

Title and commencement.

1. (1) The title of these regulations is the Construction Site Management Regulations, 2015.

2. (1) These regulations have the scope of adopting appropriate construction management practices that minimise as much as possible nuisance to neighbours, minimising the risk of injury to the public, protecting all property including the property belonging to the Government and Local Councils and, as much as possible, reducing the harm to the environment.

(2) The provisions of these regulations shall in no way be construed as having any bearing on the responsibilities related to construction sites emanating from other legislative instruments.

Interpretation.

3. In these regulations, unless the context otherwise requires:

“the Act” means the Building Regulation Act;

“areas of high development intensity” means those localities which are listed in Schedule VII;

“the Board” means the Building Regulation Board established by article 3 of the Act;

“the Building Regulation Office has the same meaning as that given in the Building Regulation Act;

“construction” has the same meaning as defined in the Act and includes works, activities, events and practices for, or in connection with, the building, alteration, renovation, finishing, demolition, excavation or removal within any site or building within any type of construction works as defined in Schedule VI;

“construction site” means a site where construction has been commenced or is being carried out whether it is on public or private land and the owner has not notified the completion of works to the Office according to sub regulation 9 (8);

“contractor” means an individual, partnership, company, or any other legal entity engaged to perform any type of construction works or related services by an owner on a construction site;

“court” includes a Local Tribunal established under the Commissioners for Justice Act; **Cap. 291.**

“developer” means the person/s who either personally or in the name of an entity is undertaking any construction activity;

“the Director” means the Director responsible for the Building Regulation Office or any public officer duly delegated by the Director to act on his behalf;

“emergency” means an unexpected situation, or a sudden, unforeseen happening which requires immediate action to correct in order to protect lives and, or property and, or economic livelihood;

“enforcement notice” shall have the same meaning as that construed in the Building Regulation Act

“footprint” means the space contained within the external walls of a building at ground floor level, including internal yards, shafts, terraces or courtyards totally enclosed or surrounded by the building, but

excluding terraces, backyards, yards and pool decks not totally enclosed or surrounded by the building including party walls;

“Government” means both the Government of Malta and Local Councils established under the Local Councils Act; **Cap. 363.**

“hazardous material” is any item or agent (biological, chemical, physical) which has the potential to cause harm to humans, animals or the environment either by itself or through interaction with other factors as defined in local legislation;

“hoarding” means a temporary structure enclosing a construction site during construction works, to restrict access and provide protection to the public;

“immediate vicinity” means the area within thirty metres from the boundaries of any site, and includes the footprint of the site in question, referred to in regulation 12 and where by way of irregular construction site management demeans the social, historical or environmental importance of the site or area referred to in that regulation;

“Joint Committee” has the same meaning as in the Local Councils Act;

“Local Council” has the same meaning given in the Local Councils Act;

“locality” has the same meaning given in the Local Councils Act, and includes, for the purpose of these regulations, arterial and distributor roads and all other areas excluded from the competence of local councils under the same Act;

“the Minister” means the Minister responsible for the Building Regulation Board:

“nuisance” means any act, omission or thing which is visually offensive or causes smells, vibrations or noise, or occasioning or likely to occasion injury, annoyance, offence, harm, danger, or damage of whatever nature, or which is or is likely to be injurious or dangerous to health or the environment or buildings;

“offender” means that person or legal entity to whom a citation has been issued;

“the Office” means the Building Regulation Office defined in article 2 of the Act;

“officer” means any person authorised by the Minister to issue charges related to these regulations and shall include:

(a) a Police officer; and

(b) an Enforcement Officer, Local Warden or any other person appointed by the Minister, or his delegated authority, to carry out the enforcement of these regulations under the Act;

“owner” means –

(a) a person who in his own right or as agent for another is entitled to receive the rent of the land or, where the land is not let, would be so entitled if it were let;

(b) where the land is subject to usufruct, bare owner or usufructuary;

(c) an emphyteuta;

(d) any one of the spouses, where the land to which the development relates forms part of the community of acquests;

(e) a person/s who is assigned or owns a property or properties

“property” includes any land, whether developed or otherwise, or any other permanent structure whose ownership is vested in a private person or entity;

“public property” includes any place to which the public has access;

“site manager” means a person carrying out the duty or duties derived from the provisions of these regulations. Such person shall be nominated by, and be responsible on behalf of, the owner for ensuring the correct implementation of these regulations and the appointed site manager may be either of the following:

- (a) the owner himself;
- (b) the project supervisor as construed in the work place (Minimum Health and Safety Requirements for Work and Construction Sites) Regulations, 2004; **L.N. 281 of 2004.**
- (c) a Perit as defined under the Periti Act; or **Cap. 390.**
- (d) a person with a valid Stone Mason licence
- (e) any other competent person;

“street” includes any road, alley, square, footpath, pavement, bridge, shore front, quay, or other place of public passage or access;

“tourism zone” shall refer to those areas defined by the competent authority responsible for tourism as tourism zones.

Applicability.

4. These regulations apply to any construction, water mining, or any other disturbances to the soil, including land clearing, scraping, ground excavation, land levelling, grading, cut and fill operations, and ancillary activities that include travel to the construction site , travel on access roads to and from the construction site and demolition activities.

**PART II
General Conditions**

Provision of temporary water and electricity meters.

5. For the purpose of enabling adherence to these regulations, the temporary provision of water meters and electrical power meters may be provided, by a licensed operator of a public water or electrical power distribution network, only to sites where the owner has written confirmation from the Authority responsible for issuing of Development/Building Permits responsible for issuing Development/Building permits that the construction work is subject to a valid building permit if so required.

**PART III
Other Conditions**

Applicability.

6. (1) The provisions of these regulations shall be applicable to all construction works which are not exempt in Schedule VI and as may be brought into force by the Minister in part or in whole.

(2) Where there is conflict between, these regulations and a construction management plan duly approved by Authority responsible for issuing of Development/Building Permits Authority responsible for issuing Development/Building Permits and, or conditions set by the Authority responsible for issuing of Development/Building Permits responsible for the issuing of Development/Building Permits in the development permit, the Construction Management Plan or conditions set by the Authority responsible for issuing of Development/Building Permits shall prevail.

Least nuisance to neighbours.

7. Without prejudice to specific requirements set out in the Act, any owner carrying out or commissioning construction works shall ensure that the work is carried out in a manner that causes the least nuisance by ensuring that the provisions included under Schedule I, II, III and IV are adhered to.

Restoration.

