



## FAQs

### Construction Industry Licensing Regulations

#### **Why did the necessity for a Contractors' licence within the construction industry arise?**

The Contractor's licence will be regulating anyone carrying out demolition, excavation and building works. It aims to ensure better skills of the contractors and their workers within the sector.

#### **What type of construction activities are covered by the contractors' licence within the construction industry?**

This is the first phase to introduce the contractors' licence. The three categories encompass demolition, excavation (including piling) and building.

#### **Who needs a contractors' licence in the Maltese construction sector?**

All individuals and companies who already operate in the construction industry, those who intend to commence their operations in this industry and every individual and company from UE member states and third world countries that are going to carry out construction work in Malta must have the contractors' licence. This addresses all those working in demolition, excavation and building.

#### **Can I apply for more than one licence?**

Yes. Individuals/companies can have a licence for each category: demolition, excavation and building.

#### **When will the applications for the Contractors' Licence within the construction industry open?**

All those who work in the sectors of demolition, excavation and building can start applying from 1<sup>st</sup> June 2023. Only those contractors who would have applied with the Building and Construction Authority (BCA) until the end of October 2023 will be able to continue their operations from 1<sup>st</sup> November 2023 onwards. During this period contractors will be issued with a provisional clearance or a licence depending on the case.

#### **Which Authority shall be responsible for the issuing of these licences?**

The Contractors' Licencing Committee within the Building and Construction Authority will be evaluating the applications and issuing the licences.

**What documents need to be submitted in order to acquire the Contractors' Licence?**

Apart from basic individual information, it shall be mandatory to provide an insurance policy covering the services carried out on construction sites. Moreover contractors who have employees within their company must also submit the employers' liability insurance policy.

**What are the rights and obligations associated with the contractors' licence within the construction industry?**

Anyone in possession of the contractor's licence may operate in demolition, excavation and building. The obligations emanate from the from the Legal Notice regulating these licences. It is imperative that such obligations are observed.

**What is the validity period of the contractors' licence within the construction industry?**

The validity period is three years.

**Can foreign companies/individuals apply for the contractors' licence within the construction industry in Malta?**

Companies/individuals in possession of a licence or registered with a competent authority within their Member State or third country can apply. The committee reserves the right to enquire about the applicant from the relevant competent authority.

**Will there be training or the need for educational skills to obtain the contractor's licence within the construction industry?**

With regards the building sector there is the obligation to possess a mason's licence as well as other qualifications listed in the legal notice. Whereas for the demolition and excavation sector other criteria will apply.

**What are the consequences when operating without a contractors' licence within the construction industry in Malta?**

Nobody can operate without a licence. Enforcement procedures and various penalties will apply according to the law.

**Can the contractors' licence be transferred to another individual or company?**

No, however a licenced individual or company can ask for its cancellation.

**Is there the need to renew the licence?**

Yes, once the validity period expires, the licence can be renewed.

**Are there any exceptions that are taken into consideration when applying for the contractors' licence within the construction industry?**

All contractors already in operation within the construction industry will be able to continue operating during the first year from the introduction of the contractors' licence. However, they must register and apply for the licence with the Authority. Until the necessary criteria is met, they will be able to continue with their operations. During this period any contractor who does not abide to the regulations can still be suspended or stopped from working.

**How can an appeal against a decision regarding the application for the contractors licence within the construction industry be made?**

There is going to be the possibility for applicants to appeal with the Building and Construction Tribunal against decisions whereby it is believed that there was unjust treatment or disagreement with the conditions of the licence or refusal to issue the licence. The appeal must be submitted within 20 days from the decision of the Authority as stated by the law.

