

*Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,902, 17 ta' Novembru, 2017*  
*Taqsimha C*

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## **Nru. 16**

17. 11. 2017

### **MALTA**

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#### **KAMRA TAD-DEPUTATI**

#### **HOUSE OF REPRESENTATIVES**

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ABBOZZ ta' Liġi mressaq mill-Onorevoli Chris Agius, M.P., Segretarju Parlamentari għall-Ippjanar u Suq tal-Proprjetà, f'isem il-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali, u moqri għall-Ewwel darba fis-Seduta tat-2 ta' Ottubru, 2017.

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A BILL introduced by the Honourable Chris Agius, M.P., Parliamentary Secretary for Planning and the Property Market, on behalf of the Minister for Transport, Infrastructure and Capital Projects, and read the First time at the Sitting of the 2 October, 2017.

**ATT biex jemenda l-Att dwar il-Professjoni tal-Inġinerija, Kap. 321.**

**AN ACT to amend the Engineering Profession Act, Cap. 321.**

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RAYMOND SCICLUNA  
*Skrivan tal-Kamra tad-Deputati*

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RAYMOND SCICLUNA  
*Clerk of the House of Representatives*



### **Abbozz ta' Ligi msejjah**

*ATT biex jemenda l-Att dwar il-Professjoni tal-Inginerija, Kap. 321.*

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità tal-istess, ħarġet b'ligi dan li ġej:-

**1.** It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2017 li jemenda l-Att dwar il-Professjoni tal-Inginerija, u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Att dwar il-Professjoni tal-Inginerija, hawn iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu fil-qosor.

Kap. 321.

**2.** Fl-artikolu 2 tal-Att prinċipali, minnufih wara t-tifsira "Stat Membru", għandha tiżdied it-tifsira ġdida li ġejja:

Emenda tal-artikolu 2 tal-Att prinċipali.

" tagħlim tul il-ħajja" tfisser l-edukazzjoni ġenerali, l-edukazzjoni u t-taħriġ vokazzjonali, l-edukazzjoni mhux formali u t-tagħlim informali kollha li ttieħdu tul il-ħajja, li jirriżultaw f'titjib fl-għarfien, fil-ħiliet u l-kompetenzi, li jista' jinkludi l-etika professjonali;"

**3.** L-artikolu 5B tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 5B tal-Att prinċipali.

(a) minflok il-paragrafu (b) tas-subartikolu (1) tiegħu, għandu jidhol dan li ġej:

"(b) tkun ippratikat dik il-professjoni fi Stat Membru wieħed jew aktar għal minimu ta' sena matul l-aħħar għaxar snin qabel il-forniment tas-servizzi meta l-

C 650

professjoni ma tkunx regolata fl-Istat Membru ta' stabbiliment. Il-kondizzjoni li tesigi twettiq ta' attività għal sena ma għandhiex tapplika jekk il-professjoni jew l-edukazzjoni u t-taħriġ li jwasslu għall-professjoni jkunu regolati.";

(b) fil-paragrafu (e) tas-subartikolu (2) tiegħu, minflok il-kelma "sentejn" għandha tidhol il-kelma "sena";

(c) fis-subartikolu (3) tiegħu, minflok il-kliem "lis-saħħa pubblika, is-sigurtà pubblika u s-sikurezza pubblika" għandhom jidhlu l-kliem "lis-saħħa jew is-sikurezza pubblika, u ma tistax tiġi kkompensata minn esperjenza professjonali jew mill-għarfien, hiliet u kompetenzi miksuba permezz tat-tagħlim tul il-ħajja tal-fornitur tas-servizz, ivvalidati formalment għal dak il-għan minn korp rilevanti"; u

(d) is-subartikolu (5) tiegħu għandu jiġi sostitwit b'dan li ġej:

"(5) Mhux aktar tard minn xahar wara li jkun irċieva d-dikjarazzjoni u d-dokumenti li jakkumpanjawha, imsemmija fis-subartikolu (2), il-Bord għandu jgħarraf lill-applikant bid-deċiżjoni tiegħu:

(a) li ma jivverifikax il-kwalifiki professjonali tiegħu; jew

(b) wara li jkun ivverifika l-kwalifiki professjonali tiegħu, li jitlob lill-applikant jagħmel test ta' kapaċità jew li jippermetti l-forniment tas-servizzi.

Fejn ikun hemm diffikultà li tkun ser tirriżulta f'dewmien fit-teħid ta' deċiżjoni taħt il-paragrafu (b), il-Bord għandu jinnotifika lill-applikant bir-raġuni għad-dewmien sal-istess skadenza. Id-diffikultà għandha tiġi solvuta fi żmien xahar minn dik in-notifika u d-deċiżjoni tiġi finalizzata fi żmien xahrejn mir-riżoluzzjoni tad-diffikultà. Fin-nuqqas ta' komunikazzjoni mill-Bord fi h'dan id-dati ta' skadenza stabbiliti, is-servizzi msemmija f'dan l-artikolu jistgħu jiġu provduti.".

### **Għanijiet u Raġunijiet**

L-għan ta' dan l-Abbozz ta' Liġi huwa li jaġġorna d-dispożizzjonijiet tal-Att dwar il-Professjoni tal-Inġinerija skont id-dispożizzjonijiet tad-Direttiva 2013/55/UE.

C 652

**A Bill  
entitled**

*AN ACT to amend the Engineering Profession Act, Cap. 321.*

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same as follows:-

Short title.

**1.** The short title of this Act is the Engineering Profession (Amendment) Act, 2017, and this Act shall be read and construed as one with the Engineering Profession Act, hereinafter referred to as "the principal Act".

Cap. 321.

Amendment of article 2 of the principal Act.

**2.** In article 2 of the principal Act, immediately after the definition "Engineer" there shall be added the following new definition:

" "lifelong learning" means all general education, vocational education and training, non-formal education and informal learning undertaken throughout life, resulting in an improvement in knowledge, skills and competences, which may include professional ethics;"

Amendment of article 5B of the principal Act.

**3.** Article 5B of the principal Act shall be amended as follows:

(a) for paragraph (b) of sub-article (1) thereof, there shall be substituted the following:

"(b) has pursued that profession in one or several Member States for at least one year during the last ten years preceding the provision of services when the profession is not regulated in the Member State of establishment. The condition of one year's pursuit shall not

apply if the engineering profession or the education and training leading to engineering the profession is regulated.";

(b) in paragraph (e) of sub-article (2) thereof, for the words "two years" there shall be substituted the words "one year";

(c) in sub-article (3) thereof, for the words "public health, safety and security" there shall be substituted the words "public health or safety, and that it cannot be compensated by the service provider's professional experience or knowledge, skills and competences acquired through lifelong learning formally validated to that end by a relevant body"; and

(d) for sub-article (5) thereof there shall be substituted the following:

"(5) No later than one month after receipt of the declaration and accompanying documents, referred to in sub-article (2), the Board shall inform the applicant of its decision:

(a) not to check his professional qualifications; or

(b) having checked his professional qualifications, to either require the applicant to take an aptitude test or to allow the provision of services.

Where there is a difficulty which would result in delay in taking a decision under paragraph (b), the Board shall notify the applicant of the reason for the delay within the same deadline. The difficulty shall be solved within one month of that notification and the decision finalised within two months of resolution of the difficulty. In the absence of a decision by the Board within the said deadlines, the engineering services falling under this article may be provided."

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C 654

### **Objects and Reasons**

The object of this Bill is to update the provisions of the Engineering Profession Act in accordance with the provisions of Directive 2013/55/EU.