8. All streets or other public property, within a distance of 10 metres from the boundaries of the site, that are damaged by operations relating to construction works shall be repaired or replaced by the owner to a condition that is at least as good as that found prior to construction and shall be restored to their original condition with similar materials and in accordance with any other regulations. Such limit does not preclude any other obligation on the part of the owner to make good for any other damages that extend beyond the 10 meter distance and which are proven to be a direct consequence of that construction activity. Any obstructions shall be removed when the need for such obstruction is no longer required, including any temporary signage put up during construction work.

Obligation on owner and site manager.

9. (1) The owner shall have the obligation to appoint a site manager who shall be responsible, on behalf of the owner, to ensure that the construction site and its construction activities are in conformity with all the provisions of these regulations. In the absence of a nomination for the appointment of a site manager, the owner will ipso facto be deemed to be the site manager for the purpose of these regulations.

(2) The owner shall submit to the Office a notification in accordance with schedule I, in the first instance and subsequently in writing for any change of site manager and such notification shall include:

(a) date of commencement

(b) Location and development permit number

(c) the name of the site manager, e-mail address and a 24 hour contact telephone number;

(d) the site manager's identity card number; and

(e) a declaration of acceptance duly signed by the site manager that he has undertaken to accept this role and that he has read and understood the provisions of these regulations.

(3) For the purposes of these regulations, the site manager shall not be entitled to assume any of the responsibilities associated with the profession of a perit as defined in the Periti Act, unless the appointed site manager is a perit.

(4) The Minister may make specific regulations to create a register of Site Managers, to stipulate their qualifications, Code of Conduct and programme of continuous development and any site manager shall be bound by the afore mentioned specific regulations.

(5) If the owner has changed because the construction site is sold, or for any other reason, when construction works are still to be carried out or are being carried out, the original owner has the duty to inform the Office by completing the Notice Form - Change of Owner/Site Manager, in Schedule VIII, which form can be obtained from the Office or its designated entity or downloaded from the Office's website or that of its designated entity, and sending it by registered mail to the Office or handing it in person to the Office within one month of the transfer of ownership of the property. The same form should be duly signed by the new owner as a declaration of acceptance of his responsibilities as the new owner in terms of these regulations. Until such notice form is received by the Office, the original owner would be held responsible for any contravention to these regulations.

(6) If during the period of construction, a new site manager takes over for whatsoever reason, the owner shall be obliged to inform the Office in writing of such a change. Until such notice is received by the Office, the owner would be assumed to be the nominated site manager for the construction site.

(7) The site manager shall be responsible, on behalf of the owner, for ensuring that these regulations are adhered to and any permits, certifications, authorisations or any such approvals required for any portion of the construction works as required by the provisions of these regulations are in place and that any temporary structures used to implement the provisions of these regulations to be duly certified for their soundness.

(8) The site manager or the owner as the case may be, shall notify the Office in writing of the completion of all construction works and the handing over of the site to the owner. For the purpose of this Legal Notice completion of construction works shall mean the cessation of all construction activities, clearing of site, completion of reinstatement works, securing of access to the site or building as the case may be and compliance to any other instruction that may be issued by the Director in this respect.

Responsibilities of the Director

10 The Director may, for construction works which are covered by these regulations regularly monitor these construction works and carry out enforcement of these regulations as may be required to ensure that these regulations are being adhered to.

Provided that the Director or other official of the Buildings Regulation Office so authorised, may at any reasonable time and if so required by the Director, and if necessary with the assistance of the Police Force, enter upon any development site in order to execute his responsibilities as specified in this regulation.

**PART IV
Enforcement**

Power of the Director to issue an enforcement notice

12 (1) The Director shall have the power to issue an enforcement notice if in his opinion any of the provisions of these regulations are not being adhered to.

(2) The Director may delegate to officers of the Building Regulation Office and any *other person* duly appointed by him the power to issue on his behalf an enforcement notice.

(3) Should any person who is served with an enforcement notice fail to abide by the provisions of that notice or cease operations or carry out remedial measures as requested in the notice, that person will be committing an offense against the regulations and the Director or his delegated representative shall be at liberty to call for the presence of the Police Force who shall for such purpose exercise such powers as are vested in them at law to assist the server of the enforcement notice in ensuring that the said notice is complied with.

Should the Director or his delegated representative decide not to issue an enforcement notice, this is not to be construed as a form of endorsement of the failure of the owner, the site manager or contractor to abide by the requirements of these regulations.

(4) If any steps or other action required by an enforcement notice issued by the Director have not been taken within the time specified therein, the Director may enter the construction site and take such steps or other action he deems necessary, including the disabling or removal of any equipment, machinery, tools, belongings, vehicles or other objects that may be on the site and the carrying out of any works that may be necessary to comply with what is requested in the enforcement notice and may for such purpose request the assistance of the Police Force, and the Police Force shall for such purpose exercise such powers as are vested in them at law.

(5) All expenses reasonably incurred by the Director in the exercise of his power under this regulation shall be recoverable as a civil debt by the Director from the person or persons to whom the enforcement notice is issued subject to any right of recovery such person or persons may have against any other person.

(6) The Director or any delegated official or *delegated person* shall not be liable for any damages as a result of the exercise of one's power under this regulation, unless it is proved that such damage resulted from gross negligence on the part of the Director, his delegated official or delegated person.

**Procedure when taking a measure
under regulation 12.**

13. (1) The Director shall before proceeding to take any of the measures under regulation 12, inform the site manager in writing of the measure that may be taken and the specific reason why it may be taken. The Director may require the site manager to cease or to rectify any act or omission and, or to make submissions thereto within such period of time not being less than 24 hours, which period may be abridged if the Director considers that the continuance of the infringement represents an immediate and serious threat to public safety, public security or public health, and, or warrants the immediate intervention of the Building Regulation Office.

Provided that where the measure is or includes an administrative fine the person concerned shall also be informed of the amount of the fine:

Provided further that when issuing a warning under this sub-regulation, the Director may impose such conditions as he may consider reasonable in the circumstances.

(2) If the infringement is remedied within the period established by the Director in accordance with sub-regulation (1), and the person who has been issued with the warning agrees in writing to abide with any condition that the Director may impose, the Director may desist from proceeding any further, this without prejudice to any regulatory measures that may have already been imposed.

(3) If after the lapse of the period mentioned in sub-regulation (1), the Director considers that the site manager has not given any valid reasons to demonstrate why no measure should be taken against him, the Director shall notify the site manager in writing, specifying the nature of the infringement, stating the measure being taken, and if the measure is or includes an administrative fine, stating the amount of the fine being imposed.

