Sit ta' Wirt Dinji dikjarat bhala tali mill-UNESCO jew ta' zona ta' konservazzjoni urbana dikjarata bhala tali mill-Awtorità;

(ċ) fil-viċinanza immedjata ta' Riserva Naturali, Park Storiku, Park Nazzjonali, ġnien pubbliku, jew bandli;

(d) fil-viċinanza immedjata ta' bajja pubblika jew *promenade*; jew

(e) fil-viċinanza ta' kull sit, zona, post jew spazju miftuħ iehor kif il-Ministru jista' jistabilixxi minn żmien għal żmien.

Hruġ ta' tahrικiet lil min jagħmel ir-reat u proċedimenti skond it-termini tal-Artikolu 5.

13. Skond id-disposizzjonijiet ta' kull liġi ohra, u skond is-setgħat mogħtija mill-Ministru skond l-Att, kull ufficjal li huwa awtorizzat sabiex jaġixxi taħt dawn id-disposizzjonijiet u li fl-opinjoni tiegħu ikun twettaq reat kontra dawn ir-regolamenti, jista' jipproċedi kontra min jagħmel ir-reat, id-disposizzjonijiet ta' l-artikolu 5 tal-Att dwar il-Kummissarji tal-Ġustizzja, u dawk id-disposizzjonijiet japplikaw *mutatis mutandis* għal kull proċediment fir-rigward ta' reat li jigu mressqa taħt dawn ir-regolamenti.

Xogħolijiet ta' restawr u garanzija bankarja.

14. Sabiex jiġi aċċertat li t-triq tiġi restawrata kif suppost, is-sid għandu jiddepożita, qabel il-hruġ tal-Permess ta' l-Iżvilupp, għand l-Awtorità, garanzija bankarja favur l-Awtorità, li l-ammont taghha għandu jiġi determinat skond id-disposizzjonijiet tal-Iskeda V. L-ammont tal-Garanzija Bankarja għandu jkun jew:-

- a) għal Lm100, jew
- b) kalkolat fuq il-bażi tal-metodu spjegat fl-Iskeda V,

għand liema minnhom ikun l-oghla:

Iżda jekk is-sid jonqos milli jwettaq jew itemm ix-xoghlijiet ta' restawr f'tali perjodu kif l-Awtorità jista' jidhrilha li jkun xieraq meta jiġi ikkunsidrat il-livell ta' finalizazzjoni magħżul mis-sid, dawn ix-xoghlijiet jistgħu jiġu mitmuma mill-Awtorità jew mill-Gvern, jew minn aġent awtorizzat li jkun ġie debitament awtorizzat mill-Awtorità. Fuq ordni tal-Awtorità l-ispejjeż ta' dawk ix-xogholijiet, kif ċertifikati mill-perit ta' l-entità aggravata, għandhom jiġu koperti in parti jew fl-intier tagħhom mill-garanzija bankarja.

Iżda wkoll fil-każ illi jkun ġie provdut meter temporanju ta' l-ilma fis-sit, ir-rilaxx tal-Garanzija Bankarja jsir biss wara konferma bil-miktub li l- meter temporanju jkun tneħħa.

15. Skond l-artikolu, 19(4)(d) ta' l-Att dwar il-Harsien tal-Ambjent, u s-subartikli (3) u (5) tal-artikolu 10 ta' l-Att dwar il-Kummissarji tal-Gustizzja, l-Awtorità għandha tqiehed fil-Fond tal-Ambjent tletin fil-mija tal-flejjes li tirċievi minn kontravvenzjonijiet ta' dawn ir-Regolamenti, u dawk il-flejjes għandhom hekk jitpoġġew fi żmien xahar minn mindu tirċievi l-pagament tal-multi u penali mnissla minn dawk il-kontravvenzjonijiet. Minbarra dan, l-Awtorità għandha tghaddi ghoxrin fil-mija tal-flejjes kollha li tirċievi mill-kontravvenzjonijiet lill-Kumitat Kongunt li r-reat ikun sar taht il-ġurisdizzjoni tiegħu.

Kontribuzzjoni tal-MEPA lill-Fond tal-Ambjent u tqassim tal-multi.

16. M'għandu jinhareġ l-ebda ċertifikat ta' żvilupp dwar xi żvilupp jew parti minnu mill-Awtorità jekk ma jkunux thallsu l-multi kollha li jkunu dovuti minhabba xi reat kontra dawn ir-regolamenti.

Ċertifikat ta' żvilupp.

Minbarra dan, it-trasferiment tas-sid jew tal-manager tas-sit kif imfisser fir-regolamenti 9(6) u (7) ma jistax jiġi approvat mill-Awtorità sakemm ikun għadu pendenti l-hlas tal-multi dovuti.

Skeda I **Regolament 7**

Tnaqqis ta' Inkonvenjenza lill-Ġirien

Notifikazzjoni.

1. Tliet ġimghat qabel ma jibda kull xogħol ta' kostruzzjoni, li jkun se jidm aktar minn erba' ġimghat biex jitlesta, is-sid għandu jiżgura li mal-konfini tas-sit jehel bord ta' l-avviżi ta' qjies A2 kif speċifikat hawn aktar 'il quddiem. Fuqu għandhom jitwawhhu, u jkunu protetti mill-elementi naturali, in-numru tal-permess ta' l-iżvilupp, id-dettalji "tas-sid", "manager tas-sit" u "tal-Perit" inkarigati, kif ukoll tal-kuntrattur jew kuntratturi, inkluż in-numri tat-telefon tagħhom. Mudell ta' dan l-avviż tista' tinkiseb mill-Ministeru jew entità responsabbli, kif ukoll titniżżel mis-sit elettroniku tal-Ministeru jew l-entità responsabbli.

Id-dettalji fuq il-bord ta' l-avviżi għandhom ikunu jinqraw mil-livell tat-triq b'tipa ta' mhux anqas minn 100pt.

Dan il-bord ta' l-avviżi għandu jinżamm f'kundizzjoni tajba sakemm ma jitlestew ix-xogħolijiet kollha fuq s-sit jew sakemm jitqies li jkun adatt mill-Awtorità.

L-avviż għandu jinkludi wkoll: -

- a. id-data tal-bidu; u
- b. numru tat-telefon.

Jekk is-sit huwa akbar minn 1,000 metru kwadru, jew għandu faċċata ma' triq jew toroq ta' aktar minn 25 metru, din l-informazzjoni għandha tiġi murija fuq tabelli minn ta' l-inqas 1.5 metru b' 2.5 metru, u għandha tinkludi wkoll d-dati tat-tmiem ta' l-istadji prinċipali tal-proġett.

Din it-tabella għandha titwawhhal b'mod li ma tkunx ta' ostaklu jew ta' periklu għat-traffiku u l-pubbliku in ġenerali u għandha tiġi regolata minn permess li jkun japplika għaliha.

Aktar minn hekk, għandhom jinżammu fuq is-sit, kopja tal-permess ta' l-iżvilupp u t-tiġdid tiegħu, fejn dan japplika, flimkien ma' kopji tal-pjanti approvati kollha, u jkunu disponibbli għal spezzjoni w użu f'hinjiet raġonevoli mill-Uffiċjali ta' l-Infurzar.

Regolamenti tal-2007 dwar l-Immaniġġar Ambjentali tas-Siti tal-Kostruzzjoni

Mudell għall-Bord ta' l-avvizi / Billbord kif stipulat fi l-skeda I, Paragrafu I

TITLU TA' L-IZVILUPP			
NUMRU TAL-PERMESS		DATA TAL-BIDU TAL-KONSTRUZZJONI	
ISEM TAL-MANAGER TAS-SIT		NUMRU TELEFONIKU LI JKUN DISPONIBBLI GHAL 24 SIEGHA	
KUNTTRATTUR PRINCIPALI			
KUNTTRATTURI OHRAJN:	<i>Dahhal l-isem tal-kuntrattur 2</i>	<i>Dahhal l-isem tal-kuntrattur 3</i>	<i>Dahhal l-isem tal-kuntrattur 4</i>
PERIT/KUMPANJA TAL-PERITI <i>Indirizz u dettalji</i>	SID <i>Indirizz u dettalji</i>	OHSJA UFFIĈJAL TAS-SAHHA U S-SIGURTA' <i>Dettalji</i>	

F'każ ta' diffikultà kkontattaġa li Kunsill Lokali fuq in-numru:

Tqattiegħ ta' ġebel.

2. Jista' jsir it-tqattiegħ ta' ġebel u *bricks* fuq is-sit.

Iżda:-

- a. kull makkinarju u għodda mhux imniżżla fi Skeda XI għandha tkun mgħammra b'sistemi ta' estrazzjoni u rkupru ta' trab, biex tiżgura li t-trab ma jinfirix f'postijiet pubbliċi u proprjetà ta' terzi; flimkien ma' xi waħda mid-disposizzjonijiet fis-subparagrafi (b) jew (ċ) hawn aktar 'l isfel;
- b. kif jissaqqaf l-ewwel sular ta' l-istruttura, kull tqattiegħ ta' ġebel u *bricks* għandu jsir ġol-bini u l-aperturi esterni kollha għandhom jingħalqu b'materjal impermeabbli;
- c. it-tqattiegħ ta' ġebel u *bricks* għandu jsir ġewwa struttura temporanja li tinbena minn materjal impermeabbli fis-sit ta' kostruzzjoni.

Ġarr u depożitu ta' materjal tal-bini.

3. Materjal tal-bini sfuż bħal ramel, siment, laqx u xaħx għandu jiġi trasportat, depożitat u maħzun fis-sit ġo kontenituri riġidi b'għotjien adegwati jew kontenituri flessibbli imma sodi li jistgħu jingħalqu, liema materjal għandu jiflaħ l-piż tal-kontenut, dan biex jiżgura l-għeluq totali tal-materjal tal-bini f'kull hin u li għandu jinżamm magħluq meta ma jkunx qed jintuża.

