

## **GLOSSARY: CONSTRUCTION INDUSTRY LICENSING REGULATIONS**

For the purpose of S.L. 623.09 (Construction Industry Licensing Regulations), the following definitions shall apply.

1. *Act*: The Building and Construction Authority Act (CAP 623).
2. *Applicant*: An entity or a natural person who submits an application to obtain a license in accordance with these regulations.
3. *Authority*: The Building and Construction Authority as established by the Act.
4. *Board*: The Building and Construction Authority Board as established by the Act.
5. *Certified Equipment*: The heavy or mobile construction plant and equipment which is certified by a warranted engineer, that it can be operated in accordance with its specifications.
6. *Chief Executive Officer*: The Chief Executive Officer of the Authority as established by the Act.
7. *Committee*: The Construction Industry Licensing Committee established in Part II.
8. *Competent person*: The same as the meaning assigned to it in the Act.
9. *Construction*: The same as the meaning assigned to it in the Act.
10. *Contractor*: The same as the meaning assigned to it in the Act.
11. *Criteria Thresholds*: The specific technical requirements which applicants must satisfy and, or possess in order to obtain a licence as specified in Part III.
12. *Demolition*: The same meaning as assigned to it in the Act.
13. *Entity*: A registered company recognised by the Laws of Malta or of another Member State or Third Country and includes any other body or association of persons with a separate and distinct legal personality.

- 14. *European Union*:** The same meaning as assigned to it in the European Union Act.
- 15. *Excavation*:** The same as the meaning assigned to it in the Act.
- 16. *Licence*:** A licence by means of which a person may exercise, in Malta, any of the service activities listed in Schedule I to which the licence relates.
- 17. *Licensed Administrator*:** The competent person engaged by the entity or as a director of the entity, who on its behalf administers the licence issued by the Authority.
- 18. *Licensed Contractor*:** The person or entity who holds a valid licence issued under these regulations; and the term "licensed contractor" for the purpose of these regulations shall also include sub-contractors.
- 19. *Licensee*:** The same as the meaning "licensed contractor".
- 20. *Mason's Licence*:** A licence issued for the exercise of masonry works as established by the Code of Police Laws (CAP 10) or other legislation.
- 21. *Member State*:** A state which is a member of the European Union.
- 22. *Minister*:** The Minister responsible for the construction industry.
- 23. *Minor works*:** Construction works which may be either excavation, demolishing or building activity which in their nature do not constitute major excavation, demolition or building works, but are considered as incidental work in relation to any of the service activity listed in Schedule I. Minor works include minor alterations of building, such as opening or closure of apertures and removing or building of walls, and does not involve demolition or construction of structures or buildings, including the removal or construction of roofs. Minor works shall also include excavations in relation to the laying of foundations and pipe works, or lift pits, or trimming works which may only be carried out with handheld equipment, and does not include excavation works in relation to the construction of reservoirs, pools, or basements, or works related to clearance or trimming of land. This shall

also include any other works which the Board may from time to time determine by notice in the Gazette.

- 24. *Perit*:** The same meaning assigned to it in the Periti Act (CAP 622).
- 25. *Project*:** Any development project which a person has been engaged to undertake.
- 26. *Provisional Clearance*:** A clearance issued by the Authority with respect to applications for licence submitted from the 1st November 2023 until the 31st May 2024, which clearance shall temporarily authorise the applicant to exercise any of the service activities in respect of which the application relates pending the determination of the application.
- 27. *Register*:** The same meaning assigned to it in the Act, and shall be in the form of depository of the information containing the details of the licence and licensee as prescribed into these regulations.
- 28. *Service activity*:** Any activity performed by a licensed contractor listed in Schedule I.
- 29. *Third Country*:** A country which is not a Member State of the European Union.
- 30. *Tribunal*:** The Building and Construction Tribunal established by Part VIII of the Act.