Provided that the notification mentioned in this sub-regulation shall be in the form of a judicial act and the fines provided for in these regulations shall be due to the Government as a civil debt and following the service of a judicial act, in terms of article 466 of the Code of Organization and Civil Procedure, which is either not opposed or the opposition of which is denied, according to the provisions of the said article, the same administrative fine shall constitute an executive title for all the effects and purposes of Title VII of Part I of Book Second of the Code of Organization and Civil Procedure.

Responsibility of a delegated official

14. (1) The Director may delegate to an official of the Building Regulation Office any or all of the responsibilities pertaining to the Director in regulations 12 and 13, and the person thus delegated shall be responsible for such delegated matters.

(2) The Director or any delegated representative shall only issue an enforcement notice to stop the construction works after verifying and taking into consideration the provisions of regulation 12.

(3) Where an enforcement notice is issued by the delegated representative, a copy of the

enforcement notice is to be submitted to the Director as soon as possible, after the serving of the notice, but no later than close of business of the first full working day after the serving of the notice .

Form and Content of Enforcement Notices

15. (1) An enforcement notice shall include;

(a) an instruction not to initiate any construction activity or to cease all or part of a construction activity;

(b) the reasons as to why the notice is being issued;

(c) instructions (if any) to take the necessary actions to fall in line with the regulations.

(2) Where the Director or his delegated representative deems that the cessation of construction activity is to be immediate because of imminent danger or grave nuisance to the public, or third parties, the enforcement notice and the required preventive measures may be issued on site in a verbal manner and later confirmed in writing within twenty four hours of the issuance of the said notice.

Withdrawal of enforcement notice

16 An enforcement notice may only be withdrawn by the Director, provided that all necessary remedial actions and precautionary measures have been satisfactorily carried out..

Penalties.

17. (1) Any person who contravenes any of the provisions contained in Schedules I and, or III and, or IV shall be guilty of an offence, and shall be liable, on conviction to a fine (*multa*) of not less than two hundred and fifty euro (€250.00) and not exceeding two thousand and five hundred euro (€2,500.00).

(2) Any person who contravenes any of the provisions contained in Schedule II shall be guilty of an offence, and shall be liable, on conviction, to a fine (*multa*) of not less than two thousand and five hundred euro (€2,500.00) but not exceeding twelve thousand euro (€12,000.00) for the offence committed together with any fine under sub-regulation (1).

(3) The issuing of a citation in terms of sub-regulations (1) and (2) is to be automatically considered as an immediate instruction to cease such behaviour and to conform to the provisions of these regulations. Should it be proven before the court that the person served with a citation failed to comply with these regulations upon being served with a citation, he shall be considered to be guilty of an offense and he shall be liable to a fine (*multa*) of not less that sixty euro (€60.00) and not more than one hundred and twenty euro (€120.00), as the court may establish, for every day the default continues from the date of issue of the citation.

Non compliance to an enforcement notice and supply of false or misleading information

18 Any person who;

(a) fails to abide by the provisions of an enforcement notice or to cease operations as requested in the notice or to adopt any urgent interim measures or in any other manner acts in contravention of regulations 12 and 13, shall be guilty of an offence in terms of these regulations and shall on conviction be liable,, to a fine *Multa*) not exceeding on thousand two hundred euro (€1,200) and in the case of a continuing offence, to a further fine of one hundred euro (€100) for each day the offence continues.

(b) Supplies false or misleading information in contravention of article 16(4) (c) of the Act, shall be guilty of an offense against the Act and shall be liable, on conviction, to a fine (*multa*) not exceeding one thousand five hundred euro (€1,500), without prejudice to any other punishment for which that

person may have become liable under any other law.

**Hindering or obstructing
an authorised officer**

19 Any person who refuses to allow an authorised person to enter any land or building, or obstructs or impedes an authorised person in the exercise of any of that authorised person's powers shall be guilty of an offence and shall be liable on conviction to a fine (*multa*) not exceeding two thousand four hundred euro (€2,400) and to a further fine (*multa*) of two hundred euro (€200) for each day during which the offence continues.

Aggravating circumstances.

20.(1) Where an offence is committed in one or more of the sites listed in sub-regulation (2) hereof, the offender shall, on conviction, be liable to an additional penalty of two hundred and fifty euro (€250.00) to the established fine (*multa*) due to the historical and environment importance of the site.

(2) The aggravating circumstances referred to in the preceding sub-regulation relate to an offence in:

(a) a scheduled building as declared so by the Authority responsible for issuing of Development/Building Permits, a public monument, a museum, a place of worship, a hospital or a school or their immediate vicinity;

(b) a World Heritage Site declared by UNESCO or an urban conservation area declared by the Authority responsible for issuing of Development/Building Permits, or their vicinity;

(c) a Natural Reserve, Heritage Park, National Park, Public garden, or playing fields or their immediate vicinity.

(d) a public beach or promenade; or their immediate vicinity;

(e) any other site, area, place or open space which the Minister may establish from time to time.

**Issuance of charges to offender and
proceedings in terms of article 5 of
the Commissioners for Justice Act.**

21. In accordance with the provisions of any other law, and in accordance with the powers conferred by the Minister in accordance with the Act, any officer authorised to act under these provisions and in whose opinion an offence has been committed under these regulations, may proceed against the offender in terms of article 5 of the Commissioners for Justice Act, which provisions shall apply *mutatis mutandis* to any proceedings in respect of offences charged under these regulations.

Bank guarantee for restoration/reinstatement works to streets and footpaths.

22. For the purpose of ensuring that the street or footpath is properly restored or reinstated according to Part III section 8, prior to the start of any construction work, the owner shall deposit, at the Office, a bank guarantee in favour of the Office, the amount of which shall be determined according to the provisions of Schedule V. The amount of the bank guarantee shall be either –

(a) for five hundred and fifty euro (€550.00), or

(b) calculated on the basis of the method outlined in Schedule V, whichever is the higher:

Provided that if the owner fails to carry out or complete the restoration or reinstatement works within such period as the Office may deem suitable in consideration of the level of finishing being opted for by the owner, such works may be completed by the Office or the Local Council or Government, or an appointed agent that has been duly authorised by the Office. Upon order by the Office the cost of such works, as certified by the aggrieved entity's architect (perit), shall be met in part or whole from the bank guarantee:

Provided further, in the case where a temporary water meter has been provided on site, the release of the bank guarantee shall be affected only following the written confirmation of the removal of the temporary meter.

The release of the mentioned bank guarantee is at the sole discretion of the Director.