Ostakolar ta' bankini.

4. Mingħajr preġudizzju għal kull liġi oħra, l-ebda materjal tal-bini, skart, makkinarju jew tagħmir m'għandu jithalla jostakola l-bankina jew t-traffiku fil-vicinanza tas-sit fejn ikun għaddej jew ikun tlesta x-xogħol. Depożitu ta' materjal tal-bini permezz ta' hatt jew tagħbija jew tqegħid ta' tagħmir fit-triq quddiem l-faċċati tas-sit għandu jkun awtorizzat mill-Kunsill Lokali responsabbli.

Periklu għal traffiku ta' vetturi.

5. Mingħajr preġudizzju għal kull liġi oħra flimkien ma' rekwiżiti oħra mnisla mir-Regolamenti ta' l-2004 dwar il-post tax-xogħol (Bżonnijiet Minimi tas-Saħħa u s-Sigurta' tax-xogħol f'siti ta' Kostruzzjoni), pubblikati b'Avviż Legali 281 ta' l-2004, meta jinholoq periklu għal traffiku ta' vetturi ġo triq pubblika b'xogħolijiet ġo jew assoċjati ma', sit ta' kostruzzjoni, għandha tkun provduta waħda minn dawn li ġejjin biex tidderiegi t-traffiku, li tkun adatta u approvata mill-Kunsill Lokali responsabbli u fejn applikabli mill-Awtorità ta' Malta dwar it-Trasport:

- a. wieħed jew aktar uffiċjali ta' l-infurzar;
- b. sinjali ta' twissija;
- c. barrikati;
- d. *lane control devices*; u/jew
- e. *flashing lights* jew *flares* impoġġija f'lok b'distanza adegwata mis-sit fejn jinsab il-periklu.

Meta ma jintlaħaqx ftehim bejn l-Kunsill Lokali rispettiv u l-Awtorità ta' Malta dwar it-Trasport, id-deċiżjoni ta' l-awtorità kompetenti għandha tipprevali.

Aktar minn hekk, huma biss permissibli, sinjali kif murija fir-Regolamenti dwar Sinjali tat-Traffiku u Marki tal-Karreġġati.

Miżuri għat-tindif tas-sit.

6. Għandhom jittieħdu faċilitajiet u miżuri adegwati biex jiżguraw li s-sit u l-madwar jinżammu ndaf:-

- a. kull skart jew mazkan għandu jinżamm go reċipjenti magħluqa ta' l-iskart fuq s-sit biex jiġi evitat li dawn jinfirxu barra mis-sit għal-go post pubbliku bir-riħ, xita jew xi movumenti oħra relatati mal-proċess tal-kostruzzjoni;
- b. m'għandu jithalla jsir l-ebda rimi jew nixxieġha ta' prodotti tat-tindif, żebgħa, żjut jew materjal ieħor li jniġġeż jew jipperikola siti pubbliċi, sistemi ta' drenaġġ jew il-baħar waqt attivitajiet ta' kostruzzjoni;
- c. ġbir jew knis immedjat ta' materjal li seta' waqa;
- d. knis, ħasil jew tneħħija bil-*vacuum* ta' trab mit-triq;
- e. *pits* fejn isir il-ħasil, postijiet li jzommu l-kimika, u miksters tal-konkos jew tjun għandhom jiġu lokalizzati l'boġħod minn sistemi ta' drenaġġ u kanali ta' l-ilma jew proprjetà ta' terzi; u
- f. qabel ma vetturi jinħarġu mis-sit ta' kostruzzjoni għal fuq art pubblika, dawn għandu jkollhom ir-roti maħsulini minn kull ħmieġ, trab jew xi materjal ieħor li jista' jingarr u jaqa' fuq art pubblika.

Kontroll tal-ġrieden.

7. Għandhom jittieħdu il-miżuri kollha neċessarji biex jinqerdu u sussegwentement jikkontrollaw il-ġrieden fis-siti ta' kostruzzjoni għas-sodisfazzjon ta' l-Awtorità kompetenti.

Għandhom jittieħdu il-miżuri minimi li ġejjin:

- a. prevenzjoni ta' rimi ta' drenaġġ u/jew l-imblokk tal-*main* tad-drenaġġ;
- b. sabiex ma jkunx hemm infestazzjoni ta' ġrieden, l-iskart organiku għandu jiġi mormi immedjatament; u
- c. għandhom jiġu installati nases jew jittieġhed velenu tal-ġrieden fis-sit u fl-imħażen, kif ukoll fit-tappieri, meta dan ikun japplika.

Skeda II

Regolament 6

Stekkat għal-bini għoli inqas minn 7 m.

1. Għal kull bini li ma jaqbiżx l-għoli ta' żewġ sulari u *semi-basement* mill-livell tat-triq, għandu jittella' stekkat maqtugh u indipendenti mill-kostruzzjoni nfisha, magħmul minn materjal riġidu u b'għoli ta' 3 metri. Dan l-istekkat għandu jiġi disinjat b'manjiera li jagħlaq s-sit u jipproteġi kull area adjaċenti minn ħruġ ta' trab u minn xi materjal ieħor li jista' jaqa' mis-sit.

Stekkat għal-bini għoli aktar minn 7 m.

2. Għal kull bini li se jkun aktar għoli minn tlett sulari mill-livell tat-triq, għandu jittella' stekkat magħmul minn materjal riġidu l-għoli kollu tal-bini. Fin-nuqqas ta' kodiċi ta' Prattika nazzjonali minn xi awtorità kompetenti, dan l-istekkat għandu jiġi disinjat b'manjiera li jkun jagħlaq is-sit u jipproteġi kull area adjaċenti minn ħruġ ta' trab u minn xi materjal ieħor li jista' jaqa' mis-sit, **izda għal bini għoli aktar minn 8 sulari, bhala alternattiva, l-istekkat għandu joghla sat-tmien sular u mid-disa' sular 'l fuq, l-**

aperturi kollha għandhom jingħalqu sabiex ma johroġx trab. Għal siti irtirati mit-triq, *semi-detached* jew *detached*, l-istekkat għandu jkun jagħlaq s-sit kollu.

Bhala minimu, l-istekkat għandu jogħla b'manjiera li jiġi żgurat li dan jestendi minn ta' l-inqas 1 **metru** 'l fuq mill-ogħla sular tal-kostruzzjoni, meta mkejjel fil-pjan vertikali tiegħu.

F'ċirkostanzi fejn tkun ser *issir attività* ta' twaqqiġ, l-istekkat għandu jinbena minn qabel tul il-bini kollu jew skond ma jidher adatt lill-awtorità kompetenti biex tiżgura li jkun hemm sigurtà għall-pubbliku u li jkun ta' l-inqas inkonvenjenza għall-ġirien.

L-istruttura għandha tkun ukoll provduta b'ammont adegwat ta' *interlocking waste chutes* li jwasslu skart tal-bini minn xi livell fl-istruttura għall-eqreb post viċin ir-reċipjenti ta' l-iskart, mingħajr ma tinholoq inkonvenjenza jew periklu għal xi persuna jew proprjetà ta' terzi.

Aktar minn hekk, ix-*chutes* għandhom:-

- a. jingħalqu jekk ikunu nklinati f'aktar minn angolu orizzontali ta' 45°; u
- b. jinżammu magħluqin jew mġottijin meta ma jkunux qegħdin jintuzaw.

- Stekkat.
3. L-istekkat għandu jinbena mill-injam jew qafas tal-metall u jitgħatta b'*mesh* jew materjal ieħor adegwat sabiex ma jinholoqx impatt visiv tax-xogħol li jkun għaddej fis-sit.
- Aktar minn hekk:
- kull stekkat għandu jimbarra hrug ta' trab u mazkal mis-sit ta' kostruzzjoni għall-ambjent tal-madwar;
 - l-istekkat għandu jiġi ddisenjat b'mod li jkun jiflaħ għal qawwa ta' riefnu (Forza 8 u aktar) b'xi rbit skond kif neċessarju sabiex jiġi evitat li dan jinqaleb, biex u jiżgura stabbiltà. Dan għandu wkoll ikun jiflaħ għal xi impatt estern, meta l-istekkat ikun madwar skavi;
 - stekkat u barrikati għandhom jinżammu f'kundizzjoni tajba sabiex dawn jissodisfaw l-għan tagħhom;
 - kull tip ta' xogħol ta' kostruzzjoni għandu jsir 'il ġewwa mill-istekkat; u
 - huwa permissibbli t-twaħħil ta' reklami ma' l-istekkat sakemm dan ikun jikkonforma mar-regolamenti u l-liġijiet li jirregolaw ir-reklami.
- Xoghlijiet li jestendu jew jaffettwaw il-perimetru ta' madwar s-sit ta' kostruzzjoni.
4. Meta xoghlijiet relatati mal-kostruzzjoni jestendu 'l barra, jew ikunu jaffettwaw il-perimetru ta' madwar s-sit ta' kostruzzjoni, m'għandu jibda l-ebda xogħol ta' kostruzzjoni, alterazzjonijiet jew twaqqiġh sakemm ma tinholoq mogħdija koperta skond id-disposizzjonijiet tar-Regolament 5 ta' din l-Iskeda, sabiex tipproteġi l-pubbliku, hlief meta:
- x-xogħol u l-makkinarju aċċillari jkun qed isir ġo post magħluq; u
 - x-xogħol ta' kostruzzjoni u l-makkinarju aċċillari jkun f'distanza ta' żewġ metri jew aktar 'il bogħod mill-passaġġ pubbliku li jintuza min-nies li jgħaddu bil-mixi.
- Mogħdijiet koperti.
5. Il-mogħdija koperta:
- għandu jkollha għoli ta' mhux inqas minn 2.2 metri;
 - għandu jkollha wisa' ta' mhux inqas minn 1.2 metri jew il-wisa' tal-passaġġ pubbliku, skond liema minnhom jkun l-inqas, imma li jkun biżżejjed u aċċessibli għal *pushchairs* u nies b' disabbiltà. Għandhom ukoll jiġu iffurmati rampi xierqa għal aċċess bil-*wheelchair*, fejn dan ikun japplika, u dan sabiex titranga d-differenza fil-livelli ta' telgħa mhux wieqfa aktar minn 8.5%;
 - għandha tinkludi sinjali adegwati u aċċettabli għall-Awtorità jew l-awtorità responsabbli, kif ukoll dwal li jipprovdu illuminazzjoni ekwivalenti tad-dwal tat-triq kemm għal-pubbliku kif ukoll għas-sewwieqa. Dawn id-dwal u sinjali għandhom jiġbdu l-attenzjoni tas-sewwieqa u jiddiriguhom madwar xi ostaklu filwaqt li jindikaw passaġġi alternattivi għall-pubbliku, kif ukoll jipprovdu dawl adegwat sabiex dawn ikunu jistgħu jgħaddu mill-passaġġ;
 - għandu jkollha art livellata u ma tiżloqx, skond *standards* nazzjonali;
 - għandha tkun mibnija u disinjata sabiex tiflaħ kull piż raġonevoli li jista' jkun hemm, iżda fl-ebda hin is-saqaf tagħha m'għandu jiflaħ inqas minn 2.4 kN kull metru kwadru;
 - għandu jkollha saqaf li jiflaħ għall-elementi naturali li jaqleb għal-ġewwa s-sit, jew jekk ikun ċatt, ikollu *splash board* ta' mhux inqas minn 200 millimetru għoli fuq in-naħa tat-triq;
 - għandha tkun totalment magħluqa min-naħa tas-sit u b'wiċċ lixx fuq in-naħa tal-passaġġ pubbliku;
 - għandha tkun mġhammra b'poggaman tal-metall jew injam 1 metru għoli min-naħa tat-triq fejn il-mogħdija koperta jkollha arbli fuq n-naħa tat-triq biex jilqgħu

