

Memorandum for Cabinet by the Hon. Minister of Works and
Housing

Revision of Building Legislation

The existing legislation regarding the erection of building and use of building material is antiquated and is mostly incorporated in the Police Laws.

The need for a revision of the legislation and of the regulations accompanying it have been felt for a long time and in fact, a Draft Building Ordinance was published in 1947. This Bill never passed through all the necessary stages to become law and successive Governments ever since have been trying to promulgate this legislation.

In view of the lapse of time, the introduction of modern building methods and new building material, a revision of the 1947 Bill was essential. After repeated efforts, a Committee composed of Mr S.J. Mangion, O.B.E., M.I.C.E., B.Sc., B.E. & A., A. & C.E., Director of Public Works - Chairman, Dr. John Attard, M.D., D.P.H., D.I.H., Medical and Health Department - Member, Dr. Wallace Ph. Gulia, B.A., B.Sc., .C., LL.D., M.A. (Admin) (Manch) D.P.A. (Lond), Crown Counsel - Member, Mr John A. Gambina, B.E. & A., A. & C.E., Public Works Department - Member, Mr E. England Sant Fournier, B.E. & A., A. & C.E., Representative of the Chamber of Architects - Member and Mr Vincent Falzon, L.P., Land Department - Member set up under the present administration has submitted its report for consideration by Government, but certain policy matters can only be decided at Cabinet level. These matters will be brought before Cabinet at a very early date but the most important item will have to be decided upon immediately. This refers to who should be the Building Authority.

The Director of Public Works considers, that as applications are almost all processed by his Department and as his staff inspects and reports on new constructions, the authority should be vested in him. The Chief Government Medical Officer considers that there is a strong health aspect in building construction and he should, therefore, with Director of Public Works compose the Building Authority. The Chamber of Architects and Civil Engineers wants to be represented by one member in the Building Authority, the others being the Director of Public Works and the Chief Government Medical Officer.

This problem and lack of agreement between the interested parties has existed for some years, but in any case, it is not considered that full powers should be vested in all or any of the three persons mentioned. As in the case of Planning Area Permits legislation, it is felt that the Building Authority should be the Minister responsible for Public Works and that he may, by regulations, delegate any or all powers vested in him by law, to a Building Board to be composed of the Director of Public Works as Chairman, the Chief Government Medical Officer and the Commissioner of Land and two other members one of whom should be an Architect, nominated by Government after consultation with the Chamber of Architects and Civil Engineers and the other member to be appointed by the Minister of Works and Housing.

Hon. Ministers are asked to agree ^{to} the suggestion made in paragraph 5 above.

4th November, 1964.

M.W.H. 18/63