**Apportionment of fines
Cap 291**

23. In accordance with articles (5) and 10(3) of the Commissioners for Justice Act, seventy percent (70%) of the monies received from contraventions brought before the Court to these regulations shall be due to the Office. The remaining thirty percent (30%) shall be due to the Joint Committee under whose jurisdiction the offence has occurred

Outstanding fines

24. Except as provided by any other law, a person who is in default in the payment of a fine under these regulations shall be guilty of a contravention and shall be liable to the punishment of a fine (*ammenda*) not exceeding two hundred euro (€200) and, in the case of a continuing offence, a further fine (*ammenda*) not exceeding twenty five euro (€25) for each day on which the offence continues after conviction:

Certificate of development.

25 Unless all fines as may be due by reason of offence against these regulations have been paid, the Office will request the Authority responsible for issuing of Development/Building Permits to hold the issue of the compliance certificate of development on any development or part thereof on which fines have not been settled. Moreover, the transfer of owner or site manager as defined in regulation 9(5) and (6) may not be endorsed by the Office pending the payment of outstanding fines.

However, in the case were an offence is paid under protest, clearance will be granted by the Office for the said compliance certificate to be issued accordingly

Administrative penalties

26.(1) Without prejudice to any other provisions under these regulations which the Director is entitled to enforce, the Director may impose an administrative penalty in accordance with the provisions of this regulation, in respect of any person who infringes any provision of these regulations, or who fails to comply with any direction or decision given by the Director.

(2) Any person who acts in contravention of the provisions contained in Schedules I or II or III, and or IV shall be guilty of an offence in terms of these regulations and shall be liable to an administrative penalty as indicated in Schedule IX.

(3) Any person who fails to abide by the provisions of an enforcement notice or to cease operations as requested in the notice or to adopt any urgent interim measures or in any other manner acts in contravention of regulations 12 and 13, shall be guilty of an offence in terms of these regulations and shall be liable, on conviction, to an administrative penalty as indicated in Schedule IX

(4) Any person who makes a false declaration or supplies misleading information for the purposes of these regulations shall be guilty of an offence and shall be liable,, without prejudice to any other punishment for which that person may have become liable under any other law, to an administrative penalty as indicated in Schedule IX..

Provided that all the fines provided for in these regulations shall be due to the Government as a civil debt and following the service of a judicial act, in terms of article 466 of the Code of Organization and Civil Procedure, which is either not opposed or the opposition of which is denied, according to the provisions of the said article, shall constitute an executive title for all the effects and purposes of the Code of Organization and Civil Procedure, Book Second, Part I, Title VII.

Attorney General may always appeal.

27. Notwithstanding the provisions of the Criminal Code, the Attorney General shall always have a right of appeal from any judgement given by the Court in respect of proceedings for any offence against these Regulations.

Continuing offence

28. Where, following the payment of a penalty, the violation of any provision of these regulations persists, regardless of any directions the Director may have given for the redress of same, the Director may refer the matter to the Police to institute proceedings referred to in regulation 21 of these regulations for such continuing violation.

Right of appeal

Cap. 513

29. Without prejudice to the provisions of regulations 12, 13, and 26, any decision taken by the Director to issue an enforcement notice or to impose administrative fines in terms of these regulations shall be subject to the right of appeal before the Building Regulation Board, in terms of articles 12 and 13 of the Act.

Power of the Minister to amend schedules

30. The Minister may amend the Schedules, which shall be published in the Gazette, and any such changes will become effective on the date of publication.

**SCHEDULE I
Regulation 7**

Notification.

1. At least three weeks before any construction work:

(a) that will take longer than four weeks to complete, or

(b) where demolition works are to be undertaken, the owner shall ensure that a commencement notice as prescribed in section 9(8) is received by the Building Regulation Office and that there shall be erected on the street boundary of the site a permanent A2 sized notice board, as specified below, on which shall be affixed, and suitably protected from the weather, the development permit number, the particulars of the "Owner", "site Manager" and "Perit" in charge and the contractor or contractors, including their telephone numbers. A template of such notice can be obtained from the Office or its designated entity or downloaded from the Office's web site or that of its designated entity. The details on the notice board must be legible from the road level with a minimum font size of 100 point. Such notice board shall be maintained in good condition at all times until all works on site are completed or until such time as deemed appropriate by the Office. Such notice shall also include:

a. the start date; and

b. a telephone contact number on which the Owner or Site Manager can be reached on a 24 hour basis.

1.1 If the site is larger than 1,000 square metres, or has a frontage bordering any road or roads in excess of 25 metres, such information shall be displayed on a billboard which must be at least 1.5 metres by 2.5 metres, and shall also include dates of completion of the principal stages of the project. This billboard shall be placed in such a way that it does not obstruct or hinder the safety and easy flow of traffic pedestrians and general public. Moreover a copy of the development permit and its renewal or renewals, if any, together with copies of all plans and elevations as approved, shall be kept on site and the same shall at all reasonable times be available for inspection and use by the Enforcement Officers.

Cutting of Stone and other Material.

2. Cutting of stones and bricks or other material that produces dust may be allowed on site:

Provided that:

a. all machinery and tools not listed in Schedule IX shall be equipped with dust extraction and recovery systems, to ensure that dust is not dispersed onto public areas and third party property; in combination with either of the provisions of subparagraphs (b) or (c) below;

b. upon roofing of the lowest floor of the structure, all mechanical cutting of material that produces dust shall take place within the building and all external apertures are to be boarded up with an impermeable material;

c. cutting of material that produces dust is carried out in a temporary enclosed impermeable structure erected on the construction site.

Transportation and deposit of loose building material.

3. Sand, stone dust, and other loose building materials shall be transported, deposited and stored on site in rigid containers with suitable covers or flexible sturdy containers that can be appropriately sealed, which material can support the weight being contained, to permit the total enclosure of such materials at all times and which shall be kept sealed when not in use.

Obstructing the pavement.

4. Without prejudice to any other law, no building material, waste, machinery or plant shall be allowed to obstruct the pavement or the smooth flow of traffic in the vicinity of the site on which works are in progress or complete. Depositing of building materials for loading or unloading purposes and placing of equipment in the street along the frontage of the site has to be authorised by the Local Council at the time responsible for such authorisation.

Hazards to vehicular traffic.

5. Without prejudice to any other law and in addition to the requirements emanating from the work place (Minimum Health and Safety Requirements for work at Construction Sites) Regulations, where a hazard to vehicular traffic on a public way is created by work on, or associated with, the site building works, one or more of the following shall be provided to direct the traffic as is considered appropriate and is approved by the respective Local Council, and where appropriate the Authority for Transport in Malta or the Police:

a. one or more law enforcement officers;

b. warning signs;

c. barriers;

d. lane control devices;

and/or

e. flashing lights or flares located at a suitable distance from the hazard.