lil min ikun għaddej minn go fiha;

- i. għandha tkun imdawwla bejn inżul u tluġh ix-xemx bi dwal li jipprovdu illuminazzjoni ekwivalenti għad-dwal tat-triq; u
- j. għanda tithalla hielsa minn kull materjal jew oġġetti oħra li jistgħu jostakolaw jew ifixklu l-aċċess liberu għall-pubbliku li jkun għaddej bil-mixi.

Barrikati.

6. Is-sid għandu jtella barrikati ta' l-injam jew metall sabiex jagħlqu u jevitaw aċċess mhux awtorizzat kif stipulat fis-subregolamenti li ġejjin:-

- 6.1 Il-barrikati għandhom jinbnew b'mod sod u b'għoli ta' mhux inqas minn 2 metri bejn is-sit u l-passaġġ pubbliku jew biex jimblokkaw kompletament il-partijiet miftuħa tas-sit ta' kostruzzjoni u dan sabiex jiproteġu l-pubbliku kif ukoll il-propjetà mobbli jew immobbli ta' terzi.
- 6.2 Il-barrikati għandu jkollhom wiċċ lixx fin-naħa li thares fuq il-passaġġ pubbliku u ma jkollhom l-ebda ftuħ, hliet dak meħtieġ għal aċċess awtorizzat.
- 6.3 Ftuħ għal aċċess fil-barrikati għandu jkun magħluq b'xatba li tinzamm magħluqa u msakkra meta ma jkun hemm hadd fis-sit, kif ukoll għandha tibqa fil-post sat-tmiem ta' l-attività ta' kostruzzjoni u għas-sodisfazzjon ta' l-Awtorità. Din ix-xatba għandha tkun maħduma b'mod li timblokka l-aċċess għal pubbliku, b'mod speċjali dak tat-tfal.
- 6.4 Kull xatba għal aċċess ta' makkinarju ta' kostruzzjoni fis-sit għandu jkollha dwal ta' twissija li jiġu mixgħula waqt id-dhul u l-ħruġ ta' dan l-makkinarju jew jkun hemm *banksmen* sabiex javżaw lis-sewwieqa jew lill-pubbliku bil-moġħdija ta' makkinarju.

Passaġġ mingħajr periklu quddiem s-sit.

7. Is-sid għandu jiżgura li jkun hemm passaġġ mingħajr periklu quddiem is-sit:
 - 7.1 Meta jkun hemm hteġa ta' ostruzzjoni tal-bankina waqt ix-xogħol ta' kostruzzjoni, li tkun approvata mill-Kunsill Lokali, għandha ssir bankina temporanja li fl'ebda hin m'għandha tkun ostakolata.

Skeda III Regolament 5

Tnaqqis ta' Tniġġis

Tnaqqis ta' sikkatura.

1. Il-ħin permissibli sabiex isir xogħol ta' kostruzzjoni li johloq hsejjes li jinstemgħu minn barra s-sit, għandu jsir kif ġej:

(a) Xogħol ta' kostruzzjoni m'għandux jibda qabel is-7.00 a.m. u għandu jieqaf fit-8.00 p.m.;

(b) Xogħlijiet li jiġġeneraw aktar minn 65dB, meta mkejla biswit is-sit, l-attività għandha tieqaf bejn is-2 p.m. u l-4 p.m.;

(c) Fil-perjodu ta' bejn il-15 ta' Ġunju u t-30 ta' Settembru, xogħol ta' twaqqiġ u skavar mhux permissibli f'żoni turistiċi, hekk kif stabbiliti minn żmien għal żmien mill-awtorità kompetenti tat-turiżmu;

(d) L-ebda xogħol ta' kostruzzjoni m'għandu jsir fil-Ħdud u l-Festi Pubbliċi;

(e) F'każ ta' emerġenza, xogħol ta' kostruzzjoni jista' jsir f'ħinijiet oħra għalkemm huwa obligatorju li l-Awtorità tkun informata fi żmien siegħa mill-ftuh ta' l-uffiċini tagħha.

(f) Kull devjazzjoni minn xi disposizzjoni tal-paragrafi 1(a), (b) (c), (d) u (e) ta' Skeda III teħtieġ l-approvazzjoni ta' l-Awtorità u jistgħu jiġu imposti kundizzjonijiet speċifiċi għal dan ix-xogħol. Devjazzjoni għal xogħol f'żoni turistiċi teħtieġ ukoll awtorizzazzjoni mill-awtorità kompetenti responsabbli għat-turiżmu.

(g) Il-kundizzjonijiet hawn qabel imsemmija ma japplikawx meta xogħol ta' kostruzzjoni jkun aktar minn 1 kilometru 'l bogħod mill-eqreb żoni abitabbli.

Emissjoni ta' trab.

2. L-ebda persuna m'għandha tibda xogħol ta' kostruzzjoni qabel ma jittieħdu l-mizuri li ġejjin sabiex jikkontrollaw l-emissjoni tat-trab: -

a. sabiex tiġi limitata l-emissjoni ta' trab, waqt il-kostruzzjoni għandu jiġi mferrex ilma u/jew stabilizzanti ta' trab kimiku jew xi teknika oħra li tikkontrolla l-ħruġ ta' trab mis-sit;

b. kuljum, qabel jitlaq minn fuq s-sit, is-sid għandu jiżgura li l-passaġġ pubbliku quddiem s-sit ta' kostruzzjoni jitnaddaf minn kull materjal li seta' waqa matul ix-xogħol;

c. kuljum, qabel jitlaq minn fuq s-sit, is-sid għandu jiżgura li jinkinsu jew jiġu mnaddfa bil-*vacuum* il-bankini, toroq u arei pubbliċi sa 10 metri l'bogħod minn kull naħa tas-sit ta' kostruzzjoni; u

d għandu jiġi evitat li tinqix ta' żeba', fdal minn xkatlar, grit u trab jiġi f'kuntatt ma' ilma tax-xita u fejn jingabar l-ilma.

Xkatlar.

3. Mingħajr preġudizzju għal kull liġi oħra, kull persuna li tkun se tixkatla, kemm jekk manwalment kemm b'xi makkinarju, għandha tiżgura li l-ħruġ ta' trab ikun kontrollat permezz ta' tagħmir b'sistemi ta' estrazzjoni u rkupru ta' trab, flimkien ma':

(a) għal arei fuq barra – il-parti fejn ikun ser isir ix-xogħol għandha tingħalaq kollha b'materjal li jimblokka l-ħruġ ta' trab jew xi bċejjeċ oħra fl-ambjent tal-madwar;

(b) għal arei fuq ġewwa – l-aperturi esterni kollha għandhom jingħalqu b'materjal impermeabbli qabel ma jibda ix-xogħol ta' xkatlar sabiex jimblokka l-ħruġ ta' trab.

Invjar tal-kantun.

4. Invjar tal-kantun mhux permess li jsir fis-sit.

Mizuri għat-tindif
tas-sit.

5. Għandhom jittieħdu faċilitajiet u miżuri adegwati sabiex ikun żgurat li s-sit u l-madwar jinżammu nodfa f'kull hin matul ix-xogħol ta' kostruzzjoni.

