Verzjoni Elettronika

L.N. 410 of 2021

BUILDING AND CONSTRUCTION AUTHORITY ACT (CAP. 623)

Building Regulation Act (Repeal and Applicability) Regulations, 2021

IN EXERCISE of the powers conferred by article 48 of the Building and Construction Authority Act, the Minister responsible for the Environment, Climate Change and Planning has made the following regulations with regard to the repeal and applicability of the provisions of the Building Regulation Act, Cap. 513:-

Citation.

1. The title of these regulations is the Building Regulation Act (Repeal and Applicability) Regulations, 2021.

Date of repeal of articles of, and Schedule to, the Building Regulation Act. Cap. 513.

2. The 29th October 2021 has been established as the date when the provisions of articles 4, 5, 6, 11, 18(3), 19, 21, 26, 28 and 29 of, and the Schedule to, the Building Regulation Act shall be repealed.

Applicability of articles 3, 12, 13 and 20 of the Building Regulation Act. Cap. 513.

3. The provisions of articles 3, 12, 13, and 20 of the Building Regulation Act shall remain in force and be applicable:

(a) to all pending appeals currently before the Building Regulation Board or the Committee of Appeals; and

(b) to any other appeal which may be submitted from all decisions of the Building Regulation Office given up to and including the 28th of October 2021; and

(c) to any other appeals currently before the Court of Appeal (Inferior Jurisdiction) and any appeals which may be submitted from all decisions of the Building Regulation Board or the Committee of Appeals given up to and including the 28th of October 2021.

Applicability of other articles of the Building Regulation Act. Cap. 513.

4. The provisions of articles 7, 8, 9 and 10 of the Building Regulation Act shall remain in force and be applicable in so far as it relates to requests by applicants for applications for case dispensation or relaxation submitted to the Building Regulation Board and which have not been determined by the 28th of October 2021.

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Applicability of other articles of the Building Regulation Act. Cap. 513.

5. The provisions of articles 14, 15, 16, 17, 18(1) and 18(2), 20, 22, 27 and of the Building Regulation Act shall remain in force and be applicable in so far as they relate to:

(a) current pending proceedings and litigation; and

(b) proceedings and litigation from all decisions of the Building Regulation Office given, up to and including the 28th of October 2021,

before the Building Regulation Board or the Committee of Appeals, or before any other Court, Tribunal, arbitration and other adjudicating authority.

Applicability of other articles of the Building Regulation Act. Cap. 513.

6. The provisions of articles 20, 23, 24 and 25 of the Building Regulation Act shall remain in force and be applicable in so far as they relate to:

(a) current proceedings before the Court of Magistrates (Malta) or the Court of Magistrates (Gozo) or the Court of Criminal Appeal in relation to the Building Regulation Act; and

(b) proceedings instituted for offences carried out by the 28th of October 2021 in breach of the Building Regulation Act.

Further dates for the repeal of the remaining provisions of the Building Regulation Act. Cap. 513.

7. The Minister responsible for the construction industry may establish further dates with regard to the repeal of the remaining provisions of the Building Regulation Act.

Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — ***Published by the Department of Information (doi.gov.mt) — Valletta***
Mitbugħ fl-Istamperija tal-Gvern fuq karta riċiklata — ***Printed at the Government Printing Press on recycled paper***

Prezz/*Price*
€0.18