When there is no agreement between the respective Local Council and the Authority for Transport in Malta or the Police, the decision of the competent authority as defined by local legislation shall prevail. Moreover, only signs as indicated in the Traffic Signs and Carriage Way Markings Regulations are allowed.

Measures to clean the site.

6. Adequate facilities and measures shall be undertaken to ensure that the site and its immediate vicinity are kept clean and emission of dust is kept under control so as not to cause inconvenience to the public and third parties by any or all of the following methods:

a. any trash or debris shall be contained on site and disposed of in closed waste receptacles to avoid wind, rain or any other movement related to the construction process from carrying it off site into any public area;

b. the construction activity shall not create any discharge of cleaning agents, paints, oil, other pollutants or hazardous waste to public areas or into the sewerage system, or into the sea;

c. the immediate mopping up of spills;

d. street sweeping or washing or vacuuming;

e. concrete or mortar mixers wash out pits and chemical holding areas are to be located away from areas that drain to systems and waterways or third party property; and

f. prior to any vehicular, plant or equipment movement from within the site boundary to any area outside the site boundary, the contractors shall be obliged to ensure that such plant or equipment is cleaned of any dirt, grime or any other material that may be carried out into the public road or area and deposited thereon.

Rodent control.

7. All necessary requirements shall be undertaken for initial de-ratting and subsequent rodent control at construction sites to the satisfaction of the competent authority.

The following minimum measures are to be undertaken:

a. preventing any discharge of sewage

b. proper sealing of manhole and inspection box covers and the closing off of any access to the sewer mains;

c. organic waste shall be disposed off immediately so as not to allow rodents to infest the site; and

d. installation of rodent monitoring (bait/trap) stations at the site perimeter and storage locations. Subsurface (manhole) baiting may be necessary if utility systems are impacted.

**SCHEDULE II
(Regulation 6)**

Hoardings for buildings not exceeding 2 floors and a semi basement in height from road level.

1. For any building not exceeding 2 floors and a semi basement in height from road level, it shall be mandatory to erect hoarding, made of suitable rigid material that is free-standing and independent of the building itself up to a height of 3 metres. Such hoarding shall be designed in a manner that conceals the

site and protects adjacent areas from the egress of dust and from falling materials from within the site.

1.1 The hoarding mentioned in section 1 can be substituted by the erection of the party wall or site boundary wall as the case may be, as the work progresses.

1.2 No gaps are to be left open in the hoarding, or party walls or site boundary walls as the case may be, except for in the case of hoarding or site boundary walls abutting the street where a controlled access gate to enable the construction works to be undertaken is to be put in place.

1.3 In those areas where the structure of the building is completed and no construction or work interventions that can create dust emissions are to be undertaken on the external walls of the building, the hoarding can be replaced by the provision of temporary or permanent screens that are fitted to all window and door openings in the building provided that such screens provide adequate protection against the egress of dust and falling materials from within the building.

Hoardings for buildings of 3 floors or more in height.

2. For any building that is to be constructed of 3 floors or over in height from road level, it shall be mandatory to erect hoarding, made of suitable fabric mesh that allows the passage of air but shall contain dust and dirt and that may be erected progressively for each floor up to the full height of the building. Such hoarding shall, in the absence of a nationally approved code of practice by the competent authority, be designed in a manner that entirely conceals the building and also protects adjacent areas from the egress of dust and from falling materials from within the site, provided that for buildings higher than 8 floors, as an alternative to hoarding to full height, the hoarding is to be provided up to the 8th floor and from the 9th floor upwards all windows and balcony door openings are to be boarded to prevent the egress of dust.

For buildings that are recessed from the road, semi-detached or detached, such hoarding is to enclose the whole of the building provided also that a site boundary hoarding or wall is also erected for the whole duration of the works..

2.1 The hoarding shall, as a minimum, be erected in a manner that ensures that it extends to at least two metres above the highest floor level within the building as measured in the vertical plane.

2.2 In the case of contiguous buildings, the hoarding mentioned in section 2 can be substituted by the erection of the party wall or site boundary wall as the case may be, as the work progresses.

2.3 No gaps are to be left open in the hoarding, or party walls or site boundary walls as the case may be, except for in the case of hoarding or site boundary walls abutting on to the street a controlled access gate is to be put in place to enable the construction works to be undertaken.

2.4 In those cases where no construction or work interventions that can create dust emissions are to be undertaken on the external walls of the building, the hoarding can be replaced by the provision of temporary or permanent screens that are fitted to all window and door openings in the building provided that such screens provide adequate protection against the egress of dust and falling materials from within the building.

2.5 In the instances where demolition activity is carried out the hoarding has to be erected upfront to the full height of the building or as appropriate to the competent authority to ensure public safety and minimise as much as possible inconvenience to the neighbours. Hoarded structures should also be provided with an adequate amount of interlocking waste chutes to deliver waste material from any level within the construction site to the closest possible level of destination of the waste receptacles without causing any inconvenience or hazard to any person or third party property.

2.6 Any chute shall be closed if it is inclined more than 45 degrees with the horizontal; and be kept

closed or covered at its entrance when not in use.

Hoardings.

3. Except where substituted by party walls, hoarded structures shall be constructed in timber or metal frame and shall be covered with suitable mesh or material that precludes any visual impact of the internal on-goings within the site.

Moreover:

a. all hoarding screens must form a barrier against the egress of dust and debris from the construction site to the surrounding environment;

b. hoardings are to be designed to withstand at least up to gale wind loads (Force 9) with any anchorage as necessary to prevent overturning and ensure stability. In addition hoardings adjoining excavations are to be designed to withstand external impacts as reasonably practicable according to the type of machinery being used on the construction work and the type of road as classified by the Authority responsible for roads in Malta;

c. hoardings and barricades shall be in good condition and also maintained in such a condition to fulfil their purpose at all times;

d. all construction work shall be contained within the hoarded area;
and

e. advertisements on the hoardings are allowed subject to advertising laws and regulations.

Operations that extend beyond, or affect, the perimeter surrounding the construction site.

4. Where construction work-related operations extend beyond, or affect, the perimeter surrounding the construction site, work shall not commence on the construction, alteration or demolition of a building until a covered way has been provided in accordance with the provisions of regulation 5 hereof to protect the public, except where:

a. the work and ancillary machinery is carried out within a solid enclosure;

and

b. the construction works and their ancillary machinery are at a distance of two metres or more from a public way used by pedestrians.