Skeda IV
Regolament 7(g)

Gwidi Tekniċi u Preparazzjoni tas-Sit

<p>Tnaqqis fil-livelli ta' hsejjes u vibrazzjonijiet.</p>	<p>1 Il-livell ta' hsejjes minn siti ta' kostruzzjoni għandhom:</p> <p>(a) jirrispettaw l-livelli hekk kif stabbiliti fir-Regolamenti ta' l-2006 dwar Bżonnijiet Minimi ta' Saħħa u Sigurta` għall-Protezzjoni tal-Haddiema minn Riskji li jinqalgħu minn Espożizzjoni għall-Hsejjes fuq il-Post tax-Xogħol (Avviż Legali 158 ta' l-2006) meta mkejla biswit is-sit b'metodi stabbiliti fl-istess regolamenti fir-rigward tal-livell ta' espożizzjoni għall-hoss matul il-ġimgħa u l-livell ta' espożizzjoni għall-hoss ta' kuljum. Kull qjies għandu jkun skond <i>standards</i> kif approvati mill-awtorità responsabbli għall-hruġ ta' tali <i>standards</i>. F'każ li <i>standard</i> approvat ma jkunx disponibbli, <i>standard</i> ekwivalenti għas-sodisfazzjon ta' l-awtorità kompetenti għandu japplika;</p> <p>(b) sabiex jitnaqqas l-livell ta' hsejjes u vibrazzjonijiet, kull tagħmir għandu jkun atrezzat b'sistema li tnaqqas l-hsejjes u l-<i>exhaust</i>;</p> <p>(c) għandhom jiġu evitati hsejjes żejda permezz ta' makkinarju storbjuż mixgħul għal xejn, għajat, radjijiet b'volum għoli jew irreżżar eċċessiv ta' magni.</p>
<p>Saħħa u iġjene.</p>	<p>2. Is-sid għandu jiżgura li l-provvedimenti għas-saħħa u iġjene li ġejjin jiġu milhuqa:-</p> <p>2.1 Tnehhija ta' skart</p> <p>It-tnehhija ta' l-iskart għandha ssir b'mod ta' rutina, malajr u b'mod effettiv, u għandu;</p> <p>a. jingarr b'mod li ma ssirx ħsara jew tixrid f'arej pubbliċi jew fi proprjetà ta' terzi;</p> <p>b. jingarr f'reċipjenti li jingħalqu jew fi skips miftuhin imma li jitgħattew b'kanvas jew xi materjal ieħor li ma jhallix trab jew skart jaqa' waqt il-ġarr tagħhom; u</p> <p>c. jiġi mġhoddi minn xaft magħluq jew <i>chute</i> b'mod li jkun jikkonforma mar-regolament 2 ta' Skeda II.</p> <p>Is-sid għandu jiżgura li kull skart jitneħħa kuljum mill-viċinanzi tas-sit sakemm il-Manager tas-Sit ma jipprovdi raġuni valida lill-Awtorità sabiex jiġġustifika estensjoni ta' dan iż-żmien.</p> <p>2.2 Materjal perikoluż</p> <p>Mingħajr preġudizzju għal kull disposizzjoni jew liġijiet oħra li jirregolaw materjal perikoluż, meta materjal perikoluż ikun użat fis-sit:</p> <p>a. għandhom jittiehdu l-miżuri kollha sabiex materjal perikoluż ikun maħżun u izolat biex ma ssir l-ebda kontaminazzjoni tas-sit jew tal-madwar, kanali ta' l-ilma tax-xorb u tax-xita, b'mod partikolari meta l-materjal perikoluż ikun jinħall fl-ilma jew isir volatili;</p> <p>c. meta jkun hemm materjal perikoluż maħżun fis-sit, għandha titwaħħal tabella li twissi li hemm materjal perikoluż fis-sit b'qjies A4 ma' ġenb l-bord ta' l-avviżi jew <i>billboard</i> msemmija fi Skeda I.</p> <p>2.3 Sors ta' Tniġġis minn Ilma tax-Xita</p> <p>Sabiex jiġi żgurat li s-sit ta' kostruzzjoni ma jkunx sors ta' tniġġis minhabba xi nixxieġha ta' materjal waqt ix-xogħolijiet, għandhom jittiehdu l-miżuri li ġejjin biex ma jinħolqux ċirkostanzi bħal:</p> <p>a. kontaminazzjoni fit-triq b'ċamura li toħroġ mis-sit;</p> <p>b. imblokk ta' drenagġi ta' l-ilma tax-xita pubbliċi jew privati, b'xi materjal li johorġu mis-</p>

	<p>sit;</p> <p>c. ħruġ ta' skart perikoluż jew materjal mhux perikoluż għal ġol-baħar;</p> <p>d. ħruġ ta' materjal perikoluż fuq art permeabbli; u</p> <p>e. kull forma oħra ta' tniġġis ikkawżata bi ħruġ ta' ilma tax-xita generat mis-sit ta' kostruzzjoni.</p> <p>Għaldaqstant is-sidien huma obbligati sabiex jiżguraw li s-sit ikun mghammar b'pompi u fosos li fihom jingabar u jkun ippumpjat l-ilma biex jiġi evitat kull ħruġ ta' ilma maħmuġ f'arej pubbliċi u privati.</p>
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Skeda V
Regolament 14

Għal finijiet tar-Regolament 14, il-garanzija bankarja għandha tkun maħduma kif ġej:

Għal xogħol ta' kostruzzjoni li jikkonsisti minn żjieda ta' sular jew aktar u li jkopri aktar minn 50% tal- <i>footprint</i> fuq il-bini eżistenti.	Tul tal-faċċata (metri) immultiplikat b'Lm 20.
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Għal xogħol ta' kostruzzjoni li jinkludi twaqqiġ u/jew skavar kif ukoll sulari addizzjonali.	(Tul tal-faċċata (metri) b'żjieda ta' għoxrin metru) immultiplikat b'Lm 20.
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Fil-bidu ta' kull sena kalendarja, l-valur ta' Lm 20 f'din l-Iskeda għandu jġi rivedut billi jġi mmultiplikat il-fattur ekwivalenti għall-Indiċi tal-Prezzijiet (għal Diċembru tas-sena preċedenti)/ Indiċi tal-Prezzijiet (Diċembru 2007).

Skeda VI
Regolament 1

01	Tip A għandu jirreferi għal	Kull xogħol ta' kostruzzjoni ta' bini daqs jew aktar mill-kriterji li ġejjin:- a. bini, li għandu jew ser ikollu kif jitlesta, <i>footprint</i> ta' aktar minn 1,000 metru kwadri; jew b. għoli ta' 13-il metru jew aktar meta mkejjel mill-aktar livell baxx tat-triq madwar x-xogħol ta' kostruzzjoni; jew c. siti ta' kostruzzjoni li għandhom skavi ta' aktar minn 4 metri.
02	Tip B għandu jirreferi għal	Kull xogħol ta' kostruzzjoni f'arej ta' attività għolja ta' żvilupp.
03	Tip C għandu jirreferi għal	Kull xogħol ta' kostruzzjoni li ma jaqax taħt Tipi A u B.
04	Eżenzjonijiet	Kull xogħol ta' kostruzzjoni:- a. li jinvolvi tqattigh ta' trinek mhux aktar minn 3 metri fondi bl-għan li jintużaw għal installazzjoni ta' infrastrutturi relatati ma' l-għoti ta' ilma tax-xorb, servizzi tad-drenagg, hrug għal ilma tax-xita, enerġija elettrika u telekomunikazzjoni: Izda x-xogħlijiet ta' trinek imsemmija hawn qabel jistgħu jsiru biss f'żoni turistiċi kif definiti mill-Ministeru responsabbli għat-turiżmu bejn il-15 ta' Ġunju u t-30 ta' Settembru, wara li jkunu ġew approvati mill-Ministeru responsabbli għat-turiżmu wara li ssir konsultazzjoni mar-rappreżentanti ta' l-istabbilimenti turistiċi fl-arej affettwati. b. li jsir f'żoni turistiċi li huma kompletament jew parzjalment eżentati minn dawn ir-Regolamenti mill-Ministeru responsabbli għat-turiżmu; u c. li jkunu ta' kategoriji oħra li minn żmien għal żmien jistgħu jiġu eżentati minn dawn ir-Regolamenti skond kif ikun stabbilit mill-Ministru taħt din l-Iskeda.

Skeda VII
Regolament 3

Ghall-fini ta' definizzjoni ta' arei b'attività gholja ta' zvilupp, skond ir-Regolament 3, il-lokalitajiet li ġejjin qed jiġu definiti bhala arei b'attività gholja ta' zvilupp, u dawn il-konfini jinsabu regolati bl-Att dwar il-Kunsilli Lokali.

1. Marsalforn fil-lokalità taż-Żebbug, Ghawdex
2. Wied il-Għajn
3. Mellieha
4. Sliema
5. San Ġiljan
6. San Pawl il-Baħar
7. Swieqi
8. Gzira
9. Belt Valletta

Skeda VIII
(Regolament 9 (6))



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**Formola għal meta jinbidel
is-sid/Site Manager
(b'referenza ghar-
Regolamenti dwar l-
immanigjar ta siti ta'
kostruzzjoni)**

Numru ta' l- Applikazzjoni għal PA	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
zvilupp(meta dan japplika)						
Deskrizzjoni ta' l-attività ta kostruzzjoni						
Indirizz tas-sit tal-Kostruzzjoni						

SID ORIGINALI	
Jien _____ niddikjara li mil-lum 'il quddiem ma għadnix is-sid ta' l-iżvilupp hawn qabel deskritt u neżonora ruħi mir-responsabbiltà ta' l-immanigjar tas-sit tal-kostruzzjoni, skond ir-Regolamenti dwar l-Immanigjar ta' siti ta' kostruzzjoni	
Firma _____ ID No. _____	Data _____
SITE MANAGER	
Għall-finijiet tar-Regolamenti 9 (1) qiegħed naħtar lil _____ bħala <i>Site Manager</i> .	
Firma Sid Originali _____	Data _____
Firma Site Manager _____	Data _____
Is-SID IL-ĠDID	
Jiena, hawn taft iffirmit, niddikjara li mil-lum 'il quddiem jien sirt is-sid il-ġdid tas-sit tal-Kostruzzjoni u qiegħed nerfa' r-responsabbiltajiet li jitolbu minni ir-Regolamenti dwar l-Immanigjar tas-Siti ta' Kostruzzjoni	
Firma Sid Gdid: _____ ID No. _____	Data _____

