

## Information provided according to Article 17 of the Freedom of Information Act



| Public Authority  | <b>Building &amp; Construction Authority</b>   |
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| Description of the department/directorate/entity's structure  | <p>The Building and Construction Act of 2021 established the Building and Construction Authority (BCA).</p> <p>The BCA is responsible for safeguarding third parties and safe working practices by ensuring that fundamental parts of a building's life cycle are developed successfully and adhere to present regulations in a controlled environment. The BCA is also in charge of spearheading the development of a construction ecosystem and promoting good governance, as well as establishing regulations and tailored practices to support networking platforms that promote compliant and sustainable structures.</p> <p>The Building and Construction Authority Board is responsible for carrying out all tasks allocated to the Authority, either directly or through the Act, as well as any functions that may be required for the better execution of the Act's obligations. The Board is made up of the following individuals: a Chairperson; a duly warranted architect; a duly warranted lawyer; a duly warranted engineer; and seven independent individuals chosen from among people of recognized integrity and with expertise and experience in the relevant sector.</p> <p>The Building Construction Tribunal, an independent and impartial tribunal, is responsible to hear and decide on appeals brought by a person aggrieved on issues of law or fact on any order, judgment, or decision of the Authority. The Tribunal shall not be controlled or directed by any other person or authority.</p> |
| Description of the department/directorate/entity's functions and responsibilities                                       | <p>The Authority was established by virtue of Act XIV of 2021 of the Laws of Malta, to regulate and monitor the building and construction industry, to make provisions for the planning, management and control of the sector and for the establishment of an authority with powers relative to building and construction and for matters related therewith or ancillary thereto.</p>  |
| General description of the categories of documents the department/directorate/entity holds (including exempt documents) | <ul style="list-style-type: none"> <li>• Paper/Electronic correspondence relating to 3rd Party Issues</li> <li>• Paper/Electronic correspondence relating to Energy Performance of Buildings</li> <li>• Administrative and Official files</li> <li>• Legislation concerning the Building &amp; Construction Authority</li> <li>• Parliamentary Questions and pertinent replies concerning the Building &amp; Construction Authority</li> <li>• Enforcement Orders/Notices</li> <li>• Personal files of employees and attendance sheets</li> <li>• Minutes of Meetings – Building and Construction Authority</li> <li>• Minutes of Meetings – Masons Board</li> </ul>   |

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| <p>Description of all manuals and similar types of documents which contain policies, principles, rules or guidelines in accordance with which decisions or recommendations are made in respect of members of the public (including bodies corporate and employees of the public authority in their personal capacity)</p> | <p>The Building and Construction Authority maintains the following manuals, which are used to make decisions or recommendations to members of the public:</p> <ul style="list-style-type: none"> <li>• Technical Document F (Part 1, Part 2 and Part 3)</li> <li>• Improving your home to save energy and achieve better comfort</li> <li>• Standardisation of apertures for residential buildings in Malta</li> <li>• Recycling-oriented deconstruction, controlled excavation works and classification of waste</li> <li>• EPC Guide to Additional Changes</li> <li>• EPC Advertising Requirements Guidelines</li> <li>• EPB Calculation Methodology for Non-Residential Buildings – Technical Manual SBEMmt</li> <li>• EPB Calculation Methodology for Residential Buildings – Manual EPRDM</li> <li>• Independent Control System for the verification of EPCs</li> <li>• EPC Database Authentication, Authorisation and Accounting</li> </ul>     |
| <p>Statement of the information that needs to be available to members of the public who wish to obtain access to official documents from the public authority, which statement shall include particulars of the officer or officers to whom requests for such access should be sent</p>                                   | <p>The FOI officers of the Building and Construction Authority may be contacted by e-mail <a href="mailto:foi.bca@bca.org.mt">foi.bca@bca.org.mt</a></p> <p>FOI Requests may be submitted by e-mail to <a href="mailto:foi.bca@bca.org.mt">foi.bca@bca.org.mt</a> or through the FOI Portal <a href="http://www.foi.gov.mt">www.foi.gov.mt</a> via the e-ID.</p>  |
| <p>Details of Internal Complaints Procedure</p>   | <p>An applicant whose request for information is refused, or who is otherwise not satisfied with the information provided, its format or the extension of the deadline for the submission of the notification indicating whether a request would be met or not, may address a complaint to the Freedom of Information Officer.</p> <p>Complaints may be submitted by e-mail to <a href="mailto:foi.bca@bca.org.mt">foi.bca@bca.org.mt</a>, through the FOI portal <a href="http://www.foi.gov.mt">www.foi.gov.mt</a> via the E-ID or through the online form.</p> <p>The complaint should be addressed to the Public Authority's FOI Officer, who shall bring the complaint to the attention of the officer responsible. The officer responsible shall reply to the applicant within 10 working days from the receipt of the complaint.</p> <p>The applicant shall also be informed that he or she may appeal the decision or otherwise address a</p> |

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|                                  | <p>complaint to the Information and Data Protection Commissioner in accordance with the Freedom of Information Act (Cap. 496 of the Laws of Malta). The officer responsible shall inform the applicant of the decision taken with respect to his or her complaint, and in the event of confirmation of a decision not to release the pertinent information, shall explain the reasons thereof.</p> <p>An applicant may also make use of the Internal Complaints Procedure to report failure to meet deadlines or to send notifications. In those cases where the request for information can be met but has not been met within the deadlines specified by the Act, the officer responsible shall waive any applicable fees for the submission of information.</p> |
| Other Information                | Payments are to be made by cheque and are to be addressed to Building and Construction Authority.  |
| Public Authority Contact Details | <p>Address: The Exchange, Spencer Hill, Marsa MRS1982</p> <p>Contact email address: <a href="mailto:info@bca.org.mt">info@bca.org.mt</a></p> <p>Contact telephone no.: 2095 5000</p>   |