Covered ways.

5. A covered way shall:

a. have a clear height of not less than 2.2 metres;

b. have a clear unobstructed width of not less than 1.2 metres or the width of the public way whichever is the lesser, but sufficient to ensure accessibility for pushchairs and the disabled. Ramps, suitable for wheelchair access shall also be in place, where applicable, to bridge any difference in levels. Such ramps shall meet the provisions of the design guidelines "Access for All" of the National Commission Persons with Disability;

c. include appropriate signage acceptable to the Building Regulation Office or any entity that is designated by the Minister, and lighting in a manner that provides an equivalent illumination as the

prevalent street lighting, both for the attention of pedestrians and motorists. Such signage and lighting shall alert and direct motorists around any obstruction whilst indicating alternative entry and exist routes to pedestrians, whilst providing sufficient lighting to enable them to navigate through the walkway;

d. have non-slip floors and an even surface in line with national standards;

e. be designed and constructed to support safely all loads that may reasonably be expected to be applied to it, but in no case less than 2.4 kN per metre squared on its roof;

f. have a weather-tight roof sloped towards the site, or if flat, be equipped with a splash board not less than 200 millimetres high on the road side;

g. be totally enclosed on the site side with an enclosure having a smooth surface facing the public way;

h. have a finished metal or timber hand rail 1 metre high on the road side where the covered way is supported by posts on the road side to support pedestrians navigating through;

i. be adequately lit between sunset and sunrise in a manner that provides an equivalent illumination as the prevalent street lighting; and

j. be left free from any material or any other objects which will obstacle or hinder the free movement of pedestrians at all times.

Barricades.

6. The owner shall erect barricades made of suitable material to block the way and prevent access to unauthorised persons as stipulated in the following paragraphs:

a. Barricades shall be strongly constructed and not less than 2 metres high and erected between the site and the public way or to isolate completely the open sides of a construction site so as to safeguard the public or third party moveable or immovable property.

b. Barricade surfaces facing the public way shall not present any danger by protrusions to the public and shall be without openings except those required for authorised access.

c. Access openings through barricades shall be blocked with gates which shall be kept closed and locked when the entry to the site is unattended and shall be maintained in place until completion of the construction activity to the satisfaction of the Building Regulation Office. Such gates must be designed in such a manner that prohibits public access, especially children and prevent egress of dust.

d. Access gates into the site used by construction machinery should have warning lights lit up during entry and egress of such machinery or provision of banksmen to warn motorists or the general public during passage of construction equipment.

Safe passage past site.

7. The owner shall ensure a safe passage past the site and where the construction necessitates the obstruction of the pedestrian pavement, and this is approved by the Local Council, a temporary pedestrian pavement shall be provided and it shall be kept clear of obstruction at all times.

SCHEDULE III (Regulation 5)

Reducing Pollution

1. Construction works shall not commence before 7.00 am and shall cease at 8.00pm.

1.1. The use of a mechanical excavator with a hydraulic hammer attachment, or a pneumatic drill or any construction equipment which emits noise levels higher than 65 dB shall not be permissible before 8.00am, or between 2.00pm and 4.00pm or after 8.00pm and all day on Sundays and public holidays.

Provided that the Director may at his own discretion, either waive the condition set-out in this sub-regulation, following a request in writing from the site manager, or impose further restrictions on the time at which this equipment can be used, with respect to specific sites:

Provided further that the Director may exempt certain works, such as emergency works on infrastructural services, including drainage works and works undertaken to eliminate danger to the public from the provisions of this regulation

1.2 Construction activities generating any impact noise on party walls or party ceilings shall not be undertaken before 8.00 am and shall cease between 2pm and 4pm and after 8.00pm

1.3 During the period between 15th June and 30th September, demolition works, site clearance works or excavation shall not be allowed in tourism zones as may from time to time be defined by the competent authority for tourism.

1.4 No construction work shall be carried out on Sundays and Public Holidays.

1.5 In the case of emergencies, construction works may take place at any other time whilst it shall be mandatory to inform the Director during its first hour of subsequent business.

1.6 Any deviations from the provisions of sub regulations 1.1, 1.2, and 1.3 shall require the approval of the Director and may require the setting of specific conditions for such works. Deviations for works in tourism zones shall also require the clearance of the competent authority responsible for tourism, but the decision of the Director shall be final.

1.7 Where the clear distance from the nearest habitable space exceeds 1 kilometre, construction shall not be subject to any of the aforementioned constraints.

Dust emissions.

2. No person shall undertake any construction without utilizing the following dust control measures:

a. application of water or pre-soaking and/or, chemical dust stabilizers or any other appropriate dust control technique, during construction in such a manner as to limit any generation of dust to within the site boundary;

b. prior to leaving the site the owner must on a daily basis remove any spillages resulting from the construction activity along or across a public way;

c. prior to leaving the site, the owner must ensure that on a daily basis public sidewalks and public areas within 10 metres from either side of the extremities of the construction site including sidewalks and roads are swept or vacuumed; and

d. paint chips, sanding residue, grit and dust must be prevented from coming into contact with storm-water runoff and surface water bodies.

Sanding.

3. Without prejudice to any other law, any person undertaking any sanding activity whether manual or mechanical shall ensure that dust emissions are controlled by equipping all mechanical equipment with dust extraction and recovery systems in combination with -

(a) for outdoor areas - all areas be totally covered around the whole working area with material that must form a barrier against the emission of dust or particulate matter into the environment;

(b) for indoor areas - prior to commencing any sanding operations. all external apertures must be boarded with an impermeable material that must form a barrier against the escape of fugitive dust emissions outdoors.

Mechanical fair facing of stone.

4. Mechanical fair facing of building stones is not permitted on construction sites.

Measure to clean the site.

5. Adequate facilities and measures shall be undertaken to ensure that the site and its immediate vicinity are kept clean at all times during construction.

SCHEDULE IV

(Regulation 7)

Technical Guidelines and Site Preparation

Minimisation of noise and vibration levels.

1. The level of noise emitted from any construction site shall follow these requirements:

(a) It shall respect the levels as established by the Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to noise) Regulations, 2006 published by Legal Notice 158 of 2006 or any amendments issued thereafter. Any measurement of noise levels shall follow prescribed standards as approved by the competent authority responsible for issuing such standards. Should a locally approved standard not be available, an equivalent standard to the satisfaction of the appropriate competent authority shall apply.

(b) Moreover to minimise noise and vibration levels all equipment must have functional exhaust or muffler systems.

c) Unnecessary noise, such as leaving noisy idle machinery operating, shouting, loud radios or excessive revving of engines shall be avoided.