JEKK JOĠĦBOK AQRA IL-KLAWSOLA SEGWENTI QABEL MA TIFFIRMA

KLAWLSOLA DWAR IL-PROTEZZJONI TA' L-INFORMAZZJONI

Skond l-Att dwar il-Protezzjoni u l-Privatezza ta' l-Infommazzjoni, (Kap. 440), ser nipproċessaw kull informazzjoni personali u/jew informazzjoni sensittiva li tkun ġiet mgħoddija minn/f'din l-applikazzjoni, applikazzjoni ta' talba jew notifika minn/jew mogħtija minnek kemm verbalment kemm bil-miktub għal/jew tas-segweni :

1. L-iproċessar proprju ta' l-applikazzjoni tiegħek, talba u/jew notifika kif ipprezentata;
2. Li tipprevjeni, tifli u/jew tħarrek għal frodi u jew attivita' kriminali li l-Awtorita' hija marbuta li tirraporta u/jew taġixxi waqt li tilqa' kull obligazzjoni speċifika legali jew regolatorja;
3. Li tistabbilixxi, teżerċita jew tiddefendi kull azzjoni legali;
4. Il-maniġġar intern, riċerka u statistika u amministrazzjoni, l-iżvilupp u t-titjib tas-servizzi tagħna;
5. Il-protezzjoni u r-reklamar ta' l-interessi legittimi tagħna u l-imgieba tajba tad-dmijiet tagħna skond kull liġi jew strument statutorju; u
6. Biex l-informazzjoni ssir aċċessibbli għall-pubbliku kif speċifikat fil-liġi rilevanti u/jew skond regoli oħra.

L-informazzjoni neċessarja tkun tista' tiġi murija jew imferrxa kif ikun meħtieġ ma' l-impjegati kollha kif ukoll ma' terzi jekk tkun rilevanti għal kull skop kif elenkat hawn qabel.

Kull rekwiżit fil-formula hu mandatorju. Jekk ma timlix ir-rekwiżiti mandatorji, nirriżervaw id-dritt li nirrifjutaw l-applikazzjoni. Jekk xi rekwiżit ma jkunx japplika għaċ-ċirkostanzi partikolari ta' l-individwu, jekk joġġbok immarka dik il-kaxxa bl-ittri "N/A".

Inti għandek id-dritt li tkun trid li nipprovdulek aċċess għal informazzjoni personali kif ukoll id-dritt li tirranga, jew, f'ċirkostanzi xierqa, tħassar kull ineżattezza, informazzjoni personali mhux kompluta jew mhux rilevanti li tkun qegħda tiġi ipproċessata. Madankollu, inti trid tinforma immedjatament b'kull tibdil li għandu x'jaqsam ma' l-informazzjoni personali li nkunu qegħdin nipproċessaw.

Permezz tal-firma tiegħek, inti tkun qiegħed tagħti l-kunsens skond m'hemm fl-Att dwar il-Protezzjoni ta' l-Infommazzjoni fuqek innifsek u fuq persuni oħrajn kif speċifikat f'din il-formola lill-Awtorita' biex tiproċessa l-informazzjoni personali tiegħek kif miktub hawn qabel u taqbel li ġġib għall-attenzjoni ta' dawn il-persuni in-notifika dwar il-Protezzjoni ta' l-Infommazzjoni u ġġib il-kunsens tagħhom.

Aħna nwegħdu li nieħdu dawk il-mizuri u l-protezzjoni xierqa bil-għan li nipproteġu l-kunfidenzjalita', l-integrita' u d-disponibilita' ta' kull informazzjoni proċessata.

B 3794

Skeda XI
Skeda 1 Regolament 2

Band Saw

L.N. 295 of 2007

**DEVELOPMENT PLANNING ACT
(CAP. 356)**

**ENVIRONMENT PROTECTION ACT
(CAP. 435)**

Environmental Management Construction Site Regulations, 2007

BY VIRTUE of the powers conferred by article 60 of the Development Planning Act and article 9 of the Environment Protection Act, the Minister for Rural Affairs and the Environment, in concurrence with the Deputy Prime Minister and Minister for Justice and Home Affairs, has made the following regulations:-

PART I

Preliminary

1. (1) The title of these regulations is the Environmental Management Construction Site Regulations, 2007. Citation and commencement.

(2) These regulations shall come into force on such date or dates as the Minister responsible for the environment in concurrence with the Minister responsible for development may by notice in the Gazette appoint, and different dates may be so appointed for different purposes and types of construction as defined in Schedule VI and different provisions of this Act.

2. These regulations have the scope of limiting environmental degradation through appropriate construction management practices that cause the least nuisance to neighbours, minimising the risk of injury to the public, protecting the property belonging to the Government and Local Councils, and as much as possible reducing the harm to the environment. The provisions of these Regulations shall in no way be construed as having any bearing on the responsibilities related to construction sites emanating from other legislative instruments. Scope.

3. In these regulations, unless the context otherwise requires: - Interpretation.

“the Act” means the Development Planning Act or the Environment Protection Act as applicable;

“areas of high development intensity” means those localities which are listed in Schedule VII to these Regulations;

“the Authority” means the Malta Environment and Planning Authority or any other authority that may, from time to time, be designated as having responsibility for these Regulations;

Cap. 291.

“the Commissioner” means a Commissioner for Justice in terms of the Commissioners for Justice Act;

“construction” includes works, activities, events and practices for, or in connection with, the building, alteration, renovation, finishing, demolition, excavation or removal within any site or building within any type of construction works as defined in Schedule VI;

“construction site” means a site where construction is being carried out whether it is public or private land;

“contractor” means an individual, partnership, company, or any other legal entity who is engaged to perform any type of construction works or related services by an owner on a construction site;

“Court” includes a Local Tribunal established under the Commissioners for Justice Act;

“emergency” means an unexpected situation, or a sudden, unforeseen happening which requires immediate action to correct in order to protect lives and, or property and, or economic livelihood;

“footprint” means the space contained within the external walls of a building at ground floor level, including internal yards, shafts, terraces or courtyards totally enclosed or surrounded by the building, but excluding terraces, backyards, yards and pool decks not totally enclosed or surrounded by the building;

Cap. 363.

“Government” means both the Government of Malta and Local Councils established under the Local Councils Act;

“hazardous material” is any item or agent (biological, chemical, physical) which has the potential to cause harm to humans, animals or the environment either by itself or through interaction with other factors as defined in local legislation;

“hoarding” means a temporary structure enclosing a construction site during construction works, to restrict access and provide protection to the public;

“immediate vicinity” means the area within thirty metres from any site, and includes the footprint of the site in question, referred to in regulation 12 and where by way of irregular construction site management demeans the social, historic or environmental importance of the site or area referred to in that regulation;

“Joint Committee” has the same meaning as that in the Local Councils Act;

“Local Council” has the same meaning given in the Local Councils Act;

“locality” has the same meaning given in the Local Councils Act, and includes, for the purpose of these regulations, arterial and distributor roads and all other areas excluded from the competence of local councils under the same Act;

“the Minister” means the Minister responsible for the Environment or that Minister who may, from time to time, be designated as having responsibility for these Regulations;

“the Ministry” means the Ministry responsible for the Environment.

“nuisance” means any act, omission or thing which is visually offensive or causes smells or noise, or occasioning or likely to occasion injury, annoyance, offence, harm, danger, or damage of whatever nature, or which is or is likely to be injurious or dangerous to health or the environment or buildings;

“offender” means that person or legal entity to whom a citation has been issued;

“officer” means any person authorised by the Minister to issue charges related to these regulations and shall include:-

(a) a Police officer ; and

(b) an Enforcement Officer, Local Warden or any other person appointed by the Minister, or his delegated authority, to carry out the enforcement of these regulations as established under the Development Planning Act;

“owner” shall have the same meaning as that construed in the Development Planning Act;

“private property” includes any land, whether developed or otherwise, or any other permanent structure whose ownership is vested in a private person or entity;

“public property” includes any place to which the public has access;

“site manager” means a person carrying out the duty or duties derived from the provisions of these regulations. Such person shall be nominated by, and responsible on behalf of, the owner for ensuring the correct implementation of these Regulations.

The appointed site manager may be either of the following:

- (a) the owner himself;
- (b) the project supervisor as construed in the work place (Minimum Health and Safety Requirements for work and construction sites) Regulations, 2004;
- (c) a Perit as defined under the Periti Act; or
- (d) any other competent person;

L.N. 281 of 2004.

Cap. 390.

“stop notice” shall have the same meaning as that construed in the Development Planning Act;

“street” includes any road, alley, square, footpath, pavement, bridge, shore front, quay, or other place of public passage or access;

“tourism zone” shall refer to those areas defined by the competent authority responsible for tourism as tourism zones.

Applicability.

4. These regulations apply to any construction, water mining, or any other disturbances to the soil, including land clearing, scraping, ground excavation, land levelling, grading, cut and fill operations, and ancillary activities that include travel to the construction site, travel on access roads to and from the construction site and demolition activities.

PART II

General Conditions

Provision of temporary water and electricity meters.

5. For the purpose of enabling adherence to these regulations, the temporary provision of water meters may be provided, by a licensed operator of a public water distribution network, only to sites where the

owner has written confirmation from the Authority that the construction site is subject to a valid building permit.

PART III

Other Conditions

6. (1) The provisions of these regulations shall be applicable to all construction works which are not exempt in Schedule VI of these regulations and as may be brought into force by the Minister in part or in whole. Applicability.

(2) Where there is conflict between, these regulations and a construction management plan duly approved by MEPA and, or conditions set by MEPA in the development permit, the Construction Management Plan shall prevail.

