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L.N. 372 of 2022

PERITI ACT
(CAP. 622)

Mutual Recognition of Qualifications of Periti Regulations, 2022

IN EXERCISE of the powers conferred by article 28 of the Periti Act, the Minister responsible for works, in agreement with the Kamra tal-Periti, has made the following regulations:-

Citation and scope.

1. (1) The title of these regulations is the Mutual Recognition of Qualifications of Periti Regulations, 2022.

(2) (2) The scope of these regulations is to transpose Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications and Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

Interpretation.

2. In these regulations, unless the context otherwise requires -

Cap. 622.

"Act" means the Periti Act.

Recognition of formal qualifications acquired in specific countries.

3. (1) In addition to nationals of Member States who qualify for recognition in accordance with article 5(3) of the Periti Act, the Board shall recognise those diplomas, certificates and other evidence of formal qualifications in the field of architecture in the case of nationals of Member States whose diplomas, certificates and other evidence of formal qualifications in the field of architecture were granted by, or whose training started in the former Czechoslovakia, Soviet Union or Yugoslavia and this only in accordance with the requisites of sub-article (2).

(2) Sub-regulation (1) applies only to the following countries and on condition that they attest that those qualifications, on their territory, are deemed to be equivalent to the national qualifications in architecture listed in Annex VI of Directive 2005/36/EU;

(a) the authorities of the Czech Republic in the case of education or training in the former Czechoslovakia before 1 January 1993;

(b) the authorities of Estonia in the case of education or training in the former Soviet Union before 20 August 1991;

(c) the authorities of Latvia in the case of education or

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training in the former Soviet Union before 21st August 1991;

(d) the authorities of Lithuania in the case of education or training in the former Soviet Union before 11 March 1990;

(e) the authorities of Slovakia in the case of education or training in the former Czechoslovakia before 1 January 1993;

(f) the authorities of Slovenia in the case of education or training in Yugoslavia before 25 June 1991;

(g) the authorities of Croatia in the case of education or training in Yugoslavia before 8 October 1991.

(3) In terms of sub-regulation (1), the Board shall only recognise the education or training acquired on the dates specified in sub-regulation (2).

(4) The attestation in sub-regulation (2) shall be accompanied by a certificate issued by the same authorities therein indicated stating that those Member State nationals have effectively and lawfully been engaged in activities in the field of architecture in the authorities' territory for at least three (3) consecutive years during the five (5) years prior to the date of issue of the certificate.

(5) The Board shall recognise the following evidence as demonstrating eligibility for a candidate to be included in the list of Perit Arkitett:

- evidence of the successful completion of training existing as of 5 August 1985 and commenced not later than 17th January 2014, provided by 'Fachhochschulen' in the Federal Republic of Germany over a period of three (3) years, satisfying the requirements set out in Article 46(2) of Directive 2005/36/EC and granting access to the activities referred to in Article 48 of Directive 2005/36/EC in that Member State under the professional title of Architect, in so far as the training was followed by a four (4) year period of professional experience in the Federal Republic of Germany, as attested by a certificate issued by the designated authority in whose register the name of the architect intending to benefit from the provisions of Directive 2005/36/EC appears.

Transitory provision. S.L. 390.05. Cap. 390.

4. (1) The Mutual Recognition of Qualifications of Perit Regulations made under the Periti Act shall continue to apply as in force before the coming into force of these regulations, until revoked or amended, to any pending matter or procedure in accordance with the provisions of the Periti Act.

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(2) Any warrant granted before the coming into force of the Act shall, notwithstanding anything contained in the Act, remain in force after the coming into force of the Act and shall be deemed to have been granted under the Act and shall be governed by the provisions of the 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*
€0.27