Health and Hygiene.

2. The owner must ensure that the following health and hygiene provisions are adhered to:

2.1 Removal of waste material - The clearing away of waste material shall be carried out in a routine manner, quickly and effectively, and shall be:

a. carried out in a manner that does not cause any damage or spillage to public areas or third party property;

b. carried out using receptacles that are fully enclosed or using open skips which are securely covered with canvas or any other material which would not allow the dispersal of dust particles or the waste being handled and that does not permit any spillage thereof; and

c. guided into an enclosed shaft or chute conforming with regulation 2 outlined in Schedule II.

2.2 All waste material shall be removed from the immediate vicinity of the site by the owner or the contractor and suitably disposed of daily unless the Site Manager can provide sufficient reasons to the Building Regulation Office to justify an extension of this period.

2.3 Hazardous material - Notwithstanding any provisions governed by any other law regulating hazardous material, where a hazardous material is utilised on site the following measures shall be adopted:

a. to properly store and isolate any hazardous material to prevent contamination of the site and surrounding sites, storm water and the potable water courses particularly with regards to hazardous wastes which are water soluble or may become airborne;

b. where hazardous material is stored on site there shall be erected on the street boundary of the site, adjacent to the notice board or billboard defined in Schedule I paragraph 1, an A4 sized caution sign indicating the presence of hazardous waste on site.

2.4 Point Source Pollution from Storm Water -In order to ensure that the site under construction does not become a point source of pollution due to the surface run off it generates during construction, the following minimum prevention measures shall be undertaken accordingly in order to mitigate against circumstances such as the:

a. contamination of road surfaces with particulate matter that is washed out from within the site;

b. clogging of any public or private storm water drains with suspended solids washed out from within the site;

c. wash out of hazardous waste and non-hazardous material to the marine environment;

d. wash out of hazardous waste onto permeable land; and

e. any other form of pollution caused from the storm water run off generated from the construction site.

2.5 Owners, site managers or contractors as the case may be, are obliged to ensure that the site is equipped with the necessary collection sumps and pumps that enable any water discharged within the site to be collected and pumped to an appropriate retention tank, avoiding the spillage of such waste water onto public or private areas.

Occupational health and safety

3 Any person or entity on whose behalf building or construction work including the installation of services and finishing work is undertaken shall take the necessary measures to ensure that the works, services or finishes are undertaken by competent persons in their respective trades.

3.1 For the whole duration of the contract, in addition to the requirements of regulation 3 above, that person or entity shall also ensure that the contract/s for the works, services or finishes shall embody provisions to ensure the health and safety of all persons carrying out the work or who may be affected by the work.

3.2 All persons or entities entrusted with building or construction work including the installation of services and finishes shall take all reasonable measures according to the requirements that meet the Occupational Health and Safety Authority Act, Cap. 424, and subsequent related subsidiary legislation issued under that Act.

Excavation works

4. Without prejudice to any other existing law or regulation that is in force, at the time, if the stability of adjoining buildings, walls or services may be endangered by excavation works, adequate underpinning, shoring and bracing shall be provided to prevent damage to, or movement of, any part of adjacent properties, or the creation of a hazard to third parties or the public.

4.1. Except as provided in *paragraph 4.2* below, before excavation work begins, all existing gas, electrical, water, steam and other services shall be shut off, capped and provided with a label so as to permit easy identification outside the limits of excavation.

4.2 Any service company whose service connections will be affected shall be notified within a reasonable time in advance of any action and, if it is necessary to maintain any such service, it shall be relocated as necessary and protected from damage in such a way as to afford safety to the public.

4.3. Existing services may be left within the area of the excavation, provided that;

a before the work starts the approval of the service company involved is obtained as to the proposed method of operation,

b their location is determined before excavation is begun,

c a suitable method of excavation which will ensure that they are not damaged is adopted, and

d suitable temporary supports are provided.

4.4 Excavations shall be kept reasonably clear of water so as not to endanger the workers, and the public or to create conditions hazardous to health.

Demolition Work

5. Prior to any demolition work beginning on a site, a demolition plan shall be prepared by a warranted "Perit", or a demolition expert who is registered by the Building Regulation Office and such a plan shall be submitted to the Building Regulation Office no later than three weeks before the start of the works.

5.1 The demolition plan shall take account of the structural condition of the construction, the sequence of work, the type of tools, equipment and plant to be used, and the precautions to be taken at each stage to guard against instability of the structure or parts thereof being demolished and any other adjacent structures.

5.2 From the start of demolition works until their completion, the stability of the structure or any partially

demolished structure shall be monitored and assessed and adequate measures be taken so that any hazards to health and safety of the workers and public are controlled and eliminated.

Competent persons for demolition work

5.3 All demolition work is to be undertaken by competent persons who shall be in possession of a valid stone mason licence or be registered in the category of demolition works with the Building Regulation Office.

5.4 While demolition work is in progress it is to be supervised continuously by a stone mason holding a valid mason’s licence, or a warranted “Perit”, or a demolition expert who is registered with the Building Regulation Office according to regulations published under the Building Regulation Act.

5.5 Where a part of a building is being demolished and other parts of that building are still being used or occupied, there is to be provided a watch with tours of intervals of not more than one hour apart provided through the whole of the demolition site.

5.6 Where a part of a building is being demolished and other parts of that building are still being used or occupied, adequate and safe ingress and egress facilities are to be provided.

5.7 - Where a risk of fire outbreak is present in any demolition work, a fire safety plan shall be prepared for the demolition site by those responsible for the demolition. The fire safety plan has to be approved by the Civil Protection Department before any site work is undertaken.

5.8 Except for water supplies which may be necessary for fire fighting, all building services shall be removed or shut off from the mains supply before a building is demolished.

5.9 If temporary electrical or other services installations will be necessary to carry out the demolition works, these services shall be installed in conformance with the requirements of the entity that is providing such services.

5.10 Tanks, piping and machinery reservoirs containing combustible liquids or flammable liquids which contain or are likely to contain flammable vapours shall be drained and removed prior to demolition of the building.

5.11 Where it is impractical to remove tanks, piping and machinery reservoirs from the building, such equipment shall be conspicuously marked and removed as soon as conditions permit.

5.12 Tanks, piping and machinery reservoirs identified in paragraph 4.11 above shall be purged with inert materials prior to the start of demolition works so as to prevent explosions.