7. Without prejudice to specific requirements set out in the Development Planning Act, any owner carrying out or commissioning construction works shall ensure that the work is carried out in a manner that causes the least nuisance by ensuring that the provisions included under Schedule I, II, III and IV to these regulations are adhered to. Least nuisance to neighbours.

8. All streets or other public property, within a distance of 10 metres from the site, that are damaged by operations relating to construction works shall be repaired or replaced by the owner to a condition that is at least as good as that found prior to construction and must be restored to their original condition with similar materials and in accordance with any other regulations. Such limit does not preclude any other obligation on the part of the owner to make good for any other damages that extent beyond the 10 meter distance and which are proven to be a direct consequence of that construction activity. Any obstructions shall be removed when the need for such obstruction is no longer required which shall include any temporary signage put up during construction work. Restoration.

9. (1) The owner shall have the obligation to appoint a 'Site Manager' who shall be responsible, on behalf of the owner, to ensure that the construction site and its construction activities are in conformity with all the provisions of these regulations. Obligation on owner and site manager.

(2) The owner shall submit to the Authority together with the Commencement Notice in the first instance and subsequently in writing for any change of Site Manager:-

(a) the name of the Site Manager;

(b) the Site Manager's Identity Card number; and,

(c) a declaration of acceptance duly signed by the Site Manager that he has undertaken to accept this role and that he has read and understood the provisions of these regulations.

(3) For the purposes of these regulations, the Site Manager shall not be entitled to assume any of the responsibilities associated with the profession of a perit as defined in the Periti Act, unless the appointed Site Manager is a perit.

(4) The Minister may, from time to time, make specific Regulations to create a Register of Site Managers, to stipulate their qualifications, Code of Conduct and programme of continuous development.

(5) In the absence of a nomination for the appointment of a site manager, the owner will *ipso facto* be deemed to be the site manager for the purpose of these Regulations.

(6) If the owner has changed because the construction site is sold, or for any other reason, when construction works are still to be carried out or are being carried out the original owner has the duty to inform the Authority by completing Notice Form - Change of Owner/Site Manager, in Schedule VIII, which form can be obtained from the Ministry or its designated entity or downloaded from the Ministry's website or that of its designated entity, and sending it by registered mail to the Authority or handing it in person to the Authority within one month of the transfer of ownership of the property. The same form should be duly signed by the new owner as a declaration of acceptance of his responsibilities as the new owner in terms of these regulations. Until such notice form is received by the Authority the original owner would be held responsible for any contravention to these regulations.

(7) If during the period of construction, the site manager changes for whatsoever reason, he shall be obliged to inform the Authority in writing. Until such notice is received by the Authority, he would still be assumed to be the nominated site manager for the construction site.

(8) The site manager shall be responsible, on behalf of the owner, for ensuring that any permits, certifications, authorisations or any such approvals required for any portion of the construction works as required by the provisions of these Regulations are in place and that

any temporary structures used to implement the provisions of these Regulations to be duly certified for their soundness.

PART IV

Enforcement

10. (1) Any person who contravenes any of the provisions contained in Schedules I and/or III and/or IV shall be guilty of an offence, and shall be liable, on conviction to a fine (*multa*) of not less than one hundred Maltese liri (Lm100) and not exceeding five hundred Maltese liri (Lm500). Penalties.

(2) Any person who contravenes any of the provisions contained in Schedule II shall be guilty of an offence, and shall be liable, on conviction, to a fine (*multa*) of not less than one thousand Maltese liri (Lm1000) but not exceeding five thousand Maltese liri (Lm5000) for the offence committed together with any fine under Regulation 10(1) of these Regulations.

(3) The issue of a citation in terms of Regulations 10(1) and 10(2) of these Regulations automatically are to be considered as an immediate instruction to cease such behaviour and to conform to the provisions of these Regulations. Should the offender fail to comply with these Regulations upon being issued with a citation, he shall be considered to be guilty of an aggravating circumstance and he shall be liable to a fine (*multa*) of not less than twenty-five Maltese liri (Lm25) and not more than fifty Maltese liri (Lm50), as the Commissioner may fix, for every day the default continues from the date of issue of the citation.

11. Without prejudice to the Act, or to any other law, any person who by any means whatsoever, hinders or obstructs any officer from the exercise of his powers and functions under these regulations or fails to comply with any reasonable requirement demanded of him by any such person as aforesaid or otherwise to assist him in the carrying out of his duties or furnishes such person with false information or neglects or refuses to give any information required for the purpose aforesaid, shall be liable, on conviction, to a fine (*multa*) of fifty Maltese liri (Lm50). Hindering or obstructing authorised officer.

12. (1) Where an offence is committed in one or more of the sites listed in the next sub-regulation, the offender shall, on conviction, be liable to an additional penalty of one hundred Maltese liri (Lm100). Aggravating circumstances.

to the established fine (*multa*) due to the historical and environment importance of the site.

(2) The aggravating circumstances referred to in the preceding sub-regulation relate to an offence in: -

(a) the immediate vicinity of a scheduled building as declared so by the Authority, public monument, museum, place of worship, hospital or school;

(b) the immediate vicinity of a World Heritage Site declared by UNESCO or an urban conservation area declared by the Authority;

(c) the immediate vicinity of a Natural Reserve, Heritage Park, National Park, public garden, or playing field;

(d) the immediate vicinity of a public beach or promenade;
or

(e) in the vicinity of any other site, area, place or open space which the Minister may establish from time to time.

Issuance of charges to offender and proceedings in terms of Article 5.

13. In accordance with the provisions of any other law, and in accordance with the powers conferred by the Minister in accordance with the Act, any officer authorised to act under these provisions and in whose opinion an offence has been committed under these regulations, may proceed against the offender in terms of article 5 of the Commissioners for Justice Act which provisions shall apply *mutatis mutandis* to any proceedings in respect of offences charged under these regulations.

Restoration works and bank guarantee.

14. For the purpose of ensuring that the street is properly restored, the owner shall deposit, prior to the issue of the Development Permit, at the Authority, a bank guarantee in favour of the Authority, the amount of which shall be determined according to the provisions of Schedule V. The amount of the Bank Guarantee shall be either:-

a) for Lm100, or

b) calculated on the basis of the method outlined in Schedule V,

whichever is the highest:

Provided that if the owner fails to carry out or complete the restoration works within such period as the Authority may deem suitable in consideration of the level of finishing being opted for by the owner, such works may be completed by the Authority or Government, or an appointed agent that has been duly authorised by the Authority. Upon order by the Authority the cost of such works, as certified by the aggrieved entity's architect (*perit*), shall be met in part or whole from the bank guarantee.

Provided further, in the case where a temporary water meter has been provided on site, the release of the Bank Guarantee shall be affected only following the written confirmation of the removal of the temporary meter.

15. In accordance with article 19(4)(d) of the Environment Protection Act, and subarticles (3) and (5) of article 10 of the Commissioners for Justice Act, the Authority shall place into the Environment Fund thirty percent of all the monies received from contraventions to these Regulations, and such monies shall be so placed within one month from receipt of payment of the fines and penalties derived from such contraventions. Moreover, the Authority shall forward twenty per cent of all the monies received from contraventions to the Joint Committee under whose jurisdiction the offence has occurred.

Contribution of MEPA to the Environment Fund and apportionment of fines.

16. No certificate of development on any development or part thereof may be issued by the Authority unless all fines as may be due by reason of offence against these regulations have been paid.

Certificate of development.

Moreover the transfer of owner or site manager as defined in regulation 9(6) and (7) may not be endorsed by the Authority pending the payment of outstanding fines.

Schedule I
Regulation 7

Reducing Nuisance to Neighbours

Notification. 1. Three weeks before any construction work commences which will take longer than four weeks to complete, the owner shall ensure that there shall be erected on the street boundary of the site a permanent A2 sized notice board, as specified below, on which shall be affixed, and suitably protected from the weather, the development permit number, the particulars of the "Owner", Site Manager" and "Perit" in charge and the contractor or contractors including their telephone numbers. A template of such notice can be obtained from the Ministry or its designated entity or downloaded from the Ministry's web site or that of its designated entity.

The details on the notice board must be legible from the road level with a minimum font size of 100 point.

Such notice board shall be maintained in good condition at all times until all works on site are completed or until such time as deemed appropriate by the Authority.

Such notice shall also include: -

- a. the start date; and
- b. a contact number.

Provided that if site is larger than 1000 square metres, or has a frontage bordering any road or roads in excess of 25 metres, such information shall be displayed on a billboard which must be at least 1.5 metres by 2.5 metres, and shall also include dates of completion of the principal stages of the project.

This billboard shall be placed in such a way that it does not obstruct or hinder the safety and easy flow of traffic pedestrians and general public and shall be governed by any permits applicable thereto.

Moreover a copy of the development permit and its renewal or renewals if any, together with copies of all plans and elevations as approved, shall be kept on site and the same shall at all reasonable times be available for inspection and use by the Enforcement Officers.

Environmental Management Construction Site Regulations

Template for Notice Board / Billboard as stipulated by Schedule I, Paragraph I

DEVELOPMENT TITLE			
PERMIT NUMBER		CONSTRUCTION COMMENCEMENT DATE	
NAME OF SITE MANAGER		24 HOUR CONTACT NUMBER	
LEAD CONTRACTOR			
OTHER CONTRACTORS:		<i>Insert name of contractor 2</i>	<i>Insert name of contractor 3</i>
PERIT/FIRM OF PERITI		OWNER	
<i>Address & Contact Details</i>		<i>Address & Contact Details</i>	
		OHSA Health & Safety Officer	
		<i>Contact Details</i>	
In case of difficulty kindly contact the Local Council on telephone number:			

Cutting of stone

2. Cutting of stones and bricks may be allowed on site.

Provided that:-

a. all machinery and tools not listed in Schedule XI shall be equipped with dust extraction and recovery systems, to ensure that dust is not dispersed onto public areas and third party property; in combination with either of the provisions of subparagraphs (b) or (c) below

b. upon roofing of the lowest floor of the structure, all mechanical cutting of stone and brick cutting shall take place within the building and all external apertures are to be boarded up with an impermeable material

c. stone and brick cutting is carried out in a temporary enclosed impermeable structure erected on the construction site.

Transportation
and deposit of
loose building
material

3. Screed sand and other loose building materials shall be transported, deposited and stored on site in rigid containers with suitable covers or flexible sturdy containers that can be appropriately sealed, which material can support the weight being contained, to permit the total enclosure of such materials at all times and which shall be kept sealed when not in use.

Obstructing
pavement

4. Without prejudice to any other law, no building material, waste, machinery or plant shall be allowed to obstruct the pavement or the smooth flow of traffic in the vicinity of the site on which works are in progress or complete. Depositing of building materials for loading or unloading purposes and placing of equipment in the street along the frontage of the site has to be authorised by the Local Council at the time responsible for such authorisation.

Hazards to
vehicular traffic

5. Without prejudice to any other law and in addition to the requirements emanating from the work place (Minimum Health and Safety Requirements for work at Construction Sites) Regulations, 2004 published by Legal Notice 281 of 2004, where a hazard to vehicular traffic on a public way is created by work on, or associated with, the site building works, one or more of the following shall be provided to direct the traffic as is considered appropriate and is approved by the respective Local Council, and where appropriate the Malta Transport Authority:

- a. one or more law enforcement officers;
- b. warning signs;
- c. barriers;
- d. lane control devices; and/or
- e. flashing lights or flares located at a suitable distance from the hazard.

When there is no agreement between the respective Local Council and the Malta Transport Authority the decision of the competent authority as defined by local legislation shall prevail.

Moreover only signs as indicated in the Traffic Signs and Carriage Way Markings Regulations are allowed.

Measures to clean
the site

6. Adequate facilities and measures shall be undertaken to ensure that the site and its immediate vicinity are kept clean-

- b. any trash or debris shall be contained on site and disposed of in closed waste receptacles to avoid wind, rain or any other movement related to the construction process from carrying it off site into any public area;
- c. the construction activity shall not create any discharge of cleaning agents, paints, oil, other pollutants or hazardous waste to public areas or into the sewerage system, or into the sea;
- d. the immediate mopping up of spills;
- e. street sweeping or washing or vacuuming; and
- f. concrete or mortar mixers wash out pits and chemical holding areas are to be located away from areas that drain to systems and waterways or third party property.

7. Prior to any vehicular movement from within the site to any public area, all wheeled plant shall be obliged to have their tyres washed of any material, dirt, grime or any other material that may be carried out into the public area and deposited thereon.

Rodent Control

8. All necessary requirements need to be undertaken for initial deratting and subsequent rodent control at construction sites to the satisfaction of the competent Authority

The following minimum measures are to be undertaken:

- a. preventing any discharge of sewage and, or, the closing off of any access to the main sewer;
- b. organic waste shall be disposed off immediately so as not to allow rodents to infest the site; and
- c. installation of rodent monitoring (bait/trap) stations at the site perimeter and storage locations. Subsurface (manhole) baiting may be necessary if utility systems are impacted.

Schedule II

(Regulation 6)

Hoardings for buildings less than 7 m in height

1. For any building not exceeding 2 floors and a semi basement in height from road level, it shall be mandatory to erect hoarding, made of suitable rigid material that is free-standing and independent of the building itself up to a height of 3 metres. Such hoarding shall be designed in a manner that conceals the site and protects adjacent areas from the egress of dust and from falling materials from within the site.

Hoardings for buildings more than 7 m in height

2. For any building that is to be constructed over 3 floors in height from road level, it shall be mandatory to erect hoarding, made of suitable rigid material up to the full height of the building, Such hoarding shall, in the absence of a nationally approved code of practice by the competent authority, be designed in a manner that entirely conceals the site and protects adjacent areas from the egress of dust and from falling materials from within the site, **provided that for tall buildings higher than 8 floors, as an alternative to hoarding to full height, the hoarding is to be provided up to the 8th floor and from the 9th floor upwards all windows and balcony door openings are to be boarded up to prevent the egress of dust.** For sites that are recessed from the road, semi-detached or detached, such hoarding is to enclose the whole of the site.

The hoarding shall, as a minimum, be erected in a manner that ensures that it extends to at least **one metre** above the highest floor level within the construction site as measured in the vertical plane.

In the instances where demolition activity is carried out the hoarding has to be erected upfront to the full height of the building or as appropriate to the competent authority to ensure public safety and the least inconvenience to the neighbours. Hoarded structures should also be provided with an adequate amount of interlocking waste chutes to deliver waste material from any level within the construction site to the closest possible level of destination of the waste receptacles without causing any inconvenience or hazard to any person or third party property

Moreover, a chute shall be:-

- a. closed if it is inclined more than 45 degrees with the horizontal; and
- b. be kept closed or covered at its entrance when not in use.

Hoardings

3. Hoarded structures shall be constructed in timber or metal frame and shall be covered with suitable mesh or material that precludes any visual impact of the internal on-goings within the site.

Moreover:

- a. all hoarding screens must form a barrier against the egress of dust and debris from the construction site to the surrounding environment;
- b. hoardings are to be designed to withstand up to gale wind loads (Force 8 and above) with any anchorage as necessary to prevent overturning and ensure stability. In addition hoardings adjoining excavations are to be designed to withstand any external impacts;
- c. hoardings and barricades must be in good condition to fulfil their purpose;
- d. all construction work must be contained within the hoarding; and
- e. advertisements on the hoardings are allowed subject to advertising laws and regulations.

Operations that extend beyond, or affect, the perimeter surrounding the construction site

4. Where construction work-related operations extend beyond, or affect, the perimeter surrounding the construction site, work shall not commence on the construction, alteration or demolition of a building until a covered way has been provided in accordance with the provisions of regulation 5 below to protect the public, except where ;
- a. the work and ancillary machinery is carried out within a solid enclosure; and
 - b. the construction works and their ancillary machinery are at a distance of two metres or more from a public way used by pedestrians.

Covered ways

5. A covered way shall:
- a. have a clear height of not less than 2.2 metres;
 - b. have a clear width of not less than 1.2 metres or the width of the public way whichever is the lesser, but sufficient to ensure accessibility for pushchairs and the disabled. Ramps, suitable for wheelchair access shall also be in place, where applicable, to bridge any difference in levels with a slope not steeper than 8.5%;
 - c. include appropriate signage acceptable to the Authority or its designated authority and lighting in a manner that provides an equivalent illumination as the prevalent street lighting, both for the attention of pedestrians and motorists. Such signage and lighting shall alert and direct motorists around any obstruction whilst indicating alternative entry and exist routes to pedestrians whilst providing sufficient lighting to enable them to navigate through the walkway;
 - d. have non-slip floors and an even surface in line with national standards;
 - e. be designed and constructed to support safely all loads that may reasonably be expected to be applied to it, but in no case less than 2.4 kN per metre squared on its roof;
 - f. have a weather-tight roof sloped towards the site, or if flat, be equipped with a splash board not less than 200 millimetres high on the road side;
 - g. be totally enclosed on the site side with an enclosure having a smooth surface facing the public way;
 - h. have a finished metal or timber hand rail 1 metre high on the road side where the covered way is supported by posts on the road side to support

pedestrians navigating through;

- i. be adequately lit between sunset and sunrise in a manner that provides an equivalent illumination as the prevalent street lighting; and
- j. be left free from any material or any other objects which will obstacle or hinder the free movement of pedestrians at all times.

Barricades

6. The owner shall erect a timber or metal barricades to block the way and prevent access to unauthorised persons as stipulated in the following sub regulations:-
 - 6.1 Barricades shall be strongly constructed and not less than 2 metres high and erected between the site and the public way or to isolate completely the open sides of a construction site so as to safeguard the public or third party moveable or immovable property
 - 6.2 Barricades shall have smooth surfaces facing the public way and shall be without openings except those required for authorised access.
 - 6.3 Access openings through barricades shall be blocked with gates which shall be kept closed and locked when the entry to the site is unattended and shall be maintained in place until completion of the construction activity to the satisfaction of the Authority. Such gates must be designed in such a manner that prohibits public access, especially children.
 - 6.4 Access gates into the site used by construction machinery should have warning lights lit up during entry and egress of such machinery or provision of banksmen to warn motorists or the general public during passage of construction equipment.

Safe Passage
past site

7. The owner shall ensure a safe passage past the site.
 - 7.1 Where the construction necessitates the obstruction of the pedestrian pavement, and this is approved by the Local Council, a temporary pedestrian pavement shall be provided and it shall be kept clear of obstruction at all times.

Schedule III
(Regulation 5)

Reducing Pollution

Nuisance
Abatement

1. The permissible hours of work for construction works where noise generated from that activity can be heard from outside the site boundary will be as follows:

(a) Construction shall not commence before 7.00 am and shall cease at 8.00 p.m.;

(b) Site activities generating more than 65dB measured immediately outside the site shall cease between 2pm and 4pm.

(c) During the period between 15th June and 30th September, demolition works or excavation shall not be allowed in tourism zones as may from time to time be defined by the competent authority for tourism.

(d) No construction work shall be carried out on Sundays and Public Holidays.

(e) In the case of emergencies construction works may take place at any other time whilst it shall be mandatory to inform the Authority during its first hour of subsequent business.

(f) Any deviations from the provisions of paragraphs 1(a), (b) (c), (d) and (e) of Schedule III shall require the approval by the Authority and may require the setting of specific conditions for such works. Deviations for works in tourism zones shall also require the clearance of the competent authority responsible for tourism.

(g) Where the clear distance from the nearest habitable space exceeds 1 kilometre, construction shall not be subject to any of the aforementioned constraints.