SCHEDULE V

(Regulation 22)

1 For the purposes of Regulation 22, the bank guarantee shall be computed as follows:

For all construction works.	Length of frontage/s facing the street/s (meters) multiplied by €100

At the start of each calendar year, the values in this Schedule shall be revised by multiplying by a factor equivalent

to RPI (for December of the preceding year)/RPI December 2015.

**SCHEDULE VI
(Regulation 1)**

01 Exemptions - All construction works:

a. carried out that involve the trenching of ducts not exceeding 3 metres in depth and which are to be used for the purpose of installation of infrastructure related to the provision of potable water, sewerage services, storm water discharges, electrical energy and telecommunications:

Provided that the above mentioned trenching works could only be carried out in designated tourism zones as defined by the Ministry responsible for tourism after consultation with the Director during the period 15th June to the 30th September upon approval by the Ministry responsible for tourism following consultation with representatives of tourism establishments in the affected area.

b. carried out in tourism zones which are granted an exemption from all or part of these Regulations by the Ministry responsible for tourism; and

c. falling under any other categories that may be from time to time established by the Minister under this Schedule are exempted from these regulations.

**SCHEDULE VII
Regulation 9(5)**

Change of Owner/Site Manager

The Building Regulation Office
1st Floor, Project House,
Francesco Buonamici Str.,
Floriana. FRN 1700

Tel :
Fax:
e-mail:

Original Owner

I declare that as from today onwards, am not the owner of the site indicated above and exonerate myself from any responsibility regarding the management of this construction site, and according to the Management of Construction Site Regulations.

Signature
Date.....
ID No.
24 Hrs Telephone contact number

Site Manager

For the purpose of regulation 9(1) I am appointingas Site Manager

Signature of original Owner
Date.....

Signature of Site Manager
Date

ID No.(Site Manager)
24 Hrs telephone contact number

New Owner

I the undersigned, declare that as from today onwards, I am the new owner of the construction site and am assuming responsibility as requested by the Management of Construction Site Regulations.

Signature of new Owner:

Date

ID No.

24 hrs telephone contact number.....

E-mail address.....

Site Manager

For the purpose of regulation 9(1) I am appointingas Site Manager

Signature of new Owner

Date

Signature of Site Manager

Date

ID No (Site Manager).....

24 hrs telephone contact number.....

E-mail address.....

**SCHEDULE VIII
(Schedule I, Regulation 2)**

Band Saw

**SCHEDULE IX
Administrative Penalties**

Non Compliance with the Requirement of	Description of offence	Penalty €
Regulation 5	Provision of temporary services to sites that do not have a written confirmation from MEPA that site has a valid building permit if so required	500
Regulation 8 and 22	Restoration works that do not meet the requirements of the regulations	500
Regulation 9 (2), (5), (6)	Non submittal of information to the BRO	150 for each offence
Regulation 18(a)	Non compliance to an enforcement notice	1000 + 50 euro for each day the offence continues
Regulation 18(b)	Gives false or misleading information	1000

Regulation 19	Refuses to allow an authorised person to enter any construction site or impedes an authorised person to exercise any power given to him by the regulations without a valid justification	1200
Regulation 20(1)	Aggravating circumstances	175
Regulation 24	Does not settle outstanding penalties	100 + 12 euro for each day the offence continues
Schedule I		
Section 1	BRO does not receive commencement notice three weeks in advance of start of works or site notice is not fixed on site	1000
Section 2	Cutting of stone or other material not according to regulations	250
Section 3	Transportation and deposit of loose building material not according to section 3	250
Section 4	Obstructing the pavement	250
Section 5	Is causing a hazard to vehicular traffic by non conformance to section 5	350
Section 6	Site is not kept clean by non conformance to paragraphs a to f	350
Section 7	No rodent control is in place or not conforming to paragraphs a to d of the section	350
Schedule II		
Section 1	Hoarding is not provided or does not conform to the provisions of this section	1500 + 30 euro per day that offence continues
Section 2	Hoarding is not provided or does not conform to the provisions of this section	2500 + 50 euro per day the offence continues
Section 3	Hoarding does not conform to any requirement of paragraphs a to e	50 euro for each offence * 20euro per day the offence continues
Section 4	If a covered way is not provided	2500 + 50 euro per day the offence continues
Section 5	If a covered way does not conform to any requirement of sub sections a to j	50 euro for each offence + 20 euro per day that the offence continues
Section 6	If barricades are not provided or do not conform to any requirement of paragraphs a to d	2500 or 50 euro for each offence + 20 euro for each day that the offence continues
Section 7	If a safe passage is not provided or this does not conform to the provisions of this section	2500 + 20 euro for each day the offence continues
Schedule III		
Section 1(a)	If work is carried out outside the time limits	250 on each occasion on that same day + 60 euro for each day the offence continues
Section 1(b)	If work generating noise above the set limits is carried out between 2pm and 4 pm	150 on each occasion on that same day
Section 1(c)	If work generating impact noise on party walls and ceilings is carried out between 2pm and 4 pm	100 on each occasion on that same day
Section 1(d)	If unauthorised demolition or excavation is carried out in tourism zones between 15 th June and 30 th September	1000 + 150 euro each day the offence continues
Section 1(e)	If construction work is carried out on Sundays or public holidays unless authorised by the Office	1000
Section 2	If the required dust emission/control measures as required by paragraphs a to d are not taken	250 on each occasion on the same day
Section 3	If the required measures according to paragraphs a and b are not taken	250 for each offence and on each occasion on the same day

Section 4	If mechanical fair facing is undertaken on construction site	500 on each occasion on the same day
Section 5	If adequate facilities and measures are not provided or taken	250 + 60 for each day the offence continues
Schedule IV		
Section 1	Non conformance to requirements of sections 1 (b), 1(c) and 1(d) on noise generation	150 for each offence on each occasion in each day
Section 2.1	Non conformance to the requirements of paragraphs a to c or Section 2.1 in connection with the removal of waste material	150 for each offence on each occasion in each day
Section 2.2	Non conformance to section 2.2	150 on each occasion
Section 2.3	Non conformance to the requirements of paragraphs a or b on hazardous material	300 on each offense + 20 euro for each day that the offence continues
Section 2.4	Non conformance to the requirements of paragraphs a to e on point source pollution	150 for each offense + 20 euro for each day that the offence continues
Section 2.5	Non provision of adequate sumps for water collection	150 + 20 euro each day the offence continues
Section 4	Non conformance to any of the requirements of Section 4 and sections 4.1 to 4.4 on excavation works	250 for each offense + 20 euro for each day the offence continues
Section 5	Non conformance to the requirements of Section 5 and sections 5.2 to 5.12	300 for each offense + 50 euro for each day the offence continues