Dust Emissions

2. No person shall undertake any construction without utilizing the following dust control measures: -

a. application of water or pre-soaking and/or, chemical dust stabilizers or any other appropriate dust control technique, during construction in such a manner as to limit any generation of dust to within the site boundary;

b. prior to leaving the site the owner must on a daily basis remove any spillages resulting from the construction activity along or across a public way; and

c. prior to leaving the site, the owner must ensure that on a daily basis public sidewalks and public areas within 10 metres from either side of the extremities of the construction site including sidewalks and roads are swept or vacuumed; and

d. paint chips, sanding residue, grit and dust must be prevented from coming into contact with storm-water runoff and surface water bodies.

Sanding

3. Without prejudice to any other law, any person undertaking any sanding activity whether manual or mechanical shall ensure that dust emissions are controlled by equipping all mechanical equipment with dust extraction and recovery systems; in combination with

(a) for outdoor areas – all areas be totally covered around the whole working area with material that must form a barrier against the emission of dust or particulate matter into the environment;

(b) for indoor areas – all external apertures must be boarded with an impermeable material that must form a barrier against the escape of fugitive dust emissions outdoors prior to commencing any sanding operations.

Mechanical fair facing of stone

4. Mechanical fair facing of building stones is not permitted on site.

Measure to clean the site

5. Adequate facilities and measures shall be undertaken to ensure that the site and its immediate vicinity are kept clean at all times during construction.

Schedule IV
(Regulation 7(g))

Technical Guidelines and Site Preparation

<p>Minimisation of noise and vibration levels</p>	<p>1 The level of noise emitted from any construction site shall:</p> <p>(a) respect the levels as established by the Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to noise) Regulations, 2006 published by Legal Notice 158 of 2006, at any point measured immediately outside the site retaining the methodologies established by the said regulations in respect of weekly noise exposure level and daily noise exposure level. Any measurement shall follow prescribed standards as approved by the competent authority responsible for issuing such standards. Should a locally approved standard not be available, an equivalent standard to the satisfaction of the appropriate competent authority shall apply.</p> <p>(b) Moreover to minimise noise and vibration levels all equipment must have functional exhaust or muffler systems ;</p> <p>(c) Unnecessary noise, such as leaving noisy idle machinery operating, shouting, loud radios or excessive revving of engines shall be avoided.</p>
<p>Health and Hygiene</p>	<p>2. The owner must ensure that the following health and hygiene provisions are adhered to:-</p> <p>2.1 Removal of waste material</p> <p>The clearing away of waste material shall be carried out in a routine manner, quickly and effectively, and shall be;</p> <p>a. carried out in a manner that does not cause any damage or spillage to public areas or third party property;</p> <p>b. carried out using receptacles that are fully enclosed or using open skips which are securely covered with canvas or any other material which would not allow the dispersal of dust particles or the waste being handled and that does not permit any spillage thereof; and</p> <p>c. guided into an enclosed shaft or chute conforming with regulation 2 outlined in Schedule II.</p> <p>All waste material shall be removed from the immediate vicinity of the site by the owner and suitably disposed of daily unless the Site Manager can provide sufficient reasons to the Authority to justify an extension of this period.</p> <p>2.2 Hazardous material</p> <p>Notwithstanding any provisions governing any other law regulating hazardous material, where a hazardous material is utilised on site:</p> <p>a. measures are taken to properly store and isolate any hazardous material to prevent contamination of the site and surrounding sites, storm water and the potable water courses particularly with regards to hazardous wastes which are water soluble or may become airborne;</p> <p>c. where hazardous material is stored on site there shall be erected on the street boundary of the site, adjacent to the notice board or billboard defined in</p>

	<p>Schedule I paragraph 1, an A4 sized caution sign indicating the presence of hazardous waste on site.</p> <p>2.3 Point Source Pollution from Storm Water</p> <p>In order to ensure that the site under construction does not become a point source of pollution due to the surface run off it generates during construction, the following minimum prevention measures shall be undertaken accordingly in order to mitigate against circumstances such as the:</p> <ul style="list-style-type: none">a. contamination of road surfaces with particulate matter that is washed out from within the site;b. clogging of any public or private storm water drains with suspended solids washed out from within the site;c. wash out of hazardous waste and non-hazardous material to the marine environment;d. wash out of hazardous waste onto permeable land; ande. any other form of pollution caused from the storm water run off generated from the construction site. <p>Owners are therefore obliged to ensure that the site is equipped with the necessary collection sumps and pumps that enable any water discharged within the site to be collected and pumped there, avoiding the spillage of such waste water onto public or private areas.</p>
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Schedule V*(Regulation 14)*

For the purposes of Regulation 14, the bank guarantee shall be computed as follows:

For construction works consisting of the addition of one or more floors covering more than 50% of the building footprint on existing developments	Length of frontage (meters) multiplied by Lm 20
For construction works involving demolition and/or excavation works and additional floors	(length of frontage in metres plus twenty meters) multiplied by Lm 20

At the start of each calendar year, the value of Lm 20 in this Schedule shall be revised by multiplying by a factor equivalent to $RPI(\text{for December of the preceding year})/RPI(\text{December 2007})$

Schedule VI
(Regulation 1)

01	Type A shall refer to	<p>All construction works for buildings that equal or exceed any one of the following criteria:-</p> <ul style="list-style-type: none"> a. a built-up footprint which is or will be upon construction more than 1,000 sq. m.; or b. a height of 13 metres or more measured from the lowest point of the street level bordering the construction works; or c. construction sites having excavations deeper than 4 metres.
02	Type B shall refer to	All other construction works in areas of high development intensity.
03	Type C shall refer to	All other construction works not included in Types A and B.
04	Exemptions	<p>All construction works:-</p> <ul style="list-style-type: none"> a. carried that involve the trenching of ducts not exceeding 3 metres in depth and which are to be used for the purpose of installation of infrastructure related to the provision of potable water, sewerage services, storm water discharges, electrical energy and telecommunications: <ul style="list-style-type: none"> Provided that the above mentioned trenching works could only be carried out in designated tourism zones as defined by the Ministry responsible for tourism during the period 15th June to the 30th September upon approval by the Ministry responsible for Tourism following consultation with representatives of tourism establishments in the affected area. b. carried out in tourism zones which are granted an exemption from all or part of these Regulations by the Ministry responsible for Tourism; and c. falling under any other categories that may be from time to time established by the Minister under this Schedule are exempted from these Regulations.

Schedule VII

(Regulation 3)

In terms of the definition of areas of high development intensity, as per Regulation 3, the following localities are being designated as areas of high development intensity, the boundaries of which are those that may prevail, from time to time, in the Local Councils Act.

1. Marsalforn within the locality of Zebbug Gozo
2. Marsascala
3. Mellieha
4. Sliema
5. St. Julians
6. St. Paul's Bay
7. Swieqi
8. Gzira
9. Valletta

Schedule VIII

Regulation 9 (6)



Malta Environment & Planning Authority,
P.O. Box 200, Valletta, CMR01, Malta.
Telephone: (+356) 22 900000 /
Fax: (+356) 21 224846
e.mail: enquiries@mepa.org.mt / www.mepa.org.mt

**Change of owner/Site
Manager in accordance with
the Environment Construction
Site Management Regulations**

Development Application number (where applicable)	PA	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>							
Description of works									
Address of site									

Original Owner

I _____ declare that as from today onwards, am not the owner of the site indicated above and exonerate my self from any responsibility regarding the management of this construction site, and according to the Environmental Management Construction Site Regulations.

Signature _____ Date _____
ID No. _____

Site Manager

For the purpose of Regulations 9 (1) I am appointing _____ as Site Manager

Signature of original Owner _____ | Date _____ |
Signature of Site Manager _____ Date _____

New Owner

I the undersigned, declare that as from today onwards am the new owner of the construction site and am assuming responsibility as requested by the Environmental Management Construction Site Regulations.

Signature of new Owner: _____ Date _____ |
ID No. _____

PLEASE READ THE FOLLOWING CLAUSE BEFORE SIGNING

Data Protection CLAUSE

In terms of the Data Protection Act, Cap. 440, we will process any personal and/ or sensitive data supplied on/ in this application, request or notification form or subsequently supplied by yourself, whether orally or in writing, for all or any of the following:

1. The proper processing of your application, request and/or notice as submitted;
2. Preventing, detecting and/or prosecuting fraud and any other criminal activity which the Authority is bound to report and/or act upon whilst meeting any other specific legal or regulatory obligations;
3. Establishing, exercising or defending any legal action;
4. Internal management, research and statistics, systems administration, the development and improvement of our services;
5. The protection and promotion of our legitimate interests and the proper conduct of our obligations arising under any law or statutory instrument; and
6. To make public the necessary information as specified in the relevant law and/or instrument.

Relevant data will be disclosed or shared as appropriate with all our employees and with other third parties if pertinent to any of the purposes listed above.

Every field on the form is mandatory. Should you fail to fill in any mandatory field, we reserve the right to refuse the application. Should any field be inapplicable to your particular circumstances please mark that field with the letters "N/A".

You have the right to require that we provide you with access to your personal data as well as the right to rectify, or, in appropriate circumstances, erase any inaccurate, incomplete or immaterial personal data which is being processed. However, you are required to inform us immediately of any alterations relating to your personal data which we are processing.

By signing this form, you confirm that you are giving your explicit consent, in terms of the Data Protection Act, on behalf of yourself and all the other persons specified in this form for the Authority to process your respective personal information as outlined above and you confirm that you have brought this Data Protection notice to the attention of these other persons and obtained their respective consents.

We undertake to implement appropriate measures and safeguards for the purpose of protecting the confidentiality, integrity and availability of all data processed.

B 3820

Schedule XI
(Schedule 1 Regulation 2)

Band Saw